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Marriage Migration in East Asia: Integration Policy, Citizenship and Legal Status of Asian Women Brides in South Korea and Taiwan

Topic and Research Question

The topic of this MA thesis encompasses marriage migration in East Asia and a comparison of two country cases, South Korea and Taiwan on regulating the legal status of Asian women brides through promoting and restricting integration and citizenship. The analysis specifically focuses on three dimensions of the legal status: 1) Access to Nationality, 2) Permanent Residence, 3) Anti-discrimination, and discusses their relevance on their integration and citizenship.

The goal of the analysis is to gain lessons from Korean and Taiwan case on regulating aforementioned areas, and their relevance to settlement and membership to the countries, that may be applicable to East Asian countries or the others for further improvement.

Accordingly, research question of the thesis is: *What are the similarities and differences between the legal status imposed on Asian women brides to improve and restrict their integration and citizenship in South Korea and Taiwan, what lessons can we derive from the analysis?*

State of the Art

In the literature review part, it assesses the key definitions and terms, and continues to introduce and contrast the discourses on integration, citizenship, legal status, and the target group: Asian women brides who provide care services in the household and labor market. It reveals the different perspectives on marriage migration, and specifically illuminates on Commercially Arranged Transnational Marriages (CATM) prevalent in Asia.

Moreover, it discusses empirical approaches to measure Integration and citizenship. Throughout the literature review, it shows that great discrepancies lie between scholars which aspects and how to measure those. On the other hands, various approaches to marriage migration are discussed, including vast amounts of literature with comparative analysis on East Asian countries, specific nationality groups, marriage migrants in socio-demographic and institutional contexts.

However, still it shows that, being emerging immigrant destination countries, Korea and Taiwan are rarely studied, also, it is difficult to find national representative data. It is noteworthy that victimization discourses are apparent in the discourses of Asian women brides, in addition to that, studies on their individual agency and decisions to engage in the CATM are incomplete.

Methodology and Approach

To conduct the analysis, an analytical framework derived from literature review and Migration Integration Policy Index (2015) published by various migration organizations are applied. Each indicator under the following dimensions is evaluated by sub-indicators.

Access to Nationality	Permanent Residence	Anti-discrimination
Eligibility	Eligibility	Definitions and Concepts
Conditions for Acquisition	Conditions for Acquisition	Enforcement Mechanisms
Security of Status	Security of Status	Equality Policies
Dual Nationality	Rights Associated with Status	Education

Main Facts

Access to Nationality: Both Korea and Taiwan grant for full citizenship and almost same amounts of rights to naturalized migrants as local nationals. Both countries also have significantly mitigated the criteria to grant the nationality. Korea has more encouraged Asian women brides to apply and gain nationality, and it has runed more specialized integration program to integrate the migrants. While, Taiwan more intends to grant nationality and allows holding dual nationality exclusively to high-professionals. Both cases reveal very weak legal liminality in the dissolution of marital status, the aspect is pointed out in the indicator of 'Security of Status'.

Permanent Residence: Both countries show precarious status of the permanent residence visa holders. In the case of Taiwan, it is relatively easier to obtain the status, however, Korea allows more rights and entitlement attached to the status. Most importantly, in Korea, employment status is less strictly regulated and the brides are more accessible to public welfare assistance

(including health care system that is core to upbringing and parenting the children)

Anti-discrimination: It is notable that Taiwan is more proactive in promoting the institutions for anti-discrimination and equality due to its multi-ethnic background. Also, it results from Taiwan's precedent experience in managing its own diversity. Comparatively, Korea has no separate anti-discrimination laws regulated, only National Human Rights Commission Act (NHRCA) serves advisory roles to comment on specific cases, thus, it has no legal binding in implementation. Also, international conventions are included in Taiwanese laws that set more norms and principles to suggest what is acceptable or non-acceptable. Both cases show that enforcement mechanism is either not articulated enough or has a great discrepancy in practice. In terms of education, the indicator investigates two main approaches, 1) Education for migrant children, 2) Multicultural education for nationals, derived from the assessment, Taiwan has included more multicultural education into its curriculum, and has offered to a higher number of public schools. In addition, it provides specific education programs, including South-east language and cultural introduction courses. While, in Korea, multicultural education is more inclined to be neglected by publics and more subject to public budget.

Results

Lastly, to answer the RQ, the derived lessons are:

To Mitigate Unfair Treatment of Asian Women Brides: The Obstacles for Asian women brides to be integrated into the two countries are, 1) their precarious legal status in leading up to permanent residence and naturalization, 2) stigmas on Asian women brides both in origin and destination countries, especially in facing divorce and separation, 3) their trap in 'precarious, low-waged, unskilled, semi-compliant, and unprotected jobs', that puts them into low socio-economic status, 4) the overly strict legal regulations and procedures setting up to protect Korean and Taiwanese national spouses from fake marriages.

Approaching CATM: Korean case shows that it has involved with more stakeholders and social groups to entangle problems stemming from CATM. Thus, CATM issues are more complex in Korea, that leads Korean state to systematically regulate specialized brokerage marriage legislations. While, matchmaking in Taiwan is more within personal networks, also, Taiwan's recent Southbound policy to strengthen ties with South-east countries lead the state to be more relax about Asian

women brides (the state is more aware of the influx of mainland Chinese spouses rather), it shows that political circumstance with neighboring countries play a big part in Taiwan.

Tackling Assimilative Integration Approach: Both countries consider that citizenship to the migrants is a 'privilege' than a 'right'. It says that the governance of the East Asian model for integration and multiculturalism follows strong nationalistic and assimilative approach in managing settlement of multicultural family. Following, their approach to deporting and controlling unqualified migrants is not accommodating to international standards.

Promoting Integration, Citizenship and Legal Status: Taiwan's progress on putting the immigrant agenda on public discourse is still noteworthy, compared to the Korean case. This is greatly attributed to Taiwan's public immigrant rights advocacy organization (AHRIM), that functions to boost interorganizational partnerships. In a same vein, the presence of supranational immigrant rights organization and activating their principle-setting role in two countries are highly recommendable.

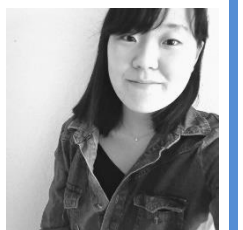
Fighting Discrimination, Prejudices and Building Next Generation: For two countries, it is required to set complete and comprehensive legislations to regulate anti-discrimination and equality. It is noteworthy to further investigate the role which mass media and education plays in propagandizing the biased views on Asian women brides in both countries. Multicultural education should serve a role to change perspectives on the migrants beyond political contestations.

References

All references can be found in the full version of the MA thesis available at <http://othes.univie.ac.at/>

About the Author

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