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THE SOCIAL EXCLUSION OF CHILD REARING UNWED MOTHERS IN SOUTH KOREA

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B. Abstract (approximately 150 to 250 words)

In South Korean society, child rearing unwed mothers constitute a very specific minority. They enjoy no specific legal protections to exercise their right to keep and rear their children, nor are there any comprehensive policies in place to promote social acceptance and substantive inclusion of them and their children. This article provides an overview of the social exclusion of child rearing unwed mothers in Korea, attending to the ways in which legal and social frameworks intersect and have been at times mutually reinforcing. The authors outline and discuss concepts of unwed motherhood, widespread discrimination in multiple social contexts, legislation relevant to unwed mothers and their families, current social services and barriers to accessing these, as well as alternatives to child rearing. The authors argue that social exclusion involves the multidimensional, processual, and dynamic ways in which individuals are marginalized, and which limit their meaningful participation and sense of belonging in the society in which they strive to craft livable lives. Key to this article's analyses of the social exclusion of child rearing unwed mothers and their families is the role of pervasive social stigma and shame, which continue to have a deleterious impact on the accessibility of social services (regardless of formal entitlement to those services), sense of belonging, visibility, and social participation.

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C. Keywords (please provide keywords required to facilitate search of chapter on web; 4-6 keywords)

Unwed mother, child rearing, adoption, social welfare, social exclusion, Korea

D. Introduction (length depends on the topic describing importance of subject and content)

1. INTRODUCTION

In South Korean (here after Korea) society, child rearing unwed mothers constitute a very specific minority. They enjoy no specific legal protections to exercise their right to keep and rear their children, nor are there any comprehensive policies in place to promote social acceptance and inclusion of them and their children. Indeed, Korean Constitutional law has since 1948 linked the concepts of marriage and family, thereby creating ample room to exclude unwed mothers and their children from formal recognition as *family* – and from the protections the State otherwise guarantees families (Yi, 2012).

Since the mid to late 2000s, advocacy organizations including *Korean Unwed Mothers Support Network* (KUMSN) and the unwed-mother led organization *Korean Unwed Mothers and Families Association* (KUMFA) have been established, which have provided much needed support and promoted more social awareness of child rearing unwed mothers and their children. There have also been improvements in social services and the social service delivery system. However, these improvements, while significant, have arisen largely through government concerns with falling fertility rates, which reached a historic low of 1.08 in 2005 and has since dropped even further to 0.92 in 2019. That is, political will to recognize unwed mothers' child rearing rights have been prompted by imminent demographic challenges, and not as an outcome of widespread and sustained concern with reproductive justice. Despite newly introduced and expanded social services and support programs, unwed mothers and their families remain significantly marginalized and socially excluded in Korean society.

The concept of social exclusion derives from mid-1970s France, designating individuals whose social bonds have been broken due to institutional failures and insufficient state support (Gordon, 2007). In the UK, the concept has typically been used to refer to poverty and material disadvantage (Gordon, 2007). Within European social policy more broadly, social exclusion has been employed to account for the multidimensional aspects of poverty, departing from a narrower focus on the lack of economic and material resources (Kim, 2018). The concept is also broad enough to include social positionalities like gender and ethnicity (Saunders, 2008). While there are numerous definitions of the concept, the “general consensus” is that adequately understanding social exclusion entails going beyond income measures and material resources, focusing also on health, education, housing, and access to social services (Millar, 2007; Kim, 2018). As Millar (2007) argues, research on social exclusion ought to consider individuals as relational, analyze availability of resources, recognize agency, and importantly, emphasize the dynamic, temporal nature of the social. In

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other words, social exclusion pertains not just to one's position in society, but also to the reproduction of the social.

Drawing on Room (1995) and Atkinson (1998), we define social exclusion as: *the multidimensional, processual, and dynamic ways in which individuals are marginalized, and which limit their meaningful participation and sense of belonging in the society in which they strive to craft livable lives.* “The opposite of social exclusion,” as Millar (2007, p. 3) contends, “is not integration or inclusion” but participation. Key to this article's analyses of the social exclusion of child rearing unwed mothers and their families is the role of pervasive social stigma and shame, which continue to have a deleterious impact on the accessibility of social services (regardless of formal entitlement to those services), sense of belonging, visibility, and social participation.

This article provides an overview of the social exclusion of child rearing unwed mothers, attending to the ways in which legal and social frameworks intersect and have been at times mutually reinforcing. The first section outlines concepts of unwed mothers in Korean society, demonstrating the legal basis for enduring negative stereotypes, and the close association between adoption and unwed motherhood. Second, the forms of social discrimination unwed mothers face are discussed. This section provides an ecological perspective on types of discrimination and sites of exclusion, which range from the intimate sphere of the family and neighborhood, through to institutional contexts. Third, legislation and recently introduced policies relevant to unwed mothers are outlined, including the Single-Parent Family Support Act (2008) and the recently revised National Basic Livelihood Security System (2014). Fourth, current support services and programs available to child rearing unwed mothers and their families are outlined and assessed. Alternatives to child rearing and the importance of adoption legislation are then briefly discussed. Finally, the discussion section offers the authors' analyses of the ways exclusion and marginalization persist, despite incremental changes to available social services and programs. Indeed, some policies designed to alleviate social exclusion may unintentionally further entrench marginalization. Addressing child rearing unwed mothers' social exclusion requires not only more targeted support services and programs, but larger-scale shifts in societal understandings of what constitutes 'legitimate' motherhood, parenthood, and family.

E. Main Text

2. Concept of Unwed Mothers

The term *mihonmo*, which literally translates as *not-married-mother*, has often been used to refer to women with vastly different experiences and diverse backgrounds, including women who have relinquished or lost their children to adoption, those who choose to be single mothers, and women who become pregnant while not married to the child's father and yet pursue child rearing. Conflating these experiences has created a culture of misrepresentation and for the *child rearing unwed mother* rendered her struggles invisible in mainstream society.

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Since the 1980s, the vast majority of Korean transnational adoptees have been children of single mothers. Many give birth in secluded maternity homes, some of which are linked to adoption agencies, which constitute sites of biopolitical production and regulation (Hübinette, 2007, H. Kim, 2016). From 1961, the law *Yllakhawgwi Pangibop* (Law Against Morally Depraved Behavior) provided the legal foundation for maternity homes. The law stipulated that the public was to report women who are sex workers, poor or likely to engage in sex work to the authorities so they can undergo rehabilitation (H. Kim, 2016). In other words, pregnant women and unmarried women with children have traditionally been strongly associated with sex workers and morally depraved behaviour. Many of the women from these maternity homes relinquished their children for adoption in the hope of ‘doing the right thing’ (Dorow, 1996; Han, 2010). Their motherhood has been characterized by loss and yearning, sacrifice and grief, but above all an absolute lack of self-determination. In her study of Korean birthmothers, Hosu Kim (2015, p. 79) argues that single pregnant women are subject to what she calls “pre-natal alienation,” whereby they are alienated from reproductive choice, labor, as well as their children. In addition to being represented as deviant and transgressive, upon relinquishing their child they suffer “the double stigma of sexual transgression and absent mothering” (H. Kim, 2015: 79). Numerous women have been forced into relinquishing their children due to poverty, domestic violence, sexual violence, patriarchal pressure, and stigma. Indeed, many of the women entering these maternity homes only did so because family members and other medical and health care professionals actively intervened and facilitated the intake procedure. Even today, younger pregnant women are often given little choice in determining their child’s future as captured in Engelstoff’s 2019 documentary *Forget Me Not*.

Original mothers have not only been socially isolated, but have also suffered the repercussions of the child’s legal status in the absence of the child’s father. Korea does not have a universal birth registration system, but instead employed the patriarchal family-based *Hojuje* up until 2008. Under this system individuals belong to the male family head, whether there exists an actual genealogical relationship or not. For individuals without a male family head, the local city or district officials would place them on their own orphan-hojuk, without any other proof of birth or origin (Oh, 2015). The fact that the birth of a child is not automatically registered by authorities has left open the possibility of falsified birth reporting, by for example registering the child as born to an uncle, grandparent or complete strangers. Through such administrative loopholes, children of women giving birth outside of marriage have largely been absent from public records.

A more recent term for women raising their children on their own is *bihonmo*, *single-mother-by-choice*. The term *bihonmo*, although also carrying the literal meaning ‘not-married-mother,’ signals a self-perception characterized by self-determination in rejection of the social norm of marriage (Choi, 2006). They enter pregnancy and child rearing, not by coincidence or force, but have made a conscious decision to pursue motherhood separately from marriage. They reject the shame, pity and victimhood otherwise associated with unwed mothers (Yang, 2012).

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In this article, we focus on the third group of *mihonmo* defined as child rearing unwed mothers. Their pathway to parenthood often starts with an unexpected pregnancy and the difficulties following their choice to assert their right to keep and rear their children. Although most of the women are in a relationship with the child's father at the time of pregnancy, the men choose to end the relationship and remain uninvolved in the child's life. Thus, the women's child rearing choice comes not only as a desire to carry the pregnancy to term and nurse their child, but also to assume responsibility for their actions and make the best decisions for their child and themselves (Lee et al, 2018). Although child rearing unwed mothers generally speak of similar experiences with their children's fathers, the group varies greatly with regard to age and educational background. In their 2010 proposal for social welfare services for low-income child rearing unwed mothers, the Korea Women's Development Institute (KWDI) pointed out that the number of teen unwed mothers is decreasing, and at the time only accounted for 26~30% of the total number of unwed mothers. Women in their 30s made up approximately 50~60%, while the remaining mothers were older.[1] In a survey of 213 unwed mothers, approximately one-third were either enrolled in or had graduated from college, 37% had graduated from high school, approximately 23% were enrolled or on leave from high school, and less than 10% had a middle school degree or lower.

3. Social Discrimination

Child rearing unwed mothers face various forms of discrimination, negative stereotyping, and stigma in multiple spheres that constrain their social participation and ability to thrive. Taking an ecological perspective, unwed mothers face stigma and discrimination at the interpersonal and familial level, through to their educational and workplace settings, as well as in their interactions with healthcare and service providers and government officials. Results from a survey conducted by the Korean Women's Development Institute among 2,000 adults in 2007 on the issue of child rearing unwed mothers and their children found that this specific type of family formation was very likely to be perceived in a negative and discriminatory manner by Korean society - second only to the LGBTIQ+ community (Kim & Ahn, 2009). The same study also revealed that people in general tolerate unwed mothers as neighbours and as colleagues, but do not want a closer personal relationship with them (Kim et al, 2009). The KWDI also inquired into the opinions of experts in contact with child rearing unwed mothers such as public officials, staff and representatives for women's organizations, professors and researchers and staff and representatives from NGOs. The study found that 50 out of 53 respondents (94.3%) were of the opinion that child rearing unwed mothers face *much* or *very much* discrimination (Kim & Kim, 2012). These results clearly show that child rearing unwed mothers and their children are not accepted on equal footing with other families in Korean society.

Negative stereotypes of child rearing unwed mothers cause many women to reproduce and project this image on to themselves when they become a child rearing unwed mother. Internalizing these social prejudices, and faced with constant pressure from these

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longstanding patterns of negative attitudes and discriminatory behaviors, many women choose to hide the fact of their pregnancy - even to their closest family members (Lee et al, 2018). The lack of social support is sadly a common experience for these women as they go through pregnancy and childbirth to pursue motherhood. Ostracized by the child's father, their own parents, colleagues and friends, and met with disdain in public settings such as local government offices, medical care facilities and child care institutions, these women pay huge emotional costs to retain their child rearing rights (Kim, et al 2012).

Interviews with child rearing mothers have found that their parents are generally strongly against their child rearing choice and demanded either adoption or an abortion (Yang, 2012). The family will cut off all ties or simply exclude the women from the family when they insist on keeping and rearing the child. Exclusion from the family will have not only great emotional consequences for the women but also financial impacts. Since people usually live with their parents until marriage, exclusion from family may result in loss of safe housing (Kim, et al 2012). Estranged from their immediate support network, some women make the choice to abandon their infants, and others express a wish to relinquish their child for adoption, due to estrangement from the child's father and/or his explicit wish not to be involved in child rearing.

Unwed mothers face significant barriers when it comes to retaining employment. Indeed, child rearing unwed mothers face an almost impossible dual role as sole breadwinner and caretaker. Many will lose their job for the simple reason that they are child rearing unwed mothers and are thereby forced into lower paying unstable private and public part-time jobs, retraining jobs, or forced to rely on welfare benefits (Kim, et al 2012). Some will quit their jobs to protect their physical and emotional health, while others are forced to do so because they have been outed as a pregnant unwed mother (Lee et al, 2018). Workplace harassment from employers and co-workers is not uncommon, which can result in unwed mothers quitting due to shame and low self-worth (Lee & Yang, 2019). Since women have not been fired, but rather have quit 'voluntarily,' they do not have grounds to sue their employers on the basis of discrimination. Their self-removal from, and inability to self-advocate in the workplace, attest to the pervasiveness and force of negative stereotypes of unwed motherhood, and the profound emotional costs of internalized stigma. Furthermore, the lack of child care support options - both private and public - contribute to difficulties in securing full-time employment.

Child rearing unwed mothers also encounter negative perceptions, stereotypes and discrimination in their interactions with the official service delivery system. In various studies on this issue, unwed mothers share stories of confrontations with healthcare professionals, nursery school teachers, and public officials; these are often of a demeaning and degrading nature, reinforcing womens' internalized self-hatred (Lee et al, 2018; Sung et al, 2016) These studies have found that healthcare professionals do not respect the womens' right to motherhood, share the womens' private information without consent (including details about their marital status), and generally treat them very harshly. In addition, women often come into contact with public officials at the local government office, during pregnancy and during child rearing. For instance, according to Korean law on birth registration, the

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women must register their child as ‘child born outside marriage’ at the local government office. This is a significant site and process whereby women and their children are subject to humiliation and shaming in public. Women describe public officials’ behavior as unkind, authoritative, and discriminative, and conclude that they are of little actual assistance because they provide insufficient and inadequate information. Furthermore, starting as early as nursery school, the children of unwed mothers are treated differently by their teachers for the sole reason of being born to an unwed mother (Lee et al, 2018; Sung et al, 2016; Yang, 2012

4. Legislation Relevant to Child Rearing Unwed Mothers

A range of social welfare services and programs are available for child rearing unwed mothers and their children. These include policies created across: the Ministry of Health and Welfare, who are tasked with legislating on children, ‘normal’ families and those in need, and the Ministry of Gender Equality and Family who since 2001 (then The Ministry of Gender Equality) legislate on matters related to youth and women. Child rearing mothers points out that accessing and navigating these options are a key obstacle for them during both pregnancy and child rearing (Kim, Lee & Lee, 2018). Importantly, these are not universal services, and qualifying for one scheme will disqualify the recipient from another. In practice, the child rearing mothers will have to decide between receiving services through the Single-Parent Support Act, assuming they have a high enough income to largely provide for themselves, or the National Basic Livelihood Security System, under which they cannot have significant income if they are to qualify to receive full benefits.

Single-Parent Support Act

The Mothers and Fatherless Child Welfare Act was first established in 1989 and revised in 2002 when it became the Single-Parent Welfare Family Welfare Act. In 2007, it was revised and renamed the Single-Parent Support Act, which came into effect in 2008. Under the new legislation the government has steadily increased the amount of child care financial assistance from 50,000 won/month in 2007 to 200,000 won/month in 2019; importantly adjustments were also made to the eligibility criteria and requirements, to allow a larger number of single parents to receive support (Ministry of Gender Equality and Family & Lottery Commission, 2020). The purpose of the Single-Parent Support Act is to support low-income single parents to attain a more stable livelihood and improved welfare. Here single parents include widows/widowers, divorcees¹ and unwed mothers and fathers who are caring for a child up

¹ Korea ratified the UNCRC in 1991, but had until 2008 a reservation to article 9, paragraph 3 which reads: “States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.” In the event of a divorce, the child will most often lose all contact to at least 1 parent, and sometimes to both if placed in a living facility

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until 18 years old.² Eligibility is determined according to the number of members in the household, income, assets and savings/investments, and is subject to yearly changes (Lee et al, 2018).

After the revision, child care assistance has also slowly increased. Yet eligibility remains very restricted, and since financial independence is impossible to realistically attain, child rearing mothers remain part of the working poor (Kim et al, 2012; Lee, 2017). The issue of child care assistance has been widely debated among child welfare experts, since the children entering into adoption institutional contexts have often been relinquished by unwed mothers. Arguments have been made to support policy in favor of family preservation rather than family separation. As of 2020, single parents receive 200,000 won/month, 50,000 won more than adoptive parents which should have resolved the child care issue. However, single parents are still greatly disadvantaged in comparison to adoptive parents with regards to medical benefits.

Combining all single parents under one piece of legislation incorrectly gives the impression that the absence of the child's other parent (often the father) is a similar practical, emotional and social experience for all mothers. In reality, child rearing unwed mothers' needs differ greatly from those of widows and divorcees. For them, the abstract concept of stigma and disdain most often translates into job loss and immediate risk of poverty when their identity as a pregnant or child rearing unwed mother becomes public knowledge at their workplace. Consequently, unlike widows and divorcees, child rearing unwed motherhood is strongly associated with a change of career and temporary absolute poverty.

National Basic Livelihood Security System

The National Basic Livelihood Security System was first established in September 1999 in response to the high unemployment rate and growing poverty due to what is known in Korea as the *IMF-crisis* (Lee & Kim, 2016). The system aims to provide a minimum standard of living to low-income child rearing unwed mothers which are very often the only financial option they have (Lee et al, 2018). The system has undergone several revisions, most importantly in 2014 when it became a 'custom-made support system.' Prior to this, eligibility depended on specific demographic criteria limiting eligible service receivers to the sick, elderly, children under 18 years old, expecting women, and those unable to work. In 2014, Korea abolished the poverty line and instead introduced a means testing system based on percentages of the median income and now operates with different income-based eligibility criteria for each of the 4 key categories of services 1) Living Stipend (30%), 2) Medical Care

² this period is extended in 2 cases 1) up until 22 years of age if the child is enrolled at an educational institution and 2) if the child has been serving his mandatory military duty, then this period will be added to time

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F(40%), 3) Housing (45%) and 4) Transportation (50%). In 2020 the median income is calculated as shown in [Table 1] Median Income, 2020 below for 1 to 7 persons households.

[Table 1] Median Income, 2020

	1 person	2 people	3 people	4 people	5 people	6 people	7 people
2020	1,757,194	2,991,980	3,870,577	4,749.174	5,627,771	6,506,368	7,389,715

Source: Ministry of Health and Welfare, 2020

The graded eligibility percentage means it will be relatively easy to obtain support for transportation, but much more difficult to be eligible for a living stipend. A two-person family with an income below 1,495,990 won/month (equal to 50% of 2,991,980 won) will qualify for transportation services, but must fall below a combined income of 897,594 won/month (30% of 2,991,980 won) to qualify for living stipend. Consequently, the law has been heavily criticized for failing to actual support families with children (Lee, 2017; Lee et al, 2018; Shin et al, 2014)

Act on Enforcing and Supporting Child Support Payment

The Act on Enforcing and Supporting Child Support Payment was first established in 2015 after years of pressure and media attention. According to article 1 the purpose of the act is to “create a safe environment for rearing a minor by supporting the enforcement, etc. of the payment of child support” from the non-custodial parent to the custodial parent.³

Child support payments rarely happen voluntarily, as demonstrated in the Korean Women’s Development Institute’s triennial reports of single parent families, the most recent of which was published in 2018 (Ministry of Gender Equality and Family, 2018). Among 2,063 families surveyed in 2012, 83% reported never having received child support from the non-custodial parent; this dropped to 73.1% of 2,039 families in 2018. In the same period, the number of families regularly receiving child support increased from 5.6% to 15%.⁴ Without legal ramifications for withholding these payments, or a pathway for the custodial parent to enforce the payments, many unwed mothers have had to give up on receiving child support. With the establishment of The Act on Enforcing and Supporting Child Support Payment the child rearing parent can now receive practical, legal and financial support to file for the father’s legal recognition of the child and child support through the Child Support Agency

³ The custodial parent also includes the child rearing grandparent.

⁴ The media has since 2018 widely reported on the homepages such as ‘Bad Fathers’ and events such as ‘Bad Fathers and Bad Mothers’ where the identity of those not paying child support has been publicly revealed.

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(Lee et al, 2018). In doing so, the agency aims to promote child support payments to better ensure a healthy environment and safe upbringing for the child until the age of 19 years old (Ministry of Gender Equality and Family and Lottery Commission, 2020). However, as these KWDI results demonstrate, the percentage of families filing for child support only increased slightly from 4.6% in 2012 to 7.6% in 2018.

While unwed mothers are formally entitled to child support, there are numerous barriers to asserting these rights, and applying for child support may entail unforeseen financial and practical repercussions. First of all, for the custodial parent to file for child support, they will need the non-custodial parent to legally recognize their relation to the child. However, when the non-custodial parent recognizes the relationship with the child, he/she obtains *ch'inkwŏn* (parental right) and with that are eligible to legally challenge for *yangyukkwŏn* (fostering rights). Moreover, since the Family Court regards financial stability as a key factor in determining *yangyukkwŏn*, a low-income unwed mother suing a father with full-time employment for child support, who may even have remarried, may open herself up to a losing custody battle. Second, if the father legally recognizes his relationship with the child, the unwed mother may lose her eligibility for support through the National Basic Livelihood Security System, because she is assumed to be in communication with, and receive support from the father (Lee et al, 2018).⁵

Act on Special Cases Concerning Adoption

Adoption is regulated by the Civil Law and the Act on Special Cases Concerning Adoption. Running parallel to the Civil Law, Korea has since 1961 with the establishment of The Special Act on Adoption for Orphans had a law specifically designed to facilitate adoption. The act has undergone 3 major revisions in 1976, 1995 and 2011. While adoption regulation does not directly pertain to unwed mothers, there is an intimate relationship between the adoption program and unwed mothers' *choice* for their children's future. With political participation from generations of unwed mothers, some of whom have lost their children to adoption and others struggling to assert their child rearing rights, the most recent adoption law came to address one key aspect where adoption and unwed motherhood intersect.

During the legislative negotiations child rearing unwed mothers groups and adult adoptees advocated for a 1-month waiting period to be instituted to protect vulnerable expecting women from losing their child. However, a compromise was reached and a 1-week waiting period was introduced instead, as stipulated in Article 13. This waiting period is intended to prevent women from relinquishing children prior to giving birth, and to provide them with the opportunity to bond with their child, make an informed decision, and if need be, prepare

⁵ The burden of evidence to prove that there is no relationship or contact between the unwed mother and the child's father, falls on the unwed mother when she applies for welfare benefits. Thus, she may be required to submit a full list of phone calls to verify her claim.

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for permanent separation. The Act also requires adoption agencies to provide the child relinquishing woman with “sufficient counseling services with respect to what kind of support is available if they raise a child directly and the legal effect of adoption.”

Act on Registration of Family Relations

The predecessor to the Act on Registration of Family Relations was the *Hojuje* or hoju family registration system regulated under Civil Law. The Hoju system was introduced in 1953 and was a registration system similar to that of the Japanese *koseki*, the Chinese hukou and the Vietnamese *hộ khẩu*. Under this patrilineal system, individuals were registered under the family head, the *hoju*. The family head would be the father, and thus women were at birth registered as a member of their father’s household and at marriage as a member of their husband’s household.⁶

In 2005, with a 7-2 decision by the Constitutional Court, the Hoju system was judged not to be compatible with the Constitution, as it violates human dignity and gender equality. Consequently the Hoju system was abolished on January 1st 2008 and replaced by the Act on Registration of Family Relations. The new family registration system is an individual system which refers to the relationships between wife and husband, parents and children, and other relatives.

The legal practice of excluding women as head of family under the Hoju system has been a significant burden for child rearing unwed mothers. With the child’s father not automatically registering the child on his household, women have had to seek and negotiate other alternatives to registering their child, such as their own father, a brother or a male acquaintance. Hence social exclusion from the family has in reality had the connotation of cementing legal barriers to official recognition of the child’s existence, in addition to erasing the woman’s motherhood.

5. Current Social Services for Child Rearing Unwed Mothers

Legislation as discussed in the section above guarantees support for child rearing unwed mothers. However, as the social welfare delivery system in Korea is characterized by privatization and high levels of discretionary power among front-line workers, founders,

⁶ Women were not legally prohibited from the position as family head as Koh Eunkang points out “women only inherit the position of family head when there are no surviving males”. However, evident from Mark Peterson discussion in *Korean Adoption and Inheritance: Case Studies in the Creation of a Classic Confucian Society*, solutions to the lack of a male heir were not to simply accept a female heir, but rather to add wives or add sons

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managing directors etc, there is no guarantee or standard for the practice, method, quality or amount of services actually provided. These may vary greatly from one facility, agency and organization to another - and from one point in time to another. While this complicates general descriptive summaries for scholars, it also muddies the welfare market for the service receivers. In general, many of the service providers have religious affiliations and to a large extent rely on private donations. In [Table 2] Social Welfare Services for Child Rearing Unwed Mothers below we provide an overview of six different types of government supported programs and social services with details on the scope and eligibility criteria of each: 1) Pregnancy and Child Birth Support, 2) Child Care Financial Assistance, 3) Housing Support, 4) Social Services, 5) Childcare Support System and 6) Reduced Fees.

Pregnancy and Child Birth Support can be found at 22 facilities nation-wide, which are known as Mother-and-child family welfare facilities (type A in accordance with article 19 in the Single-Parent Family Support Act), and which aims to support basic living including housing and livelihood for a given period of time to women in urgent need during their pregnancy and childbirth. We have included examples of services and programs as offered by Aeraonwon.⁷

Child Care Financial Assistance covers a range of programs and financial schemes. The purpose of child care financial assistance is to quickly provide financial support, child care services etc. for low-income families in sudden need due to divorce, unemployment, and medical emergencies. General income eligibility criteria to qualify is 75% of the median income, while single parents under the age of 24 years old are provided extra support if they fall under 60% of median income. Other single parents must fall under 52% of median income to qualify for financial assistance. Support can be found at 17 facilities nation-wide. Also offered is free DNA testing for those planning to file for child support from the non-custodial parent.

Housing is an urgent issue for many child rearing unwed mothers as they are often forced to leave their home. There are 3 types of housing potentially available for these women. A large number of residential facilities have been established over recent years to accommodate womens' different needs during pregnancy, childbirth and child rearing; these range from temporary emergency shelters to 2-3 years' residential options. The cheapest independent housing option is a housing unit, where each family pays a monthly rent for a unit or flat in a larger house. The most sought-after, expensive, and difficult housing option to obtain is an apartment in a public high-rise complex.

Social Services support single parents on issues such as child support, education and employment. At the discretion of the individual principal, pregnant teens attending school are

⁷ Aeraonwon was founded in 1960 and conveniently located in the northern part of Seoul. While the original purpose was to support runaway girls and sex workers, the focus has for decades been on unwed mothers and today Aeraonwon has built a strong network offering a wide range of services. Aeraonwon was the first unwed mothers' facility to focus on child rearing over adoption and has over the years developed significant expertise in providing child rearing services

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often expelled when their pregnancy becomes known or visible. Without a high school diploma, they will largely be excluded from future labour market participation in a country where 97% of the younger generation graduate from high school. To support these women's education there are now sixteen schools nation-wide exclusively offering middle-school and high-school classes to this group. The government also promotes the *Employment Success Package Program*, although it fails to meet the individual needs of child rearing unwed mothers.

The Childcare Support System is essential to allow child rearing unwed mothers an opportunity to reenter the labor market. Currently, there are different programs available depending on the child's age and the mother's needs. In addition, the women are eligible for reduced fees and payments to both the public and private sector when these services are considered essential, such as e.g. the national health insurance program, water, mobile phone etc.

[Table 2] Social Welfare Services for Child Rearing Unwed Mothers

Pregnancy and Child Birth Support

Mother-and-child-family welfare facility (A-type) (22) (article 19 a) Services

- Living support and meals up until 6 months after birth
- Support for independent living
- Medical support

Example: Aeranwon

Living support: accommodation, meals, therapy, self-support group counseling and family meeting.

Health Care: support for child delivery and support for pre and post-natal care

Child Rearing: Parent education, parent counseling, support for baby equipment

Emotional Support Programs: Mental health workshops, art therapy, handcraft program, cultural experiences, picnics and camps

Counseling: Adoption process, the 1 week *waiting period* and family counseling

Support for Independence: Career counseling, vocational training workshops, legal advice and assistance and financial aid for high school GED

Child Care Financial Assistance

Eligibility:

- Income: Below 75% of median income
- Assets
- Savings and investments

Financial Assistance – group 1 (Single-parent support)

- Eligibility: Below 52% of the median income and the child is below 18 years old
-

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- Benefits : 200,000 won/month financial assistance and 50,000 won/month in extra financial assistance (for children below 6 years of age)

Financial Assistance – group 2 (Support for Youth)

- Eligibility: Below 60% of median income and the parent is below 24 years old.
- Benefit: 350,000 won/month financial assistance and 1,540,000 won/year to prepare high school GED

Immediate Postnatal support

- Available at 17 centers nation-wide
- Support for unwed mother/father and child after birth
- Free DNA testing
- Education and culture program
- Peer-group support

Other Services

- **Vouchers:** diapers 64,000 won/month / formula 86,000 won/months (eligibility: Children under 2 years old)
 - **Education for children:** free high school education, free school meals, free after school programs
 - **Emergency child rearing support:** 200,000 won/month per child for maximum 1 year (eligibility: families not receiving child support for non-child rearing parent)
-

Housing

Housing 1. Welfare Facilities (Article 19)

- Mother-and-child family welfare facility (47)
- Father-and-child family welfare facility (3)
- Unmarried mother-and-child family welfare facility (64)
- Temporary supporting welfare facility (10)
- Single-parent family welfare counseling center (7)
- Child care (no costs)

Housing 2. Independent living in housing units

- Priority over other families on the waiting list
- 100% subsidy for down-payment
- Subsidy for maintenance cost
- Housing available for up to 6 years (with review every 2 years)

Housing 3. Independent living housing apartments

- Priority over other families on the waiting list
 - Subsidy for monthly rent
 - No subsidy for down-payment
 - No time-limit
-

Social Services

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Child Support

- In accordance with the Act on Enforcing and Supporting Child Support Payment

Educational Support for Young Parents

- 16 schools nation-wide offering middle and high school classes.

Employment Success Package Program

- Eligibility: Welfare recipients, single parents and unwed mothers between 18 and 69 years old.
 - 1 year individualized vocational training
 - Free education at designated institutions/programs
-

Childcare Support System

Daycare Center

- All children upto 5 years old.
- Priority over other families on the waiting list
- Subsidy through voucher for private and public daycare centers.
- 240,000 to 470,000 won/month according to the child's age.

In-home child care

- Eligibility: children below 12 years old with 2 working parents, working single-parent family, family with more than 3 children, children with parent with disability,
 - Full-day. 3 month to 36 months: 200 hours/month
 - Short-time. Up to 12 years: 720 hours/year
 - Subsidy according to income
-

Reduced Fees

Eligibility: Welfare recipients, depending on their percentage of median income

National Health Insurance : Subsidy

Water bill : Subsidy reduction

Mobile phone bill: reduction

Recipient group 1: welfare recipients qualifying for medical benefits

- Basic subsidy 26,000 won/month
- Usage: 50% (up to 33,500 won/month)

Recipient group 2: all other welfare recipients

- Basic subsidy 11,000 won/month
- Usage: 35% (up to 21,500 won/month)

Car inspection fee: 80% reduction

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Source: Ministry of Gender Equality and Family & Lottery Commission, 2020 and Ministry of Gender Equality and Family & Korean Institute for Healthy Family, 2019

Policies for unwed mothers started with policies for single-parent families. The government has since 2008 shown a growing interest in child rearing in alternative families and increased the budget to support these families. One such example is the increase in child care financial assistance which has increased from 50,000 won/month in 2012 to 200,000 in 2020.⁸ Another example is the inclusion of grandparent-headed families in the Single-Parent Support Act of 2007. Policies for child rearing unwed mothers and teen-single-parents⁹ have become dichotomized and there are more services specifically tailored to the needs of each group (Lee, 2015; Lee, E.J., 2017).

The improvement in services is a testament to the political will to support unwed mothers' child rearing choice, moving away from decades of focusing on adoption. However, the services fall short of providing long-term support in the form of, for example, vocational training and business start-ups opportunities. Experts in the field have pointed out that the political focus on youth and children under the age of 5 years old fails to provide long-term solutions for these families and address challenges they will meet at a later point in life (Lee, 2017).

6. Alternatives to Child Rearing

Unwed mothers keeping and rearing their children is a relatively new phenomenon. Historically, there has been no expectation for these women to actively pursue motherhood; indeed, options to relinquish their children for adoption and abortion have been the norm. The access to these alternatives and society's preference for these are important aspects of the unwed mothers' struggle to claim their child rearing rights.

6.1. Adoption

The adoption program has served different social purposes to regulate and minimize the visibility of the marginalized, including mixed-raced children, children with disabilities, and children from broken or socially unacceptable families (Pate, 2010). As such, adoption brokers first and foremost sought to establish the intercountry adoption program to allow

⁸ 2012: 50,000 won, 2013: 70,000 won, 2015: 100,000 won, 2017: 170,000 won, 2018: 130,000 won and 2019: 200,000 won.

⁹ According to the Youth Welfare Support Act *youth* is defined as those between the age of 9 and 24 years old. Noh, Kim and Cho (2015) provides a full table of the concept of the child in Korean law in their book *Yebanggywa t'ongbapü gnanchömesö bon adongbokjiron* [Child Welfare Theory from the Perspective of Prevention and Integration].

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foreigners to adopt more children, and to do so quickly and relatively easily (Kim, 2016). Legal scholars today argue that the Korean adoption program has roots in the U.S. immigration system and not the Korean welfare system (Lee, K. E., 2017). In fact, the adoption law continues to run separately and in parallel to the Child Welfare Act, which regulates other alternatives such as foster care and institutional care. Despite this, adoption legislation has since 1961 legitimized, reinforced, and perpetuated a culture of relinquishing children for adoption as a morally acceptable and socially preferable choice. The 2011 revision of the adoption law goes some way toward addressing this, through the Family Court’s oversight of the relinquishment process.

[Table 3] Family Background for Intercountry Adoptees above shows the family background for intercountry adoptees between 1958 and 2018. According to official records, in 104,702 of the 167,547 adoption cases the children were born to an unwed mother. In the 1990’s more than 92% of all adoptees were born to unwed mothers; in 2000-2010 more than 97% of adoptees were born to unwed mothers. After 2011 the number of unwed mothers relinquishing their children for adoption has drastically decreased.

[Table 3] Family Background for Intercountry Adoptees

	Missing	Unwed Mothers	Broken Families ¹⁰	TOTAL
1958 – 1960	1,675	227	630	2,532
1961 – 1970	4,013	1,304	1,958	7,275
1971 – 1980	13,360	17,627	17,260	48,247
1981 – 1990	11,399	47,153	6,769	65,321
1991 – 2000	225	20,654	1,444	22,323
2001 – 2010	45	17,543	410	17,998
2011 – 2018	30	194	3,627	3,851

Source: Shin, 2020

Not only has the family background for adoptees changed over the 7 decades, but the percentage of adoptees whose births were registered as an ‘outside-marriage birth’ has also

¹⁰ Single parents and families living in poverty are included in broken families.

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noticeably decreased.¹¹ [Table 2] Registered Outside-Marriage Birth and Adoptions below shows how more than 67% of women who gave birth outside marriage between 1981 and 1990 chose adoption over child rearing. This number fell to 26% in the following decade, and dropped further to 21.66% in the period 2001 to 2010. Most significantly, more than 99% of children born outside marriage in the most recent years have not been placed in out-of-home care services such as adoption.

[Table 4] Family Background for Intercountry Adoptees

	Outside Marriage Births*	Adoption**	Estimated Child Rearing Unwed Mothers
1981 – 1990	70,077	47,153 (67.29%)	22,924
1991 – 2000	76,767	20,654 (26.90%)	56,113
2001 – 2010	81,000	17,543 (21.66%)	63,457
2011 – 2018	67,936	194 (0.29%)	67,742

Source: *Statistics Korea and **Shin, 2020

6.2. Abortion

Abortion in most circumstances was criminalized in Korea in 1953 in efforts to align Korean legislation with Western legislation in general and US legislation specifically, as a step towards modernization (Hahm, 1967). Abortion is punishable with up to 1 year imprisonment and 2 million won for the woman who has the procedure performed, and 2 years for the doctor and other healthcare professionals who conducts an abortion. Despite this, accessing safe abortion procedures is relatively common among women across different ages and marital statuses. According to a 2018 online survey conducted by the Korea Institute for Health and Social Affairs of 10,000 women between 15 and 44 years old, 3,792 (38%) reported having been pregnant and a total of 756 women had had an abortion. That is, 19.9% of the women who reported having been pregnant had also had an abortion. Among these women, 682 (90.2%) had a surgical abortion performed only, while 74 (9.8%) used medication. For 53 women the medication did not have the desired outcome and they sought

¹¹ The statistically category of ‘outside-marriage birth’ includes children born to unwed mothers, unwed fathers and parents not married to each other.

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additional support from medical professionals. Most of the women (46.9%) identified as unwed, 37.9% reported they were legally married, and 13.0% were living with their partner. The remaining 2.2% of the women were separated, divorced, or widowed. Regarding their reasons for abortion, responses were roughly equally spread among the following three answers: 1) Interference with social activities such as work or study (33.4%), 2) Economic difficulties (32.9%) and 3) Unplanned pregnancy (31.2%). The number of abortions and percentage of women having had an abortion performed, has decreased from 342,433 (29.8%) in 2005, to 168,738 in 2010, and 49,764 in 2017 (Kim, Choi, Song, Bae, Choi, 2018).

Importantly, this survey was conducted at a time when Korea was debating the constitutionality of abortion. As of April 11th 2019, 7 out of 9 judges ruled that outlawing abortion is unconstitutional and the congress was given until December 31st 2020 to revise the law. The current ban on termination after week 20 will remain in force.

7. Discussion

The struggles of unwed mothers in general, and child rearing unwed mothers specifically, have long been regarded as the outcome of individual failure or compromised moral character. Unwed motherhood has been considered a breach of social norms - and because transgression of social norms are perceived as indicators of questionable moral character, unwed motherhood has become associated with unacceptable and morally depraved behavior. Understanding the issues faced by unwed mothers through the framework of social exclusion steers the focus from individual behaviors, to the complex historic and ongoing social and legal processes that have led to their entrenched marginalization and liminal status in Korea. As noted above, their social exclusion is compounded by the social stigma they encounter in their everyday lives and in interactions with institutions and public officials - and the internalization of these negative stereotypes. Deeming unwed mothers unworthy has justified ostracising them and their children from their immediate social and professional networks. Indeed, unwed mothers have pointed out that a key factor that leads them to question their child rearing choices, is the lack of social and emotional support (Yang, 2012)

In search for further improvements for child rearing unwed mothers it is important to keep their political relevance – and irrelevance in mind. While all political achievements are arguably products of numerous independent events, most have been the outcome of sustained movements for social change. Here, the advocacy organization KUMFA has played an important role, creating a platform for childrearing unwed mothers to support each other and to engage with wider society to further their unique interests. Yet the one social change or factor that propelled the issue of child rearing unwed mothers onto the political agenda in the early 2000s, was Korea's demographic trends rather than a collective consensus on the rights of child rearing unwed mothers.

Political interest and attention to childrearing unwed mothers and their children increased at a time when Korea faced a historically low fertility rate. The Korean fertility rate first fell

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under the total fertility rate of 2.1 in 1983, when it was recorded at 2.06. In the ensuing years, the fertility rate has further declined, dropping to 1.08 in 2005, and 0.92 in 2019. In other words, the political will to address issues faced by unwed mothers and their children, has been driven by imminent demographic challenges rather than widespread support and acceptance of these families' rights. Moreover, social exclusion continues.

As such, child rearing unwed mothers remain a stigmatized minority and after brief intensive political attention have become a welfare blind spot. They are not quite able to provide for themselves and their children, yet not poor enough to qualify for comprehensive welfare benefits. This welfare blind spot has been recognized as a growing problem in Korea since 2014, when the issue was brought to public attention with the suicide of a mother and her two daughters, who were at the time living in a basement apartment.¹² Eligibility for social welfare benefits are so stringent that many women will not be eligible for comprehensive living, housing, medical and educational benefits, which means many of the women will have no choice but to rely on support through the Single Parent Support Act and donations from private organizations and religious groups. Administrative barriers also exist, with regard to applying for and meeting different criteria for different categories of services. Longer-term support for unwed mothers and their children - particularly once they reach the age of 5 - remains lacking. Legal and financial concerns can also impact womens' ability to apply for and access certain payments, e.g., child support, which requires the assignation of parental rights to non-custodial parents, entailing potential loss of custody.

The inclusion of unwed mothers and their children on the political agenda should be read as significant. Indeed, there are a range of social welfare programs and benefits available today, which was not the case 10-15 years ago. However, while acknowledging these improvements, it is also important to note that efforts to promote and protect unwed mothers' child rearing rights have fallen short of addressing the underlying social stigma this new family composition faces. Unwed mothers continue to face discrimination on the personal and familial level, as well as in interactions with healthcare providers, educational environments, workplaces, public officials, and privately run social welfare programs. These experiences can amplify and reinforce the internalized stigma they already face, and which cause them to constantly question their child rearing choices.

F. Conclusion

If social exclusion requires alleviation by meaningful participation - rather than simple 'inclusion' - then the importance of reducing social stigma alongside providing adequate and accessible social welfare services and special law provisions, becomes clear. As defined at the outset, we understand social exclusion as entailing the limitation of individuals' participation and sense of belonging in their society, the social contexts in which they strive to create livable lives. Therefore, central to unwed mothers' rights is a commitment to creating the social and legal conditions for unwed mothers and their children to achieve

¹² Living conditions not much different those experienced by the Kim-family in Bong Joon-ho's 2019 Oscar winning movie *Parasite*.

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meaningful current and future social participation. Also key is understanding how various policies and laws have historically distributed, and in some cases reinforced, unwed mothers' social exclusion. By contextualizing the issues faced by unwed mothers, and by outlining the current services available to them - including practical barriers women face when accessing these - this article offers a temporal perspective that sheds light on how and why social exclusion persists.

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