

## Index

- abortion, 2, 141–43  
 Act for Promoting Special Education, 226  
 Act for Promoting the Employment of Disabled Persons, 223–24  
 Act on Disclosures of Information by Public Agencies, 163  
 Act on Support for Multicultural Families, 263, 294  
 Act on Supporting Discharged Soldiers, 138  
 Act on the Promotion of Transportation Convenience of Mobility Disadvantaged Persons, 218, 228, 232  
 Act on Welfare of Persons with Disabilities, 229  
 Administrative Procedure Law, 157  
 adultery, 2, 139–41, 320  
 Advocates for Public Interest Law (APIL)  
   Christian lawyers' networks and, 187  
   Dongcheon Foundation and, 180  
   funding of, 180  
   operational profile of, 178–79, 185  
 Ahn Hee-jung, 63  
 Ahn Kyung-hwan, 115, 118  
 Alliance for Anti-Discrimination Legislation, 267–68  
 Alliance for the Welfare of Disabled Persons, 225  
 Alternative Textbook for Modern and Contemporary History of Korea, 98  
 Americans with Disabilities Act (ADA), 228, 230  
 Amnesty International, 109–10  
 Anderson, Marnie, 55  
 anti-communism  
   Anti-Communist Law and, 91  
   household system and, 73  
   Jeju 4.3 events (1948) and, 10, 85–86, 89–91, 93, 96, 97, 99–100  
   Korean War and, 90  
   National Security Law and, 90  
   Rhee administration and, 90  
 Anti-Communist Association for the Civilian Victims' Families of the Jeju Island 4.3 Events, 91  
 Anti-Corruption and Civil Rights Commission, 324  
 anti-discrimination legislation movement  
   age discrimination and, 257  
   Alliance for Anti-Discrimination Legislation and, 267–68  
   Anti-Discrimination Collective Action for the Enactment of Proper Anti-Discrimination Laws and, 267  
   Disability Rights Movement and, 258  
   diversity valued in, 255, 265–68, 269–70  
   educational discrimination and, 258, 259  
   failed attempts to pass anti-discrimination legislation and, 258–60  
   gender discrimination and, 258  
   human rights treaties and, 254  
   LGBTI people and, 255, 257, 259–63  
   minority group identities and, 261–65  
   Moon Jae-in and, 261, 269  
   multiculturalism and, 263  
   National Human Rights Commission of Korea and, 255, 256–59  
   opponents of, 259–60, 266  
   racial discrimination and, 257  
   religious discrimination and, 257  
   Roh Moo-hyun and, 258  
   sexual harassment as a target of, 257  
   temporary workers and, 258  
 anti-Muslim sentiment in South Korea, 172, 264, 265–66  
 April 19 Student Revolution (1960), 88–89  
 Asia Pacific Refugee Rights Network (APRRN), 178  
 Asian Financial Crisis, 161, 203

- Asia-Pacific Forum of National Human Rights Institutions (APF), 116, 119  
 Assembly and Demonstrations Act, 174  
 Attorney-at-Law Act, 181–82, 226
- Bae Dal-ho, 211  
 Bae Jae-hyeong, 211  
 Bae, Kim & Lee LLC (BKL), 173, 182–83, 226  
 Baek Seung-mok, 238  
 Bak Byeong-ho, 49  
 Bak Chun-ok, 57–58  
 Bak Hong-in, 57–58  
 Bak Jang-hyeok, 57–58  
 Bak Yong-ok, 49  
 Ban Ki-moon, 253  
 Basic Act on the Treatment of Foreigners in Korea, 294  
 Beautiful Foundation, 175–76  
 Benford, Robert, 87  
 Berlant, Lauren, 250  
 Bernhardt, Kathryn, 54–55  
 Black Lives Matter movement, 321, 327  
 Boda Law Office, 180  
 Bourdieu, Pierre, 28  
 Brothers' Home (Busan), 224  
 Burdekin, Brian, 110  
 Butler, Judith, 26
- Candlelight Protests, 103, 247, 250  
 Chang, Paul, 7  
 Charter of Human Rights for Seoul Citizens, 262  
 Chatterjee, Partha, 71  
 Cheolbi (petitioner in Joseon dynasty), 29  
 China, 49, 54, 292  
 Chingusai, 239, 240, 241  
 Cho Haejoang, 54, 78  
 Cho Yong-hwan, 112–112, 184, 186  
 Choi Cheon, 90  
 Choi Hyaewol, 49  
 Choi Kang-seo, 211  
 Choi Soon-sil scandal, 158  
 Choi Won-sik, 260  
 Choi Young-ae, 120, 269  
 Choo Hae Yeon, 302  
 Choo Mi-ae, 269  
 Christian Council of Korea (CCK), 245–46, 259, 262  
 Christian Liberal Party, 266  
 Chua, Lynette, 241  
 Chun Doo-hwan, 85, 160, 173, 200, 202, 222  
 Chun, Jennifer, 206  
 Chung Bong-joo, 63  
 Citizen's Solidarity for Promoting Reasonable Accommodations, 226
- Citizens' Coalition for Economic Justice (CCEJ), 181, 284  
 citizenship  
 civil citizenship and, 279  
 communitarian conceptions of, 14, 303, 304  
 continuum of rights attached to, 279  
 ethnicity and, 304  
 International Covenant on Civil and Political Rights and, 303  
 Nationality Act and, 303  
 North Koreans' claims in South Korea of, 14, 299–300, 303–11  
 rights claiming and, 300–3, 311  
 undocumented citizenship and, 307–8  
 Civil Code (1958)  
 divorce and, 76  
 family law and, 65, 67, 73, 75–77  
 gender inequality and, 10, 65, 67, 70, 74–77, 321  
 household system and, 72, 75–77  
 inheritance rights and, 76–77  
 Korean customs and, 73, 77  
 Law Code Compilation Committee and, 69–70  
 marriage and, 76  
 National Assembly and, 70  
 natural person as rights bearer in, 67  
 patrilineality and, 74  
 wives' legal incompetence abolished by, 69–70, 76  
 Civil Ordinances on Civil Matters in Korea, 45, 47  
 Coalition for Moral Sexuality, 260  
 Cold War, 48, 77, 93  
 Come Together organization, 238  
 Commission on Youth Protection, 243  
 Confucian Association, 71  
 conscientious objection cases, 145–46  
 Constitution (1948)  
 amendments to, 127  
 Article 1 and, 66  
 Article 8 (equal rights provision) and, 66–67  
 Article 10 of, 128  
 gender inequality and, 9, 66–67, 71–72  
 patrilineality and, 71  
 rule of law and, 126  
 Weimar Constitution as model for, 128  
 women's voting rights and, 66  
 Constitution (1987)  
 boundaries of Republic of Korea outlined in, 303  
 Disability Rights Movement and, 222, 228  
 diversity not recognized as value in, 265  
 equality and nondiscrimination provisions in, 253, 261, 265, 288  
 LGBTI rights and, 245  
 national security provisions in, 303

- Constitutional Court  
 abortion cases and, 2, 141–43  
 adultery law and, 139–41, 320  
 caseload at, 127, 131–33, 135, 146, 155  
 conscientious objection cases and, 145–46  
 constitutional complaints reviewed by, 129, 133  
 direct individual complaints to, 133–35  
 disability rights cases and, 227, 228  
 diversity recognized as a value by, 265  
 establishment (1988) of, 11, 127, 155  
 gender equality cases and, 11, 138–39  
 German Federal Constitutional Court as model for, 128  
 household system cases and, 138  
 impeachment cases and, 129, 133  
 individuals' fundamental rights and, 126, 128, 133  
 judicial review of statutes and, 129–30, 133–35  
 Korean Chinese claims cases at, 287  
 LGBTI cases and, 11, 143–45  
 military cases at, 138, 144–46  
 patrilineality cases and, 138  
 political party dissolution cases and, 129, 133  
 prosecutorial decisions reviewed by, 135–37  
 referrals by ordinary courts to, 130, 134  
 reform proposals regarding, 127  
 scope of constitutional review and, 127–30  
 state agency disputes and, 129, 133  
 Consumer Dispute Settlement Commission, 161  
 Convention on the Rights of Persons with Disabilities (CRPD), 3, 219, 226, 229–30, 322  
 Cordial Reception and Support Act for Patriots and Veterans, 138  
 Cotton Campaign, 179  
 COVID-19 pandemic (2020), 327  
 Criminal Procedure Code, 137
- Daedongin, 239, 240–41, *See also* Dongilyeon  
 Darangsi Cave excavation (1992), 89  
 Daum internet portal, 325  
 Declaration on the Rights of Disabled Persons, 222  
 Defector Protection Center, 306  
 Democratic Labor Party, 202, 218  
 Democratic Party, 269  
 Dillon, Stephen, 250  
 Disability Discrimination Act (DDA)  
 enforcement of, 230–32  
 National Human Rights Commission of Korea and, 231  
 passage (2007) of, 13, 219, 229, 322  
 proactive relief measures and, 232  
 punitive damages and, 164  
 Seoul Central District Court ruling regarding, 231
- Disability Discrimination Acts of Solidarity in Korea (DDASK), 178  
 Disability Rights Movement  
 Act for Promoting Special Education and, 225  
 Act for Promoting the Employment of Disabled Persons and, 223–24  
 Alliance for the Welfare of Disabled Persons and, 225  
 anti-discrimination legislation movement and, 258  
 Citizen's Solidarity for Promoting Reasonable Accommodations and, 226  
 Constitution (1987) and, 222  
 Constitutional Court cases and, 227, 228  
 Convention on the Rights of Persons with Disabilities and, 219, 226, 229–30  
 Declaration on the Rights of Disabled Persons and, 222  
 Disabled Peoples' International and, 222, 228  
 Dogani case and, 224  
 education access and, 220–21, 225–26  
 Korea Differently Abled Federation and, 223  
 Korea Differently Abled Women United and, 226  
 Korea Disability Law Association and, 227  
 Korean Association of Parents of Disabled Persons and, 222  
 Korean Bar Association and, 226–27  
 Korean War veterans and, 220  
 mobility rights and, 1, 2, 13, 217, 228–29, 232  
 National Human Rights Commission of Korea and, 13, 219  
 paternalism toward disabled population as target of, 218–19, 232  
 Research Institute for Disability Rights in Korea and, 223  
 Seoul Paralympics (1988) and, 223  
 Solidarity Against Disability Discrimination and, 228, 233  
 Welfare Act for Mentally and Physically Disabled Persons and, 220  
 Welfare Act for Persons with Disabilities and, 223  
 World Program of Action Concerning Disabled Persons and, 222  
 Dispatched Workers Protection Act (1998), 205  
 divorce, 27, 47, 48, 76  
 Dogani case, 162, 224  
 Dongcheon Foundation  
 Advocates for Public Interest Law and, 180  
 Bae, Kim & Lee and, 173, 185  
 Duroo and, 184  
 law student organizations and, 189  
 Minbyeon and, 187

- Dongcheon Foundation (cont.)  
 pro bono services offered by, 182–85
- Dongheng, 181
- Dongilyeon, 241–42, 245, *See also* Daedongin
- Duroo  
 disability rights cases and, 226  
 Dongcheon Foundation and, 184  
 Jipyong LLC and, 173, 182, 184–85  
 law students and, 189  
 Minbyeon and, 187
- Economic and Social Development  
 Commission, 202
- Electronic Litigation System (ELS), 160
- Employment Permit System (EPS), 114, 285,  
 286, 291
- Enforcement Decree of the Youth Protection  
 Act, 262
- Epp, Charles, 7, 165, 173
- Equal Employment Opportunity Act (1987), 259
- Exzone, 243–44
- family law  
 Civil Code (1958) and, 65, 67, 73, 75–77  
 democratization and, 64  
 gender inequality and, 67, 70–71, 74–77  
 Japanese Civil Code and, 43, 45–46  
 Korean customs and, 43, 45–46, 50, 51, 70–71,  
 73, 77  
 patrilineality and, 74, 78  
 women's rights and, 8, 9
- Family Legal Aid Center, 181
- Federation of Korean Industries, 259
- Federation of Korean Trade Unions (FKTU),  
 200, 202
- feminism, 13, 78, 264, 295
- Finetek, 195, 207, 210
- Framework Act on Consumers, 161
- Freight Workers' Solidarity Union, 207
- G20 summit (2010), 117
- gender inequality  
 Civil Code (1958) and, 10, 65, 67, 70, 74–77, 321  
 Constitution (1948) and, 9, 66–67, 71–72  
 Constitutional Court and, 11, 138–39  
 family law and, 67, 70–71, 74–77  
 Gender Discrimination Prevention and Relief  
 Act, 259  
 household system and, 65, 78
- general rights, 86, 88
- General Strike of 1997, 239–40, 250
- Geochang massacres, 94
- German Federal Constitutional Court, 128
- Gilmore, Ruth Wilson, 245
- Global Network for Public Interest Law  
 (PILnet), 183
- Go Hak-nyun, 51–52
- Gonggam  
 caseload at, 176  
 disability rights cases and, 227  
 establishment (2004) of, 175  
 funding of, 179  
 Law Firm Public Interest Network and, 182  
 Minbyeon and, 177, 187  
 private law firms' pro bono work and, 182  
 public interest lawyer networks and, 190  
 recruitment and retention at, 188–89  
 refugee rights cases and, 163  
 statute of limitations laws and, 160  
 Transnational Human Rights Institute and, 176
- Gongmyeong, 180
- Good Electronics, 179
- Goryeo dynasty, 23, 27
- gravesite disputes (sansong), 35–38
- Great Workers Struggle (1987), 202–3
- Green Korea United, 181
- Guichard, Justine, 11
- Gwak I-gyeong, 248–49, 250
- Gwanghae-gun period, 29
- Gwangju Democratic Movement (1980), 103, 222
- Gwon Seung-ryeol, 66–67
- Gyeongguk daejeon (Administrative Great  
 Code), 29
- Haengseongin, *see also* Daedongin and  
 Dongilyeon, 241
- Hafner-Burton, Emilie, 268
- Hahm Chaihark, 4
- Hahm Pyong-choong, 8, 155
- Haley, John O., 152
- Han Gwang-ho, 211
- Han Madang Public Interest Lawyers' Association,  
 186, 187
- Han Sang-gwon, 22
- Han Seong-jin, 238
- Han Seung-heon, 174
- Hanawon resettlement facility, 301, 305
- Hangiyeon, 246
- High Court of colonial Korea  
 household system cases and, 56  
 inheritance laws and, 51–53, 57–58  
 Korean customs evaluated in the establishment  
 of law by, 46  
 separate property rights cases and, 44, 50–54  
 wives' legal incompetence principle and, 52–53
- Hollifield, James, 281
- Hong, Grace, 245
- Hong Joon Seok, 157

- household system  
 anti-Communism and, 73  
 Civil Code (1958) and, 75–77  
 Constitutional Court decisions regarding, 138  
 divorce and, 47  
 feminists' opposition to, 78  
 gender inequality and, 65, 78  
 head of household rights and, 46–47, 54  
 High Court rulings on, 56  
 inheritance laws and, 44, 45, 47, 57–58  
 Korean Civil Code of 1958's reforms to, 72  
 property rights and, 44  
 registry and, 75–76, 288  
 separate property rights and, 45, 54–59  
 women heads of household and, 44, 46, 58, 76–77  
 women's rights and, 43, 44, 55
- Huan Mai, 293
- hujunguk (underdeveloped countries), 106, 115
- human rights. *See also* National Human Rights Commission of Korea (NHRCK)  
 Human Rights Education Support Bills of 2014 and 2018, 266  
 Jeju 4.3 events (1948) and, 95, 98, 101, 103  
 migrants and, 280  
 national human rights institutions (NHRIs) and, 106–7  
 North Korea and, 7, 118  
 Office of the United Nations High Commissioner for Human Rights and, 110, 112  
 Paris Principles and, 109, 112  
 United Nations Human Rights Council and, 116  
 Universal Declaration of Human Rights and, 110  
 World Conference on Human Rights (1993) and, 109
- Hunter, Wendy, 307
- Hwang Pill-kyu, 175
- Hwang Yeoil, 33
- Hychwa station protests (2018), 78
- Hyun Byung-chul, 118
- Hyundai Automobile, 205–6, 209
- Im Sung-taek, 184, 186
- Immigrants' Advocacy Center Gamdong, 178, 180
- India, 65
- Industrial and Technical Training System (ITTP), 283
- Industrial Safety and Health Act, 285
- Industrial Trainee Program, 283
- Ingram, James, 270
- inheritance laws  
 China and, 54  
 Civil Code (1958) and, 76–77  
 Goryeo era and, 27
- High Court decisions regarding, 52–53, 57–58  
 household system of Japanese colonial era and, 45, 47, 57–58  
 Japanese Civil Code and, 58, 59  
 Joseon dynasty and, 23, 28, 57  
 Korean customs and, 44, 58  
 neo-Confucianism, 28  
 patrilineality and, 44, 51, 54  
 separate property rights and, 51–52
- International Conference on Peace and Human Rights in 21st Century East Asia (1998), 95
- International Coordinating Committee of National Institutions for Promotion and Protection of Human Rights (ICC), 116, 117, 119
- International Covenant on Civil and Political Rights, 303
- Iraq War (2003–12), 115–16
- Irregular Workers Protection Act, 206
- Jang Byeong-in, 47, 49
- Jang Gap-sun, 89
- Jang Gyeong-geun, 70, 73–74
- Jang Hye-min, 238
- Japan, 45, 55, 64
- Japanese Civil Code  
 divorce and, 48  
 family law and, 43, 45–46  
 inheritance laws and, 58, 59  
 Korean customs and, 43, 50  
 separate property rights and, 59  
 wives' legal incompetence and, 47–48, 50, 54, 68  
 women's rights and, 318
- Jeju 4.3 events (1948)  
 anti-communism and, 10, 85–86, 89–91, 93, 96, 97, 99–100  
 Darangsi Cave excavations (1992) and, 89  
 death totals from, 10, 85, 88, 94, 95  
 democratization (1987) and, 88, 92  
 efforts to conceal, 88  
 Fiftieth anniversary commemorations (1998) of, 95  
 human rights and, 95, 98, 101, 103  
 Jeju National University students' investigation (1960) of, 90  
 National Assembly investigation (1960) of, 89, 90  
 Rhee and, 96  
 rights claiming and, 4, 10, 85–86, 92–94, 99–104  
 truth commissions and, 95, 102  
 US military government and, 92  
 Uigui monument commemorating, 89
- Jeju 4.3 Huisaengja Yujokhoe (victims' association), 98
- Jeju 4.3 Peace Museum, 98

- Jeju Commission  
 conservative opposition to, 96, 98–99, 101–2  
 establishment of, 85  
 lawsuits against, 97–98
- Jeju Provincial Council, 91, 93, 100
- Jeon Tae-il, 195, 201
- Jeong (petitioner in Joseon era), 36–37
- Jeong Bo-nam, 68
- Jeong Gwang-hyeon, 48
- Jeong Yol, 239, 248
- Jeongbeophoe, 174
- Jeongjo (king of Korea), 21–22
- Jipyoung LLC, 173, 180, 182–83, 184–85, 226
- Jo Eun, 55
- Joint Committee for Migrant Workers in Korea (JCMK), 284
- Joint Interrogation Center, 306
- Joseon era  
 Chinese language in legal documents in, 29–32, 39  
 gravesite disputes in, 35–38  
 inheritance laws and, 23, 28, 57  
 marriage and divorce in, 49  
 neo-Confucianism and, 27–29, 38  
 petitioning the state and, 1, 8, 9, 21–24, 29–39, 50  
 vernacular Korean language in legal documents in, 29–33, 39  
 women's rights and, 8, 9, 21–24, 29–39, 48–50, 318
- Joseonjok (ethnic Koreans with Chinese citizenship), 304, 306, 307
- Judicial Reform Council, 159
- Judicial Research and Training Institute (JRTI), 156, 177, 179, 186
- Jun Byung-hun, 261
- June Democratic Uprising (1987), 222
- Jung Jung-hoon, 175
- Juvenile Protection Act, 243–46
- Kakao, 325
- Kanshū Chōsa Hōkokusho (Customs Survey Report), 45, 52–53
- Kawashima, Takeyoshi, 155
- Keating, Christine, 65
- Keck, Margaret, 87
- Kia Automobile, 206
- Kim Bo-mi, 238
- Kim Byeong-ro, 70, 71–73, 75
- Kim Chang-guk, 109
- Kim Cheol-an, 70–71
- Kim Dae-jung  
 Dispatched Workers Protection Act and, 205  
 election (1997) of, 94, 101  
 human rights causes and, 95, 256
- Jeju 4.3 rights claims and, 100  
 migrants and, 284  
 National Human Rights Commission of Korea and, 108–9, 111–12, 116, 255, 256  
 Nobel Prize awarded (2000) to, 111–12  
 overseas Korean communities and, 286
- Kim, Daisy, 293
- Kim Gyeong-suk, 30
- Kim Han-gil, 260
- Kim Jong-chul, 178, 187
- Kim Jong-min, 98
- Kim Joon, 284
- Kim Joongi, 157
- Kim, Jungwon, 27
- Kim Marie Seong-hak, 46
- Kim Sung Ho, 4
- Kim Sun-hung, 57
- Kim Yong-gap, 96
- Kim Yong-su, 175
- Kim Young-sam  
 human rights and, 256  
 Jeju 4.3 rights claims and, 91, 93, 102  
 migrant laborers and, 283  
 overseas Korean communities and, 286
- Kim Youngsoo, 184
- Kimber, Cliona, 219
- Kirikiri, 239, 241
- Ko, Dorothy, 49
- Ko Sun-hwa, 89
- Koo, Hagen, 197
- Koo Jeong-Woo, 111
- Korea Center for UN Human Rights Policy (KOCUN), 179
- Korea Differently Abled Federation (KODAF), 223
- Korea Differently Abled Women United (KDAWU), 226
- Korea Disability Law Association, 227
- Korea Enterprises Federation, 259
- Korea Fair Trade Commission, 161
- Korea Federation for Environmental Movement (KFEM), 181
- Korea Immigration Service (KIS), 294
- Korea Legal Aid Corporation, 181
- Korea Queer Culture Festival, *see* Seoul Queer Culture Festival
- Korea Refugee Rights Network, 172, 178
- Korea Tripartite Commission, 202
- Korea's Civil Procedure Act (KCPA), 159–64
- Korean Americans, 287
- Korean Association of Parents of Disabled Persons, 222
- Korean Association of Special Education, 221
- Korean Bar Association, 174, 181, 226–27

- Korean Central Intelligence Agency (KCIA),  
 200, 208
- Korean Chinese  
 deportations of, 308  
 North Koreans' citizenship claims compared  
 to, 299  
 unskilled workers among, 291  
 visa categories and, 282, 285–88, 296
- Korean Confederation of Trade Unions (KCTU),  
 202, 203, 209, 239
- Korean Criminal Act, 209
- Korean Employers' Federation, 208–9
- Korean Federation of Small and Medium  
 Businesses (KFSB), 285
- Korean International Network, 287
- Korean Law School Association, 156
- Korean Lawyers for Public Interest and Human  
 Rights (KLPH)  
 funding of, 180–81  
 LGBTI issues and, 177  
 Minbyeon and, 187  
 operational profile of, 177–78, 185  
 recruitment and retention at, 188
- Korean Legal Aid Center for Family, 174
- Korean Legal Aid Corporation, 175
- Korean Transnational Corporations Watch, 178
- Korean War  
 anti-communism and, 90  
 compensation claims related to, 1, 10, 94  
 disabled veterans and, 220  
 nationalist Korean male elites and, 72  
 war orphans and, 224
- Korean Women's Congress (1985), 64
- Kwon Young-gil, 260
- Kwon Youngjoon, 167
- Labor Dispute Act, 200
- labor rights  
 autocratic governments of 1960s and 1970s and,  
 199–201  
 democratization reforms of 1980s and, 201–3, 212  
 Dispatched Workers Protection Act and, 205  
 Economic and Social Development  
 Commission and, 202  
 Great Workers Struggle (1987), 202–3  
 irregular workers and, 196, 204–7, 210, 212  
 Korean Central Intelligence Agency and,  
 200, 208  
 Korean Employers' Federation and, 208–9  
 Labor Standards Act and, 202, 204, 205  
 litigation as a means of diminishing, 196, 209  
 neoliberal economic reforms of 1990s and,  
 203–8, 212  
 protests and, 195–96, 209–11  
 suicides by labor unionists and, 211  
 working class' rights consciousness and, 197–99
- Labor Standards Act, 195, 202, 204, 205, 285
- labor unions  
 Federation of Korean Trade Unions and, 200, 202  
 Freight Workers' Solidarity and, 207  
 General Strike of 1997 and, 239–40  
 Korean Confederation of Trade Unions and,  
 202, 203, 209, 239  
 Korean Criminal Act and, 209  
 Labor Dispute Act and, 200  
 litigation as a means of diminishing, 196, 209  
 Metal Unions Federation and, 209  
 Trade Union Act and, 200, 204, 208, 209  
 workers' demands during 1980s and, 13
- Law Code Compilation Committee, 69–70
- Law Firm Public Interest Network, 182
- Layton-Henry, Zig, 279
- Lee Chang-geun, 211
- Lee Hyeon-hee, 97
- Lee Jin-wu, 97
- Lee Mi-kyung, 112
- Lee Myung-bak  
 election (2017) of, 97  
 Jeju Commission and, 102–3  
 labor rights under, 213  
 law and order rhetoric of, 117–18  
 legal opportunity structure under, 152, 157, 159  
 migrants and, 285  
 National Human Rights Commission of Korea  
 and, 117–119  
 neoliberal economic policies and, 117
- Lee Seong-hoon, 111
- Lee Seon-gyo, 98
- legal opportunity structure (LOS)  
 adjudication procedures and, 161  
 Administrative Procedure Law and, 157  
 collective lawsuits and, 153, 161  
 Constitutional Court and, 155  
 definition of, 151  
 Disability Rights Movement and, 162, 163, 164  
 discovery mechanisms and, 163  
 Electronic Litigation System and, 160  
 evidentiary standards and, 163  
 history of impediments to litigation in Korea  
 and, 154–59  
 international factors and, 166  
 judges' behavior and beliefs and, 165  
 Korean culture and, 155–56  
 Korea's Civil Procedure Act and, 159–64  
 legal education and, 156  
 partisan competition and, 166  
 privacy protections and, 162  
 punitive damages and, 164

- legal opportunity structure (LOS) (cont.)  
 rights claiming and, 11  
 standing rules and, 152, 154, 161  
 stare decisis doctrine and, 153  
 statutes of limitations and, 160–61
- LGBT Youth Crisis Center, 181, 189
- LGBTI people  
 anti-discrimination legislation movement and,  
 255, 257, 259–63  
 Charter of Human Rights for Seoul Citizens  
 and, 262  
 conservative Christian opponents of rights for,  
 13, 147, 236–37, 242, 245–46, 259–63,  
 265–66, 327  
 Constitutional Court cases and, 11, 143–45  
 feminism and, 13  
 General Strike of 1997 and, 239–40  
 Korean Lawyers for Public Interest and Human  
 Rights and, 177  
 marriage and, 1  
 Moon Jae-in administration and, 237, 247–49  
 police harassment of, 240–41  
 politics of postponement and, 246–51  
 Seoul Queer Culture Festival and, 236–37,  
 249, 250  
 Seoul Student Rights Ordinance and, 262  
 student activism and, 238  
 UN Committee of Economic, Social and  
 Cultural Rights and, 144  
 youth protection measures of censorship and  
 censure toward, 242–46  
 youth suicides among, 241–42
- Liberty Korea Party, 266
- Lim Tae-hoon, 239
- Lorde, Audre, 245
- Ma Tae-yeong, 238
- Madam Yi (petitioner in Joseon era), 33–35
- Manby, Bronwen, 307
- marriage  
 Civil Code (1958) and, 76  
 Joseon dynasty and, 49  
 LGBTI people and, 1  
 neo-Confucianism and, 27  
 patrilineality and, 51  
 widows' remarriage and, 49
- Marshall, T. H., 198, 279
- Martin, William, 25
- May 16 military coup (1961), 88
- McAdam, Doug, 88
- McCarthy, John D., 88
- Meiji Restoration (Japan), 45, 55
- Metal Unions Federation, 209
- MeToo movement, 63–64, 78, 233, 326
- migrants. *See also* North Korean migrants  
 Act on Support for Multicultural Families  
 and, 294  
 Basic Act on the Treatment of Foreigners in  
 Korea and, 294  
 Citizens' Coalition for Economic Justice  
 and, 284  
 co-ethnic migrants and, 291  
 Employment Permit System and, 114, 285, 291  
 human rights and, 280, 284  
 immigrant incorporation into society and, 281  
 Joint Committee for Migrant Workers in Korea  
 and, 284  
 Korea Immigration Service and, 294  
 Korean Chinese and, 282, 285–88  
 labor shortages in South Korea and, 14, 283, 295  
 local voting rights and, 280  
 migrant spouses and, 280  
 Ministry of Foreign Affairs, 286  
 multiculturalism and, 304  
 National Basic Livelihood Security Program  
 and, 294  
 Nationality Act and, 293  
 North Korean migrants and, 286  
 Overseas Korea Foundation Act and, 286  
 Overseas Korean Act and, 286–88  
 Presbyterian Church in the Republic of Korea  
 (PROK) and, 283  
 South Korea's civic legacies and responses to,  
 282, 283–84  
 South Korea's exporting of labor to other  
 countries and, 282  
 United Nations and, 1  
 visa status hierarchy and, 14, 279, 280, 286,  
 288–91, 295–96, 322
- Military Criminal Code, 143, 144
- Military Service Act, 138, 145–46
- Minbyeon  
 Dongcheon Foundation and, 187  
 Duroo and, 187  
 establishment (1988) of, 174  
 Gonggam and, 177, 187  
 National Human Rights Commission of Korea  
 and, 119  
 private law firms' pro bono work and, 182  
 Public Interest and Human Rights Litigation  
 Center at, 180  
 public interest lawyers' networks and, 186
- Mincheong Hangnyeon case (1974), 174
- Ming dynasty (China), 55
- Ministry of Education, 156
- Ministry of Gender Equality and Family, 142,  
 294
- Ministry of Unification, 304, 308–9



- Ministry of Welfare, 223  
 Mitsukuri Rinshō, 25  
 Moon Jae-in  
   anti-discrimination legislation movement and, 261, 269  
   calls to address past atrocities and, 103  
   disability rights issues and, 233  
   human rights and, 318, 326  
   labor rights under, 213  
   LGBTI rights and, 237, 247–49  
   National Human Rights Commission of Korea and, 120  
   petition system established by, 323  
 Moon, Katharine, 283  
 Mother and Child Health Act, 141
- Nancen, 181  
 National Basic Livelihood Security Program, 294  
 National Committee for the Investigation of the Truth about the Jeju 4.3 Events. *See* Jeju Commission  
 National Guidance League, 160  
 National Human Rights Commission Act, 143  
 National Human Rights Commission of Korea (NHRCK)  
   Amnesty International and, 109–10  
   anti-discrimination legislation movement and, 255, 256–59  
   Asia–Pacific Forum of National Human Rights Institutions and, 116, 119  
   case-handling capacity at, 115  
   Disability Rights Movement and, 13, 219, 229, 231  
   establishment of, 11, 108–13, 255, 256, 324  
   global human rights norms and, 107, 166  
   International Coordinating Committee of National Institutions for Promotion and Protection of Human Rights and, 116, 119  
   Iraq War and, 115–16  
   Kim Dae-jung and, 108–9, 111–12, 116  
   Lee Myung-bak and, 117–119  
   LGBTI rights and, 245  
   Minbyeon and, 119  
   Ministry of Justice and, 109–12  
   Moon Jae-in and, 120  
   National Assembly and, 112–13  
   North Korea and, 118  
   obstacles facing, 10, 116–19  
   recommendations made by, 115, 118–19  
   Reforms Committee and, 120  
   refugees and, 120  
   rights claiming and, 1, 7  
   Roh Moo-hyun and, 113–16  
   seonjinguk and, 11, 106–10, 111–15, 119–21, 320
- Taskforce for Responding to Hatred and Discrimination and, 269  
 National Intelligence Service (NIS), 301, 305  
 National Security Act, 174  
 National Security Law, 90, 240, 303  
 National Security Planning Agency (NSPA), 240  
 National Union Against Homosexuality Anti-Discrimination Act, 260  
 Nationality Act, 138, 293, 303  
 Neighborhood Lawyer's Café, 180  
 neo-Confucianism  
   conformity valued over diversity in, 265  
   gender ethics and, 8, 21, 27–29, 38–39, 318  
   inheritance laws and, 28  
   Joseon dynasty and, 27–29, 38  
   marriage and divorce in, 27  
   patrilineality and, 27, 35  
   punishment tied to status under, 24  
   rulers' mandates under, 9, 23  
 New Korea Party, 240  
 New Right activists, 98  
 Noh Yeong-bo, 183  
 Nomura Chōtarō, 73  
 North Korea, 7, 118, 286  
 North Korean migrants  
   citizenship claims in South Korea by, 2, 14, 286, 299–300, 303–11  
   Hanawon resettlement facility and, 301  
   National Intelligence Service assessment of, 301  
   North Korean Refugees Protection and Settlement Support Act, 309  
   repatriations of, 308–10  
   screening of, 305–11, 322
- O Se-in, 241  
 Office of Court Administration, 221  
 Office of the Inspector General (Joseon era), 23  
 Office of the United Nations High Commissioner for Human Rights (OHCHR), 110, 112  
 Olympic Games (Seoul, 1988), 221–22  
 OpenNet, 181  
 Ordinance on Promotion of Human Rights for Residents in Chungcheongnamdo Province, 266  
 Overseas Korea Foundation Act, 286  
 Overseas Korean Act (OKA), 286–88
- Paris Principles, 109, 112  
 Park Chung-hee, 85, 88, 91, 136, 173, 174, 200  
 Park Eun-soo, 260  
 Park Geun-hye  
   impeachment of, 103, 120, 158, 237, 247  
   Jeju Commission and, 102–3  
   labor rights under, 213

- Park Geun-hye (cont.)  
 legal opportunity structure under, 152, 158, 159  
 protests against, 246, 248  
 seonjnguk concept and, 120
- Park Han-hee, 177, 180
- Park Jong-cheol, 103
- Park Joo-sun, 110
- Park Se-jik, 98
- Park Won-soon, 175, 186, 262
- Pateman, Carole, 64
- patrilineality  
 Constitution (1948) and, 71  
 Constitutional Court rulings on, 138  
 inheritance laws and, 44, 51, 54  
 marriage customs and, 51
- Peace Market garment factories, 195
- People's Solidarity for Participatory Democracy (PSPD)  
 establishment (1994) of, 175  
 Gonggam and, 177  
 litigation for policy change and, 157  
 product liability law and, 164  
 Securities-Related Class Action Law, 161  
 staffing at, 181
- petition drum (Joseon era), 2, 23, 24
- Presbyterian Church in the Republic of Korea (PROK), 283
- Presidential Committee on Social Inclusion, 259
- private rights, 1, 68, 157, 163
- Product Liability Law, 163, 164
- property rights. *See also* separate property rights  
 definition of, 43  
 separate property versus family property and, 44, 51, 54, 58
- public interest lawyers  
 Advocates for Public Interest Law and, 178–79  
 alumni networks among, 186  
 coalitions and networking among, 185–88  
 Dongcheon Foundation and, 182–85  
 Duroo and, 184–85  
 funding for, 179–80  
 Korean Lawyers for Public Interest and Human Rights and, 177–78  
 law school student organizations and, 189  
 legal aid and, 175  
 private law firms' pro bono work and, 181–83  
 recruitment and retention among, 188–89  
 refugee rights and, 172, 191  
 Seoul as center of work of, 181, 191
- Qing dynasty, 54
- Ramseyer, J. Mark, 158
- refugees  
 anti-Muslim sentiment in South Korea and, 264, 265–66  
 Gonggam law firm and, 163  
 National Human Rights Commission of Korea and, 120  
 public interest lawyers and, 172, 191  
 Yemenis as, 172, 264, 323
- Regulation of Constitutional Court Case Filing (RCCF), 129–30
- Research Institute for Disability Rights in Korea (RIDRIK), 223
- Rhee In-su, 96
- Rhee Syngman  
 anti-communism and, 90  
 authoritarian rule of, 73  
 Jeju 4.3 events (1948) and, 96  
 overthrow (1960) of, 89, 90  
 UN-monitored election in South Korea (1948) and, 92
- Robinson, Mary, 111
- Roh Hoe-chan, 260
- Roh Moo-hyun  
 anti-discrimination legislation movement and, 258  
 Employment Permit System and, 114  
 Iraq War and, 115–16  
 Jeju 4.3 events and, 97, 102  
 legal opportunity structure under, 158  
 migrant population and, 284, 293–94  
 National Human Rights Commission of Korea and, 113–16  
 Seventh International Conference for National Human Rights Institutions and, 113, 114  
 United Nations and, 116
- Roh Tae-woo, 85, 88, 160, 283
- Saema-eul (New Village) Movement, 201
- Samsung Electronics, 209
- Sane, Pierre, 109–10
- Scheingold, Stuart, 4
- Securities-Related Class Action Law, 161
- Seo Dong-jin, 238
- Seo Ji-hyun, 63
- Seo Jung-seok, 93
- Seogu (disputant with Madam Yi), 33–35
- Seongnae, 33–34
- seonjnguk (advanced country status)  
 economic development and, 106–7, 115, 117, 120  
 law and order policies and, 117–18  
 National Human Rights Commission of Korea and, 11, 106–10, 111–15, 117, 119–21, 320
- Seoul Bar Association Pro Bono Center, 186
- Seoul Paralympics (1988), 223
- Seoul Pro Bono Center, 187

- Seoul Queer Culture Festival, *see also* Korea  
 Queer Culture Festival, 236–37, 249, 250  
 Seoul Spring (1979), 85, 88  
 Seoul Student Rights Ordinance (2012), 262  
 separate property rights  
 definition of, 44, 51  
 family property rights compared to, 51, 54, 58  
 High Court cases regarding, 50–54  
 household system of Japanese colonial era and,  
 45, 54–59  
 inheritance laws and, 51–52  
 widows' rights and, 58  
 wives' legal incompetence and, 45  
 Seungji (stepson of Madam Yi), 33, 34  
 sexual assault, 63, 79, 160, 224, 326  
 sexual harassment  
 anti-discrimination legislation movement's tar-  
 geting of, 257  
 democratization movement of 1980s and, 63–64  
 hidden camera incident (2018) and, 78  
 lawsuits against private companies and, 1  
 MeToo movement and, 63–64, 78, 233, 326  
 Shaw, William, 4  
 Shin Du-bang, 89, 90  
 Shin Gi-Wook, 7  
 Sikkink, Kathryn, 87  
 sky protests, 195–96, 207, 210–11  
 Smart, Alan and Josephine, 279  
 Snow, David A., 87  
 So Rami, 175  
 Social Welfare Enterprise Act (1970), 224  
 Sodok (female slave in Joseon era), 21  
 Sok daejeon (Continuation of the Great Code), 29  
 Solidarity Against Disability Discrimination  
 (SADD), 228, 233  
 Solidarity for the Right to Mobility, 217,  
 228  
 Solidarity Network for the Human Rights of  
 Migrant Women, 293  
 Solidarity of University Queer Societies in  
 Korea, 238  
 Song dynasty (China), 54  
 Sorokdo shrine, 162  
 Soviet Koreans, 287, 288–91, 304  
 Soviet Union, 97  
 Special Investigation Committee for Anti-State  
 Activities, 73  
 Special Law for Investigation of the Jeju 4.3 Events  
 and Restoration of the Honor of Victims, 88,  
 96, 97, 101  
 special rights, 86, 100  
 Ssangyong Motors, 211, 213  
 stare decisis principal, 153  
 Supreme Court of South Korea, 68  
 Taejong (king of Korea), 23  
 Taylor, Whitney K., 319  
 Textbook Forum, 98  
 Thompson, E. P., 197–98  
 Trade Union Act, 200, 204, 208, 209  
 US military government in South Korea, 68, 77, 92  
 UN Committee on Economic, Social and  
 Cultural Rights (CESCR), 144, 253  
 UN Convention Against Torture, 310  
 United Kingdom, 309  
 United Nations General Assembly, 109, 221–22  
 United Nations Human Rights Council, 116, 253  
 Universal Declaration of Human Rights, 3, 110  
 Vanhala, Lisa, 165  
 visas  
 co-ethnic migrants and, 291  
 E-9 Nonprofessional Employment visa and, 288  
 H-2 Working Visit visa and, 288–91  
 labor shortages in South Korea and, 14  
 Overseas Korean visa (F-4 visa) and, 288–91  
 permanent resident visa (F-5 visa) and, 291  
 visa status hierarchy and, 14, 280, 286, 288–91,  
 295–96, 322  
 Weimar Constitution (Germany), 128  
 Welfare Act for Mentally and Physically Disabled  
 Persons (1981), 220, 222  
 Welfare Act for Persons with Disabilities  
 (1989), 223  
 widows' rights, 50  
 wives' legal incompetence  
 Civil Code (1958) and the abolition of,  
 69–70, 76  
 High Court decisions regarding, 52–53  
 Japanese Civil Code and, 47–48, 50, 54, 68  
 separate property rights and, 45  
 South Korea's abolition of, 47  
 Supreme Court of South Korea's invalidation  
 (1947) of, 68  
 Womad, 78  
 women's rights  
 abortion and, 2, 141–43  
 Cold War and, 48  
 divorce and, 48  
 family law and, 8, 9  
 household system and, 43, 44, 55  
 in China, 49  
 in Japan, 55  
 inheritance laws and, 8, 47, 51–52, 54, 57–58  
 Joseon dynasty and, 9, 21–24, 29–39, 48–50, 318  
 neo-Confucianism and, 8  
 separate property rights and, 9, 44, 54–59

- women's rights (cont.)  
   voting rights and, 66  
   widows and, 48  
 Wongok Law Office, 180  
 World Conference on Human Rights (1993), 109  
 World Program of Action Concerning Disabled  
   Persons (WPA), 222
- Yang Bong-cheon, 89  
 Yang Dong-soo, 183  
 Yang Hyunah, 71  
 Yang Ji-yong, 239  
 Yang Kun, 173  
 Yang Hyunah, 7, 65
- Yemeni refugees in South Korea, 172, 264, 323  
 Yeom Hyeong-guk, 173, 175, 182, 186, 187  
 Yi Byeong-nin, 174  
 Yi Jeong-ja, 68  
 Yi Jong-ok, 51–52  
 Yi Sumbong, 36–37  
 Yi Tae-yeong, 70, 174  
 Yi Ye-won, 238  
 Yoneyama, Lisa, 48  
 Yoo Wook, 183  
 Yook Woo-dang, 242, 244, 245  
 Yu Jin-o, 66–67
- Zald, Mayer N., 88