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# Gender and Inclusion: female representation in South Korean and Japanese economy

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**Título**: Género e inclusión: la representación de la mujer en las economías de Corea del Sur y de Japón

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**Resumen:** Este Trabajo de Fin de Máster tiene como objetivo comparar el desarrollo del trabajo femenino y las políticas de bienestar en Corea del Sur y Japón desde el período de posguerra hasta el presente, destacando sus diferentes enfoques hacia la igualdad de género. En ambos países, a pesar de las leyes y políticas que promueven una mayor participación femenina, las expectativas culturales y las ideologías patriarcales profundamente arraigadas continúan obstaculizando el progreso. El análisis revela que, aunque se han logrado avances legislativos, persisten importantes barreras culturales y estructurales. Sin embargo, para lograr una verdadera igualdad de género, se necesitan mecanismos de aplicación más fuertes y cambios culturales hacia un mejor equilibrio entre trabajo y vida personal.

**Palabras clave**: Género, Economía, Política, Corea del Sur, Japón

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**Títol**: Gènere i inclusió: la representació de la dona a les economies de Corea del Sud i Japó

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**Estudis**: Màster en Estudis Globals d'Àsia Oriental

**Resum**: Aquest Treball de Final de Máster vol comparar el desenvolupament del treball femení i les polítiques de benestar entre Corea del Sud i Japó, des de la postguerra fins l'actualitat, contraposant els seus diferents enfocs respecte la igualtat de gènere.

A tots dos països, tot i les lleis i polítiques que promouen una major participació femenina, les expectatives culturals i les ideologies patriarcals profundament arrelades continuen obstaculitzant el progrés.
continuen obstaculitzant el progrés. L'anàlisi revela que, tot i que s'han aconseguit avenços legislatius, les barreres culturals i estructurals segueixen sent importants; per aconseguir una veritable igualtat de gènere, es necessiten mecanismes d'aplicació més estrictes i canvis culturals cap un major equilibri entre treball i vida personal.
**Paraules clau**: Gènere, Economia, Política, Corea del Sud, Japó

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**Summary**: This Master's Thesis aims to compare the development of female labor and welfare policies in South Korea and Japan from the post-war period to the present, highlighting their different approaches to gender equality. In both countries, despite laws and policies promoting increased female participation, cultural expectations and deeply rooted patriarchal ideologies continue to hinder progress. The analysis reveals that, although legislative advances have been made, significant cultural and structural barriers remain, but in order to achieve true gender equality, stronger enforcement mechanisms and cultural shifts towards better work-life balance are needed.

**Keywords**: Gender, Economy, Policies, South Korea, Japan

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*“In the beginning, woman was truly the sun. An authentic person. Now she is the moon, a wan and sickly moon, dependent on another, reflecting another’s brilliance….”*

- Hiratsuka Raichō

# 1. Introduction

In contemporary societies, the role of women in the economy has undergone significant transformations, yet persistent gender inequalities continue to shape socio-economic landscapes worldwide. This Master's Degree Thesis aims to delve into the multifaceted relationship between female participation in the economy and the pervasive issue of gender inequality. By examining the complexities of women's economic engagement and the structural barriers they face, this study aims to contribute to a deeper understanding of the dynamics shaping gender equality in modern society, particularly focusing on South Korea's and Japan's cases and thus how these two countries started to integrate women in their economy but also how Western thought, imported by different factors, influenced and shaped this phenomena.

Historically, women have been worldwide relegated to domestic roles, with few exceptions of course, so their economic contributions are often overlooked or undervalued. However, as societies evolve and economies globalise, women's participation in the labor force has substantially increased, depending on the historical events as well as the geographical location. Yet, despite advancements in education and employment opportunities, gender disparities persist in various dimensions of economic life, including wages, access to resources and, although very underrated but strictly important, representation in decision-making positions.

Against this backdrop, it becomes imperative to explore the multifaceted dimensions of women's economic empowerment and the factors contributing to persistent gender inequalities around the world and besides how it is presented, also try to understand the reasons why it still exists and how the government approaches this subject.

My aim is to try to adopt a comprehensive approach, drawing on interdisciplinary perspectives from economics, sociology, and gender studies to analyse the complex interplay of social, cultural, and institutional factors influencing women's economic status. Moreover, this study seeks to shed light on the intersections of gender with other axes of inequality, recognising the diverse experiences and challenges faced by women across different social contexts: by unpacking these intersections, we can gain a more

nuanced understanding of how power structures and systemic injustices perpetuate gender disparities in economic outcomes.

By elucidating the barriers to women's economic advancement and identifying strategies for inclusive growth, how did the respective governments tried to promote the creation of more equitable and just societies for all genders? Thus, is it really possible to?

### 1.1 Personal motivation

My motivation for choosing the topic of South Korean and Japanese welfare policies on gender equality stems from a combination of academic background and personal interests: having completed my bachelor's degree in Korean Studies, I acquired a deep understanding of Korean culture, traditions, and historical contexts, which equipped me with insights into the societal structures and cultural norms that shape contemporary South Korea. However, my interests extend beyond historical and cultural aspects: I am particularly passionate about contemporary issues, this is why I decided to continue my academic journey with a Master's Degree on Global Studies to East Asia. The topic of gender equality resonates deeply with me, as it touches upon fundamental human rights and the quest for a just and equitable society.

South Korea and Japan present a unique and compelling case for comparative analysis due to their geographical proximity, shared historical experiences, and divergent developmental trajectories: both countries have undergone rapid industrialization and economic transformation since the mid-20th century, but they have taken different paths in addressing gender equality and women's rights. South Korea, with its Confucian heritage, has struggled with deeply rooted gender norms, yet it has made significant strides in recent years through legislative reforms and public awareness campaigns. Japan, while also influenced by Confucianism, faces its own set of challenges, particularly in dismantling workplace discrimination and overcoming the cultural expectation of long working hours and presenteeism.

The contemporary global context adds another layer of significance to this topic. South Korea and Japan are increasingly influential on the world stage, not only economically but also culturally and politically. As these nations continue to assert their presence internationally, understanding their internal dynamics, particularly regarding gender equality, becomes crucial. This comparative study allows for a nuanced exploration of how each country navigates the complex interplay of tradition, modernity, and global influences in shaping their welfare policies on gender equality.

Furthermore, my fascination with contemporary issues related to equality and women's rights drives my desire to delve into this topic. Gender equality is a critical indicator of social progress and human development, thus by the examination of the welfare policies of South Korea and Japan, I aim to uncover the successes, challenges, and lessons that can be drawn from their experiences.

In choosing this topic, pushed by my interest in the female perspective of the evolution of history and women's voice in the development of social issues, I seek to contribute to the broader discourse on gender equality and women's rights by providing a comparative perspective that highlights the unique contexts of South Korea and Japan, aligning with my academic interests and personal commitment to advocating for social justice and equality.

### 1.2 Objective and Hypothesis

In this paragraph, it is intended to define the main objective of the research, which consists of analyzing and evaluating the importance of welfare policies on gender equality, considering their historical development as well as the key solutions proposed and their effectiveness. The starting point for this inquiry is the question "*Where do women stand when the course of history is being made by male-taken decisions?*" This leads to the subsequent question, "*What kind of decisions taken for women are being made? Are they really efficient?*".

These questions frame the key points of focus for this research: the roles women played during the rebuilding of their respective nations after the war, how they entered the

economic context, and how the South Korean and Japanese constitutions initially attempted to support them.

The objectives of this research thesis on gender and inclusion are multifaceted:

- Examine how women entered the economic setting during the historical periods following the Korean War in South Korea and World War II in Japan;
- Investigate the legislative efforts made by the respective governments to support female labor integration;
- How Western influences shaped the economic context of female labor in both countries.
- Analyse contemporary key laws that govern female labor rights and assesses their effectiveness;
- Evaluate the current situation of female labor in South Korea and Japan
- Juxtaposing all these aspects to provide a comprehensive understanding of the progress and remaining challenges in achieving gender equality in the workforce.

It is crucial to understand the historical context in which these women operated, as well as the legislative measures introduced to aid their integration into the workforce, thus including an analysis of early policies and their impact on women's labor participation and rights. Following this historical exploration, the research shifts to focus on the key contemporary laws that govern female labor in modern South Korea and Japan, seeking to assess how these laws have evolved over time and their current effectiveness in promoting gender equality in the workplace.

In defining the research line and objectives of this work, I established two hypotheses:

- Although these laws provide some level of support for gender equality in terms of labor and wage, but these do not see men and women as equal;
- achieving true gender equality requires women to be seen as individuals, not solely in relation to childcare and household duties.

To ensure a comprehensive and systematic analysis, the thesis is structured to address these questions in a logical and chronological form. It begins with a historical overview of the roles women played during the post-war reconstruction period in South Korea

and Japan, followed by an examination of the initial legislative efforts to support women's labor participation. The subsequent chapters focus on the evolution of these policies and their current status, highlighting key contemporary laws and their impact on gender equality in the labor market.

In conclusion, this research seeks to determine the validity of the hypotheses that these laws support gender equality in labor and wage matters and that recognising women as individuals beyond their traditional roles is crucial for achieving true equality, giving my personal contribution to the broader discourse on gender equality and offering insights for policymakers and advocates working towards more inclusive and equitable labor markets.

### 1.3 Organisation of the content

This research is structured into three distinct areas: the historical context, the contemporary legal framework, and the actually current social situation regarding gender equality in South Korea and Japan. Each chapter builds upon the previous one to provide a comprehensive analysis of female labor development and welfare policies on gender equality in these two countries.

The first chapter delves into the historical development of women's labor force participation in South Korea and Japan. Starting with the post-Korean War period in South Korea and the post-World War II era in Japan, this chapter explores how women were integrated into the workforce during these crucial rebuilding phases. It examines the efforts of respective governments to support female labor and the rights granted to women during these times. Furthermore, this chapter addresses the impact of Western influences on the labor landscape, including the role of foreign diplomacies and industries eager to invest in South Korea and Japan, as well as the arrival of Western feminist ideals, which had also played a significant role in shaping the discourse on women's rights and labor participation in these countries. This historical overview sets the stage for understanding the evolution of gender equality policies and the challenges faced by women in the workforce.

The second chapter shifts focus to the contemporary legal framework governing gender equality in labor, providing an objective analysis of key laws and regulations that promote gender equality in South Korea and Japan. This chapter meticulously outlines the legal provisions related to labor rights, anti-discrimination measures, and support for women in leadership roles. By presenting a detailed examination of these laws, the chapter aims to highlight the progress made and identify any gaps or shortcomings in the current legal structures. A comparative approach is employed to understand how each country addresses gender equality through legislation and to evaluate the effectiveness of these measures in ensuring equal opportunities for women in the workplace.

The third chapter offers an analytical description of the current social situation regarding gender equality in South Korea and Japan: as the chapter begins by collecting and analyzing data on occupational rates, gender pay gaps, and other relevant statistics to paint a clear picture of the contemporary labor market for women in these countries, it also includes feedback from female workers on their experiences and perceptions of their respective countries' welfare policies. By comparing the real-world implications of the legal frameworks discussed in the previous chapter, this section provides a nuanced understanding of the everyday challenges faced by women in the workforce while also examining societal attitudes and cultural norms that continue to influence gender equality in the labor market.

Chapter four provides an in-depth analysis of the findings, synthesizing the historical context, legal frameworks, and current social conditions to draw meaningful conclusions. This chapter compares the situations in South Korea and Japan, identifying common challenges and unique factors that influence gender equality in each country. It evaluates the effectiveness of existing policies and proposes recommendations for improving gender equality in the labor market.

Chapter five concludes the research by summarizing the key insights gained from the analysis and offering final reflections on the state of gender equality in South Korea and Japan. This chapter emphasizes the importance of ongoing efforts to address gender

disparities and highlights areas where further research and policy intervention are needed.

Finally, chapter six compiles all bibliographical references and sources of data used throughout the research: the comprehensive bibliography ensures transparency and provides a foundation for future studies on this topic.

Through this structured approach, the research aims to provide a thorough and insightful examination of welfare policies on gender equality in South Korea and Japan, contributing to the broader discourse on gender equality and women's rights in the contemporary global context.

### 1.4 Methodology

This research employs a comprehensive and multifaceted methodology to analyze and evaluate the welfare policies on gender equality in South Korea and Japan. The methodology integrates qualitative and quantitative approaches to provide a thorough examination of the historical development, contemporary legal frameworks, and current social situations regarding gender equality in both countries.

The foundation of this research is built upon an extensive review of academic articles and literature focusing on South Korea and Japan. These sources include historical analyses, sociological studies, and legal reviews that provide a detailed understanding of the evolution of women's rights and labor participation in these countries. By synthesizing information from various academic disciplines, the research aims to offer a well-rounded perspective on the subject matter.

In addition to academic literature, this study incorporates data collected from global forums on economic development and reputable data portals that specialize in economic and social information. Organizations such as the World Bank, the Organisation for Economic Co-operation and Development (OECD), and the United Nations provide valuable datasets that highlight trends and patterns in gender equality, labor participation, and wage disparities. These quantitative data sources are crucial for substantiating the research findings with empirical evidence.

The research begins with a historical analysis in the first chapter, which involves a qualitative examination of the post-war periods in South Korea and Japan. This chapter draws on historical documents, government reports, and scholarly articles to trace the integration of women into the labor force and the early legislative efforts to support their participation. It also considers the influence of Western feminist ideals and foreign investments on shaping the labor landscape in both countries.

The second chapter focuses on the contemporary legal framework and employs a legal analysis methodology. This involves a detailed examination of key laws and regulations that promote gender equality in the workplace. Legal texts, government publications, and policy documents are analyzed to understand the scope and impact of these laws. Comparative analysis is used to evaluate how each country's legal provisions differ and what implications these differences have for gender equality in labor.

For the third chapter, the research methodology shifts to a mixed-methods approach, combining quantitative data analysis with qualitative insights. Data on occupational rates, gender pay gaps, and labor market participation are collected from global databases and national statistical agencies. This data is then analyzed to identify trends and disparities. Additionally, qualitative data is gathered through surveys, interviews, and secondary sources to capture the experiences and perceptions of female workers in South Korea and Japan. This approach allows for a comprehensive understanding of the real-world implications of legal frameworks and societal norms on gender equality.

The research also employs comparative analysis throughout the study to draw parallels and contrasts between South Korea and Japan. By examining both countries side-by-side, the research aims to highlight common challenges and unique factors influencing gender equality in each context. This comparative perspective is crucial for identifying best practices and areas where each country can learn from the other's experiences.

In the concluding chapters, the research synthesizes the findings from the historical analysis, legal examination, and contemporary data analysis. This synthesis is used to evaluate the hypotheses that contemporary laws provide support for gender equality in labor and wage matters, and that achieving true gender equality requires viewing women as individuals beyond their traditional roles.

Overall, this research methodology combines rigorous academic analysis with empirical data to provide a comprehensive and nuanced understanding of welfare policies on gender equality in South Korea and Japan. By integrating multiple sources and approaches, the study aims to contribute valuable insights to the discourse on gender equality and inform future policy developments.

### 1.5 Theoretical Framework

The pursuit of gender equality, particularly in labor markets, has been a critical issue for decades. The economies of South Korea and Japan, while geographically proximate and culturally similar in many respects, offer distinct contexts for analyzing female representation in the workforce. This theoretical framework aims to provide an in-depth exploration of the evolution of women's labor participation in these two nations, the contemporary legal frameworks designed to promote gender equality, and the current social dynamics influencing female labor. The research methodology employs both qualitative and quantitative approaches to offer a comprehensive analysis and evaluation of welfare policies on gender equality in South Korea and Japan.

In the aftermath of World War II and the Korean War, both Japan and South Korea faced the formidable task of rebuilding their economies. This period marked the beginning of significant changes in gender roles within the workforce. In Japan, the end of World War II brought about drastic changes in societal structure and economic priorities, pushing women into various labor sectors to support the country's rapid industrialization. Similarly, in South Korea, the post-Korean War era saw women stepping into the labor force as the nation embarked on its journey towards economic recovery and industrialization .

The initial legislative efforts in both countries were primarily focused on economic growth, with gender equality taking a backseat. However, some measures were introduced to regulate women's labor. In Japan, the Labor Standards Act of 1947 included provisions to protect female workers, though enforcement was often weak . South Korea followed with the Labor Standards Act of 1953, which also aimed to set

basic conditions for female employment . Despite these early efforts, cultural norms and societal expectations continued to limit women's participation in high-status and high-paying jobs.

The second chapter of the research delves into the contemporary legal frameworks in South Korea and Japan that aim to promote gender equality in the workplace. In Japan, the Equal Employment Opportunity Law (EEOL) of 1986 was a significant milestone, mandating equal opportunities for men and women in employment . Despite its progressive stance, the law faced criticism for its lack of enforcement mechanisms. Revisions in subsequent years have strengthened its provisions, but challenges remain.

In South Korea, the Equal Employment Opportunity (EEO) Law of 1987 was introduced with similar goals . The South Korean government has also enacted other laws such as the Framework Act on Gender Equality (2014) and the Act on the Welfare of Women Workers (1999) to address issues like maternity leave, sexual harassment, and gender-based wage disparities . These laws have laid the groundwork for gender equality, but their impact varies widely depending on enforcement and societal attitudes.

A comparative analysis of these legal frameworks reveals both similarities and differences. Both countries have made significant strides in legislating for gender equality, but the effectiveness of these laws often depends on the broader cultural and economic context. Japan's focus has been on creating opportunities within a traditionally male-dominated corporate culture, while South Korea has emphasized welfare policies that support work-life balance and women's economic participation.

The third chapter focuses on the current social dynamics influencing gender equality in South Korea and Japan. Quantitative data on labor market participation, gender pay gaps, and occupational segregation are collected from global databases such as the World Bank, OECD, and United Nations.

These data sources provide a robust foundation for analyzing trends and disparities in gender equality within the labor markets of both countries.

In Japan, despite significant legal reforms, the gender pay gap remains pronounced. According to the OECD, Japanese women earn only about 73% of what their male counterparts make, and they are significantly underrepresented in leadership positions

(OECD, 2021). This disparity is partly attributed to Japan’s deep-rooted societal norms that prioritize men as primary breadwinners and women as caregivers. Furthermore, the prevalence of non-regular employment, which is predominantly occupied by women, exacerbates the pay gap and limits career advancement opportunities (Shibata, 2020).

Similarly, South Korea faces substantial challenges in achieving gender equality in the workforce. Women in South Korea earn approximately 65% of the wages earned by men, one of the highest gender pay gaps among OECD countries (OECD, 2021). Despite high educational attainment, South Korean women often find themselves in lower-paid, precarious jobs. Cultural expectations surrounding motherhood and family responsibilities further hinder women's career progression, as they are often expected to prioritize household duties over professional ambitions (Kim & Kim, 2020).

Societal attitudes and cultural norms play a crucial role in shaping gender equality in the labor market. In both Japan and South Korea, traditional gender roles continue to influence women's labor force participation. The expectation that women should be primary caregivers persists, impacting their career trajectories and limiting their opportunities for advancement (Brinton, 2018).

In Japan, the concept of "lifetime employment" and long working hours further entrench gender disparities. These practices discourage women from pursuing full-time careers, as they are often incompatible with family responsibilities (Ogasawara, 2019). South Korea's corporate culture, characterised by long working hours and hierarchical structures, similarly impacts women's ability to balance work and family life (Moon, 2016).

In the second chapter, the research employs a legal analysis methodology to scrutinize key laws and regulations aimed at promoting gender equality. This involves an in-depth examination of legislative texts, government publications, and policy documents to understand the scope and impact of these laws. The study investigates how these laws address issues such as maternity leave, anti-discrimination measures, and support for women in leadership roles.

In Japan, the recent Work Style Reform legislation (2018) aims to reduce long working hours and promote a better work-life balance. However, its effectiveness in addressing

gender disparities remains to be seen. Similarly, South Korea's Gender Equality Employment and Support Act (2014) includes provisions to support work-life balance and prevent discrimination, but enforcement challenges persist.

The comparative legal analysis highlights the differences and similarities in how South Korea and Japan approach gender equality through legislation. While both countries have enacted progressive laws, their implementation and enforcement vary. Japan's legislative framework focuses more on equal opportunities and reducing work hours, whereas South Korea emphasizes welfare policies and support systems for working mothers.

By collecting data on occupational rates, gender pay gaps, and labor market participation, the research aims to present a clear picture of the contemporary labor landscape. The analysis includes statistical data from reputable sources such as the World Bank, OECD, and national statistical agencies, revealing persistent gender disparities in both countries. In Japan, women's labor force participation rate has increased, but significant barriers to equal employment remain. Women are overrepresented in part-time and non-regular positions, which offer lower wages and fewer benefits (OECD, 2021). In South Korea, despite high levels of education, women face similar challenges, with a high concentration in precarious employment and significant wage gaps (Kim & Kim, 2020).

To complement the quantitative data, the research incorporates qualitative insights gathered through surveys, interviews, and secondary sources. This approach captures the experiences and perceptions of female workers in South Korea and Japan, providing a nuanced understanding of the real-world implications of legal frameworks and societal norms.

The feedback from female workers highlights the persistent challenges they face, including discrimination, lack of career advancement opportunities, and difficulties in balancing work and family responsibilities. These insights are crucial for understanding the broader context of gender equality in the labor market and identifying areas for improvement.

Based on the findings, the research offers policy recommendations aimed at improving gender equality in the labor markets of South Korea and Japan. These recommendations include strengthening enforcement mechanisms for existing laws, promoting flexible work arrangements, and addressing cultural norms that hinder gender equality. By implementing these measures, both countries can make significant strides towards achieving true gender equality in the workforce.

## 2. Female economic participation while rebuilding the Nation

In the aftermath of the Korean War and World War II, both South Korea and Japan faced the monumental task of rebuilding their nations from the ruins of conflict. This period of reconstruction provided a unique backdrop for the evolution of female economic participation in these countries, as women increasingly entered the labor force to fill gaps left by war casualties and to support economic recovery. In South Korea, the devastation wrought by the Korean War (1950-1953) left the country in dire need of rebuilding its infrastructure and economy. Women, traditionally confined to domestic roles by Confucian norms, began to take on more diverse roles in the workforce out of necessity. This shift was initially driven by survival rather than policy, but it laid the groundwork for future legislative efforts aimed at supporting women's labor rights and integrating them into the national economy.

Similarly, Japan's post-World War II recovery (1945 onwards) necessitated a radical transformation of its labor market. With many men either killed or incapacitated by the war, Japanese women were required to step into roles that were previously male-dominated. The post-war period saw a significant increase in female labor participation, particularly in industries such as manufacturing, textiles, and clerical work. The Japanese government, influenced by the occupation forces led by the United States, began to implement policies aimed at gender equality, most notably enshrining the principle of gender equality in the 1947 Constitution. The Labor Standards Act of the same year also sought to protect female workers, although societal norms continued to impose significant constraints.

The historical development of female labor rights in South Korea and Japan during these critical periods will be explored in detail in the following sections. In South Korea, the evolution of female labor rights can be traced through key legislative milestones and the gradual shift in societal attitudes towards women in the workforce. The enactment of the Labor Standards Act in 1953 marked the beginning of formal efforts to regulate working conditions and safeguard the rights of female workers. Despite these efforts, cultural attitudes rooted in Confucianism continued to limit

women's economic opportunities, a theme that will be examined through the lens of legislative and societal changes up to the present day.

In Japan, the post-war integration of women into the economy also saw significant legislative efforts aimed at promoting gender equality. The Equal Employment Opportunity Law of 1985 was a landmark piece of legislation that sought to eliminate gender discrimination in employment and provided a framework for more equitable workplace practices. The analysis will delve into how these early efforts were influenced by both domestic and international pressures, including the role of Western feminist ideals and the impact of foreign investments and diplomatic relations on shaping labor policies.

Western influence as well played a crucial role in shaping the trajectory of female labor rights in both South Korea and Japan: the presence of American occupation forces in Japan and the influx of Western ideas following the Korean War introduced new perspectives on gender equality and women's rights, helping to catalyze changes in both countries' legal frameworks and societal attitudes, although the extent and nature of this impact varied between South Korea and Japan.

### 2.1 South Korea: historical development of female labour rights

The historical development of female labor rights has been a complex and evolving journey, influenced by socio-economic changes, cultural shifts, and legislative reforms. In the early 20th century, the global landscape of female labor was marked by limited opportunities, restrictive social norms, and significant wage disparities. Women's participation in the workforce was often confined to low-paid, unskilled jobs, and their rights were minimally protected by law. However, significant progress began to emerge in the aftermath of World War II, as many countries recognized the critical role women played during the war efforts and began to acknowledge their contributions to the economy. This period saw the introduction of various labor laws aimed at improving working conditions, ensuring fair wages, and prohibiting gender-based discrimination.

In the context of South Korea, the post-Korean War era marked a significant turning point for women's integration into the economy: the devastation caused by the war necessitated the mobilisation of all available labor resources, including women, to rebuild the nation, highlighting as well the emergence of early legislative efforts aimed at protecting female workers and promoting their participation in the labor force.

### 2.1.1 Korean women's integration in the economy

After the Korean War, women in South Korea experienced significant social and economic changes due to the country's remarkable economic growth, often referred to as the "Miracle on the Han River", a rapid industrialisation and urbanisation period that created new opportunities for women to enter the workforce, particularly in the manufacturing and service sectors. However, traditional gender roles persisted, with women still expected to fulfil domestic duties and care for the family. Despite these challenges, the education system expanded, allowing more women to pursue higher education and professional careers. Over time, women's rights movements gained momentum, leading to legislative reforms aimed at promoting gender equality and addressing issues such as discrimination and domestic violence. Today, South Korean women continue to make strides in various fields, although gender inequality and societal expectations still present obstacles to full equality (Park, 1993).

Since the end of the Korean War (1950-1953), South Korea has tried to rebuild itself as a nation, also with foreign aid. To rebuild the country after a disastrous war that left the peninsula divided in two, the government required the collaboration of the whole population, including women. Their participation in the workforce increased significantly as South Korea underwent rapid industrialisation and modernisation. Many women found employment opportunities in manufacturing, textiles, electronics, and other growing industries. However, there remained a gender wage gap and limited access to higher-ranking positions for women (Park, 1993).

Women played a crucial role in South Korea's economic development by joining the labor force in large numbers. Initially, women primarily worked in low-skilled, labor-intensive industries such as textiles and garment manufacturing. Their participation

helped fuel the export-oriented industrialisation drive, contributing to the country's economic expansion. Also, thanks to missionaries who collaborated in building hospitals and schools, more people were allowed to get an education. This led to the expansion of educational opportunities, which played a crucial role in empowering women. The government also invested in education, leading to higher literacy rates among women and increased enrolment in schools and universities. This educational advancement contributed to greater economic independence and social mobility for women.

South Korea's transformation from a war-torn agrarian society to an industrial powerhouse is a pivotal aspect of understanding its development trajectory. After the Korean War (1950-1953), the country was left devastated, with widespread poverty and infrastructure in ruins. The government, under the leadership of Park Chung-hee and subsequent leaders, embarked on an ambitious development strategy known as the "Miracle on the Han River." This strategy aimed to rapidly industrialize the economy and achieve self-sufficiency. Central to this strategy was an emphasis on export-oriented industrialization, focusing on labor-intensive industries such as textiles, electronics, and automobiles. The government provided significant support for the manufacturing sector through subsidies, infrastructure development, and preferential policies, attracting foreign investment and fostering economic growth.

Despite advancements, traditional gender roles persisted, with women often expected to prioritize family duties over their careers (Kim, Lee, Shin, 2014). Confucian ideals emphasizing filial piety and the importance of family hierarchy continued to influence societal expectations for women's behavior and roles within the household. Despite their extensive participation in economic development, the status of women in the economic arena is far from satisfactory. In fact, a great discrepancy exists between women's contributions and their economic rewards. This discrepancy is reflected in women's low wages and long working hours, and in a persistent sexual division of labor.

Salary discrepancies occur in the wages of male and female industrial workers with low levels of education and skills, and also in those of workers with higher levels of education. In 1989, the sex differential in wages for college-educated workers was 100

to 68 in favor of the male. In addition, the wage discrepancy becomes greater as years of employment are accumulated. In 1989, the initial wage difference between men and women was only 100 to 78. In addition to low wages, South Korean women work more hours than men. In 1983, among the seventeen countries for which data were available, South Korea was the only nation where women worked longer hours than men. Women worked an average of 53.7 hours per week while men averaged 51.7. Between 1975 and 1983, moreover, male workers' working hours increased by 6.1 percent, while women's jumped by 9.6 percent (Kim, Lee, Shin, 2014).

Women's working hours were not only longer than men's but also increased at a more rapid rate. In 1988, South Korea was still the only nation where women's working hours were longer than men's among the fifteen countries that released data to the International Labor Office. Throughout the 1980s, South Korean women worked more hours than men, except in 1989 when both men and women worked 49.2 hours per week. In manufacturing, women worked for an average of 245 hours per month in 1984, four hours more than men. Women worked for an average of 9.7 hours a day, which exceeds the legal eight-hour day, compared to nine hours for men. Although the discrepancy decreased in 1989, the same pattern continued.

Another aspect of women's occupational status lies in sexual job segregation. The traditional pattern of sex differentiation remains unchanged despite the growth in female labor force participation. For example, in 1989, women occupied only 1.9 percent of positions in traditionally male-dominated areas such as the administrative and managerial sectors. In this case, male predominance is even more extreme, as only 0.2 percent of the total women workers were employed in this area. While women comprised 22 percent of the professional sectors, this represented only 5.9 percent of the total female workers, and about 80 percent of those were teachers and nurses. In other professional areas, women occupied only a marginal position. Administrative and managerial occupations are still male-dominated. On the other hand, clerical work has been a predominantly female occupation. The percentage of female workers in that field has surged from 5.6 percent in 1960 to 36 percent in 1989 (Park, 1993).

In traditional Korean society, women lived under a social system where kinship and patriarchal orders dictated their daily lives. The traditional customs and inferior social status of women continued throughout the period of Japanese rule. Yet after independence, South Korea's 1948 constitution introduced "legal" equality between the sexes. Article 8 guaranteed the equality of all citizens and prohibited political, economic, and social discrimination on account of sex, religion, and social status. Unlike women in the West who had to fight for women's rights, Korean women were given "legal" equality. However, although there has been much improvement in women's participation, especially in educational and economic areas, this constitutional guarantee has not produced enhanced social status.

The atmosphere surrounding South Korean women is least favorable in the political arena, the most typically male domain. Throughout history, only a handful of women have managed to achieve political positions of any significance. Under Japanese rule, women's political participation started in the resistance movement, and many women were active in the effort to realize national independence. The first experience of Korean women in politics evolved from the unique political situation of their country, not from a suffrage movement as in the West. These women made concerted efforts to involve themselves and other women in the political process of nation-building. Their resistance against the Japanese and active involvement in the formation of the first regime of South Korea were politically rewarded.

These pioneering woman politicians earned their political positions based on their uncommon personal merits as independence fighters and political activists. Their individual credentials enabled them to move into the political arena, which had been taboo for women for centuries. In this sense, these few individuals might be regarded as isolated cases, rather than typical of women in South Korea. The South Korean case challenges the notion that economic modernization automatically leads to improved status for women, aligning with the marginalization thesis of liberal feminists, dependency theorists, and socialist feminists. Despite economic progress, women's status in South Korean society has not significantly advanced. While there may be a time lag between modernization and its benefits trickling down, the last three decades of

economic development in South Korea do not support the modernization perspective (Park, 1993).

Unlike the thesis of liberal feminists, South Korean women have been actively involved in the country's development, albeit primarily at lower levels, yet they still face subordination and marginalization. This deviation from expectations suggests that reforms within the capitalist system, such as legal and institutional changes, may only partially address the issue. The marginalization of South Korean women stems not only from patriarchal cultural norms but also from structural features of capitalism, indicating that broader transformations are needed to address their marginal status economically, socially, and politically. This suggests that the concept of "capitalist patriarchy" may underpin the challenges faced by South Korean women and that meaningful solutions may require fundamental structural changes.

Women's rights movements gained momentum in the latter half of the 20th century, leading to legal reforms aimed at addressing gender discrimination and promoting gender equality. The government implemented various policies and programs to support women's empowerment, including laws prohibiting gender-based discrimination and initiatives to increase female representation in politics and leadership positions (Park, 1993).

Despite progress, South Korean women still face challenges such as workplace discrimination, unequal pay, and a lack of representation in decision-making roles. Issues like the gender wage gap and the "glass ceiling" phenomenon persist, highlighting ongoing barriers to full gender equality in South Korean society. Nonetheless, women continue to advocate for their rights and strive for greater inclusivity and opportunities in all aspects of society.

### 2.1.2 Early legislative efforts in South Korea

The journey toward gender equality in the South Korean labor market has been long and complex, marked by a series of legislative efforts aimed at addressing gender disparities that reflect the socio-economic transformations in South Korea from the post-war period to the present day.

As we know, in the aftermath of the Korean War (1950-1953), South Korea faced immense challenges in rebuilding its economy and society and women, who had contributed significantly during the war, found themselves in a position where their participation in the labor force was essential for the nation's recovery.

Over the decades, the South Korean government, influenced by both internal advocacy and international pressures, implemented various measures and laws aimed at promoting and protecting women's labor rights, trying to address the deep-seated gender disparities and to create an environment where women could contribute more equitably to the country's burgeoning economy. Initially, South Korea's approach to gender equality in the workforce was primarily pragmatic: the immediate post-war period saw women entering the workforce in unprecedented numbers, driven by economic necessity, but as the nation transitioned from an agrarian economy to an industrial powerhouse, women were needed in factories, particularly in labor-intensive industries such as textiles and electronics, which were vital for the country's export-driven growth strategy. However, despite their significant contributions, women faced substantial wage disparities, limited career advancement opportunities, and pervasive discrimination and thus became clear that legislative interventions were essential to create a more balanced and fair labor market.

The first significant legislative effort to address labor rights, including those of women, was the Labor Standards Act (LSA) of 1953, which marked a seminal point in the legislative history of the Republic of Korea due to its pivotal role in resting the groundwork for labor standards for the new-born Nation as part of broader efforts to stabilize and modernize the South Korean economy by setting standardized labor practices and protecting workers' rights. It was designed to establish basic labor rights and improve working conditions across the board, serving as the cornerstone for labor rights and working conditions in the country. For female workers, the LSA included specific provisions such as maternity leave, restrictions on night work, and prohibitions against assigning women to hazardous tasks (Lee, 2016). However, the enforcement of these provisions was weak, and cultural attitudes towards women's roles in society limited their impact (Lee, 2016).

Key provisions included regulations on working hours, wages, employment conditions, and protections for specific groups, such as women and minors. The Act established a maximum of 48 working hours per week, with provisions for overtime pay, a significant step towards regulating working conditions in an economy that was heavily reliant on labor-intensive industries (Moon, 2005). Additionally, the Act mandated rest periods and annual paid leave, which were essential for promoting workers' health and well-being (Park, 2011) as well as requiring employers to pay wages directly to workers in cash and at least once a month, ensuring regular and fair compensation (Choi, 2006) and introducing minimum wage provisions, although the specific minimum wage levels were not established until later amendments[1].

One of the most critical aspects of the LSA was its provisions for protecting female workers: the Act prohibited night work and hazardous tasks for women, reflecting a paternalistic approach to female labor protection (Kim & Finch, 2002). Maternity leave was introduced, granting women 60 days of paid leave around childbirth, a significant milestone in acknowledging the dual roles of women as workers and caregivers (Lee, 2016). The LSA also laid the groundwork for workplace safety and health regulations, requiring employers to maintain safe working environments and implement measures to prevent industrial accidents.

The LSA's implementation had a profound impact on the South Korean labor market: by establishing clear guidelines for working hours, wages, and employment conditions, it aimed to create a more stable and predictable labor environment. For women, the Act represented a significant step towards *formalising* their participation in the workforce. The maternity leave provision, in particular, was groundbreaking, as it *recognised* the need for women to balance work and family responsibilities (Lee, 2016).

However, the Act also reflected the gender norms and expectations of the time: it prohibited night work and hazardous tasks for women, while intended to protect them, also reinforced traditional gender roles by limiting the types of work women could undertake. This paternalistic approach, which aimed to shield women from the rigours

[1] The Minimum Wage Act was enacted in 1988, which set the minimum wage at 600 KRW per hour, while in 2023 it was set at 9,620 KRW per hour - source: Minimum Wage Commission Republic of Korea, https://www.minimumwage.go.kr/english/main.do

of certain types of labor, inadvertently perpetuated gender inequality in the workplace (Kim & Finch, 2002).

The LSA of 1953 did not operate in isolation but was part of a broader set of reforms aimed at modernizing South Korea's labor market, which meant a periodic amendment of the Act to address emerging labor issues and to reflect changing socio-economic conditions. For instance, subsequent amendments introduced more detailed provisions on minimum wage, occupational safety, and health standards, further enhancing worker protections (Choi, 2006). The influence of the LSA extended beyond the immediate post-war period, shaping labor relations in South Korea for decades, and also established a legal framework that facilitated the growth of labor unions and collective bargaining, contributing to the development of a more organised and vocal labor movement (Park, 2011).

Despite its significance, the LSA of 1953 had its limitations: its enforcement was a major challenge, particularly in the context of a rapidly industrialising economy with a burgeoning informal sector - as a matter of fact, many employers, especially in small and medium-sized enterprises, often circumvented labor regulations, undermining the Act's effectiveness (Kim, 1997). Additionally, while the LSA aimed to protect female workers, it did not *fully* address the systemic gender discrimination prevalent in the labor market, because women continued to face significant barriers to equal employment opportunities, wage parity, and career advancement (Moon, 2005); besides, it must be underlined that the LSA's paternalistic provisions, such as the restrictions on night work and hazardous tasks, reinforced traditional gender roles and limited women's participation in certain industries, making a paradox itself and highlighting the complexities of labor legislation in addressing gender equality, where protective measures can sometimes entrench the very inequalities they aim to mitigate (Kim & Finch, 2002).

Nevertheless, by formalising labor rights and protections, the Act contributed to a growing awareness of workers' rights and the importance of labor standards in economic development, instrumental in fostering a culture of labor activism and advocacy, thus playing a crucial role in the democratisation movements of the 1980s

and 1990s (Park, 2011). The LSA's legacy is also evident in the ongoing efforts to improve labor standards and worker protections in South Korea: in fact, contemporary labor laws build on the foundations laid by the LSA, addressing issues such as non-standard employment, workplace harassment, and the gig economy, development reflecting the evolving nature of labor relations and the continuous need to adapt labor legislation to changing economic realities (Choi, 2006).

During the 1970s and 1980s, a period of rapid industrialization and economic growth which saw an increased demand for labor, including female labor, particularly in export-oriented industries such as textiles and electronics, the government began to recognize the need for more structured policies to support female workers.

In 1987, the South Korean government enacted the Equal Employment Opportunity (EEO) Law, which enacted in response to both domestic and international pressures to improve gender equality from women's rights organisations within the country and came at a time when South Korea was experiencing rapid economic growth and modernization and aimed to eliminate gender discrimination in various aspects of employment, including hiring, promotion, and training (Moon, 2005). The EEO Law marked a significant step forward, reflecting the growing awareness of gender equality issues. However, similar to the LSA, the effectiveness of the EEO Law was hampered by weak enforcement and persistent societal biases.

According to Lee (2007), the EEO Law aimed to eliminate gender discrimination in various aspects of employment, including recruitment, hiring, training, promotion, and retirement. The law mandated equal treatment for men and women in the workplace and prohibited employers from discriminating based on gender.

One of the key provisions of the EEO Law was its requirement for companies to establish affirmative action programs to promote the employment of women, which were designed to increase the representation of women in traditionally male-dominated fields and to ensure that women had equal opportunities for career advancement.

Moon (2011) notes that this aspect of the law was particularly groundbreaking in South Korea, where deeply entrenched patriarchal norms had long limited women's access to high-paying and high-status jobs.

However, the implementation of the EEO Law faced numerous obstacles, such as the lack of effective enforcement mechanisms: the law relied heavily on voluntary compliance by employers, and there were few penalties for those who failed to adhere to its provisions - as Park (2009) points out - thus this lack of enforcement meant that many companies simply ignored the law or found ways to circumvent it. For example, some employers would hire women for lower-level positions but then systematically exclude them from promotions and leadership roles.

Another critical aspect of the EEO Law was its provisions for maternity leave and protections for pregnant workers: the law guaranteed maternity leave and prohibited the dismissal of women due to pregnancy or childbirth, but while these protections were a significant step forward, their implementation was inconsistent. As Kim and Finch (2002) highlight, many women still faced discrimination related to maternity leave, with some employers subtly pressuring them to resign or demote them upon returning to work.

Despite traditional expectations about women's roles as primary caregivers and homemakers persisted, often leading to women being sidelined in the workplace, as employers assumed that female employees would be less committed to their jobs due to family responsibilities, the EEO Law marked an important step towards gender equality in South Korea, bringing the issue of workplace discrimination into the public eye and encouraging discussions about the need for more inclusive labor practices. Over time, the law has been amended to strengthen its provisions and enforcement mechanisms. For instance, the introduction of the Gender Equality Employment and Work-Family Balance Assistance Act in 1999 built upon the foundations laid by the EEO Law by providing more robust support for work-life balance and gender equality.

The impact of the EEO Law on South Korean society is evident in the gradual increase in women's participation in the labor force and their representation in higher-level positions. However, gender wage gaps remain significant, and women are underrepresented in leadership roles across various industries.

Later on, the '90s were a period of significant political and social change in South Korea, marked by the transition to democracy and a growing civil society, an era which

also saw increased advocacy for women's rights and gender equality. Besides, since the 1990s, women in South Korea have made steady gains, including achieving greater levels of representation in government administration and the National Assembly, as well as securing key constitutional reforms and legislative policies promoting women's rights and gender equality: the introduction of an electoral gender quota system in 2001 is largely credited with resulting in the highest ratio of women (15.7 percent) in parliamentary positions by 2012 (Ki-young Shin).

In 1995, the South Korean government established the Ministry of Gender Equality (now the Ministry of Gender Equality and Family), representing a milestone in institutionalising gender equality within the government framework. Its mandate included promoting gender equality, protecting women's rights, and coordinating policies across various government sectors (Kim & Finch, 2002).

In 1999, the government passed the Act on the Welfare of Women Workers, part of a broader effort to create a more supportive environment for women in the workforce and enhance the working conditions and rights of women in the labor force, building upon previous legislative efforts like the Equal Employment Opportunity (EEO) Law of 1987, acknowledged the dual roles many women played as both workers and primary caregivers and thus aimed to improve the working conditions and welfare of female workers, addressing issues such as sexual harassment, maternity protection, and the provision of childcare facilities (Park, 2011).

According to Kim (2000), the Act included provisions to prevent gender discrimination in hiring, wages, promotions, and working conditions, crucial in a societal context where traditional gender roles often marginalised women and limited their professional opportunities: the Act mandated that employers could not discriminate against women based on their gender and required equal treatment in all aspects of employment.

One of the other key components of the Act was its focus on maternity protection and parental leave: thanks to more robust maternity leave policies, it ensured that women could take time off for childbirth without fear of losing their jobs or facing demotion. Park (2001) highlights that the Act provided for 90 days of paid maternity leave, with at least 60 days to be taken after childbirth, a significant improvement over previous

policies and was intended to reduce the economic burden on families and encourage more women to remain in the workforce after having children.

Additionally, the Act on the Welfare of Women Workers addressed the issue of workplace harassment and violence, which were prevalent problems affecting many women workers, requiring employers to take proactive measures to prevent sexual harassment and to establish procedures for handling complaints, mandating training programs for employees and managers to raise awareness bout sexual harassment and to promote a culture of respect and equality in the workplace. Lee (2002) notes that this was an important step towards creating safer and more respectful working environments for women.

Another significant aspect of the 1999 Act was its emphasis on work-life balance. The legislation recognised the dual burden of work and family responsibilities that many women - who were primarily seen as caregivers, for the children and the elderly members of the family (Han & Chun, 2014) - faced and sought to provide mechanisms to alleviate this burden. Choi (2003) explains that the Act introduced flexible working arrangements, such as part-time work and telecommuting, to help women manage their work and family commitments more effectively, and employers were encouraged to implement these arrangements to support their female employees, thereby promoting greater gender equality in the workplace.

The Act also included provisions for the welfare of women workers in non-standard forms of employment, such as temporary and part-time workers, a category which often faced greater job insecurity and poorer working conditions compared to their full-time counterparts. Kim and Finch (2004) highlight that the Act aimed to extend protections and benefits to these vulnerable groups, ensuring that all women workers, regardless of their employment status, could enjoy basic labor rights and protections.

Despite its progressive goals, the implementation of the Act on the Welfare of Women Workers faced challenges, such as the gap between the law's provisions and their enforcement in practice: while the Act provided a strong legal framework for gender equality, there were significant gaps in enforcement and compliance; since many employers were slow to implement the required changes, and there was a lack of

effective monitoring and penalties for non-compliance, meaning that many women workers continued to experience discrimination and poor working conditions despite the legal protections in place (Moon, 2005).

Moreover, once again, cultural attitudes towards gender roles remained a significant barrier to the full realisation of the Act's objectives: resistance from both employers and employees coming from deep-seated patriarchal norms and stereotypes about women's roles in society continued to undermine efforts to achieve gender equality in the workplace (Park & Lee, 2006).

Entering the 21st century, South Korea continued to strengthen its legal frameworks to promote gender equality: the Framework Act on Gender Equality, enacted in 2000, was another comprehensive law designed to address gender discrimination in all areas of society, including employment, providing a legal basis for gender mainstreaming and required government agencies to consider gender equality in their policies and programs (Choi & Kim, 2006) and aiming to address various forms of gender discrimination and to promote the active participation of women in all areas of society, including the workforce. Since it was designed to create a legal and institutional basis for gender equality, one of its primary objectives was to eliminate discrimination against women and to ensure that women had equal opportunities in economic, social, political, and cultural spheres: according to Seung-kyung and Hae-joang (2011), the Act mandated the government to establish and implement comprehensive plans for women's development, which included measures to support women's employment, enhance their education and training opportunities, and promote their participation in decision-making processes. This included measures such as providing vocational training and education tailored to women's needs, promoting work-life balance through family-friendly policies, and combating workplace discrimination, measures designed to address both the supply and demand sides of the labor market, helping women to develop the skills needed for employment while also encouraging employers to create a more inclusive work environment (Chai and Lee, 2006). The Act also mandated the establishment of support systems for women who were victims of violence and discrimination, including the set up of counseling centers, shelters, and hotlines to provide assistance to victims

provisions were crucial in creating a safer and more equitable environment for women (Yoo, 2008). Still according to Yoo (2008), these support systems were essential in providing immediate help to women in distress and also played a crucial role in raising awareness about gender-based violence and discrimination. Furthermore, the Framework Act required the government to monitor and evaluate the progress of women's development regularly by collecting and analyzing data on various indicators of gender equality, such as employment rates, wage gaps, educational attainment, and political participation, vital in identifying areas where progress was being made and areas where additional efforts were needed. The data collected was used to inform policy adjustments and ensure that the objectives of the National Plan for Women's Development were being met (Park & Lee, 2005). To facilitate the implementation of these comprehensive plans, the Act also called for the allocation of sufficient resources and the establishment of partnerships with non-governmental organisations (NGOs), civil society groups, and the private sector, crucial in leveraging additional expertise and resources and ensuring a more coordinated and holistic approach to women's development (Moon, 2007).

The Framework Act also highlighted the importance of women's representation in decision-making processes, calling for measures to increase the number of women in leadership positions within both the public and private sectors, by including setting targets for women's representation and implementing policies to support their advancement into leadership roles; this aspect of the Act was particularly significant in challenging the traditional gender norms that often excluded women from positions of power and influence (Kim and Finch, 2002).

Moreover, the effectiveness of the Framework Act was limited by gaps in enforcement and monitoring: while the Act outlined various measures and policies, ensuring their implementation at the ground level was a significant challenge due to the lack of coordination among different government agencies and insufficient resources allocated to enforcing the provisions of the Act (Moon, 2007).

Later on, the creation of the cabinet-level Ministry of Gender Equality in 2001, which was reorganized in 2005 to become the Ministry of Gender Equality and Family, also

signaled a partial actualization of the aims of the women's movement and served as an indication of the cooperation between the government and the women's movement. Nevertheless, despite the success of state feminism - promoting gender equality in policymaking and governance at multiple levels - we must point out that there have been limited gains for women in the socioeconomic sphere (Kim & Finch, 2002).

Another significant piece of legislation was the Act on Equal Employment and Support for Work-Family Reconciliation of 2007, which introduced measures such as extended maternity leave, parental leave for both mothers and fathers, and incentives for companies to establish family-friendly policies (Jang, 2013), measures designed to reduce the career penalties associated with motherhood and encourage a more equitable distribution of childcare responsibilities.

Despite these legislative efforts, significant challenges remain in achieving true gender equality in the South Korean labor market: women often face pressures to conform to traditional gender roles, balancing work and family responsibilities in a society that still values long working hours and presenteeism (Kim, 2017).

These early legislative efforts made by the South Korean government reflect a complex interplay of socio-economic, political, and cultural factors. While significant progress has been made in establishing legal frameworks to promote gender equality in the labor market, the effectiveness of these measures has often been limited by weak enforcement and persistent societal biases, demonstrating that achieving true gender equality will require not only stronger enforcement mechanisms but also a cultural shift towards a more inclusive and supportive environment for female workers.

### 2.2 Japan: historical development of female labour rights

The historical development of female labor rights in Japan has been shaped by a series of socio-economic transformations, cultural shifts, and legislative reforms that began in earnest during the early 20th century. Initially, women's roles in the Japanese workforce were limited and largely confined to traditional sectors such as agriculture, textiles, and domestic work. However, significant changes began to occur in the aftermath of World

War II, a period marked by Japan’s reconstruction and rapid economic growth. The war had drastically altered the socio-economic landscape, compelling women to enter the workforce in larger numbers to support the national recovery efforts. This era laid the groundwork for subsequent advancements in women's labor rights and integration into the broader economy.

In the immediate post-war period, the Japanese government, influenced by both domestic needs and international pressures, initiated various legislative measures to improve labor conditions and promote gender equality. The Japanese Constitution of 1947, inspired by democratic principles, played a pivotal role by explicitly guaranteeing equality under the law, which laid the foundation for more specific labor protections for women. One of the key legislative milestones during this period was the enactment of the Labor Standards Act of 1947, which established fundamental labor rights and included provisions aimed at protecting female workers. This act was crucial in setting minimum labor standards and addressing issues such as working hours, wages, and maternity leave .

These early legislative efforts were part of Japan’s broader strategy to modernize its economy and integrate women into the workforce more effectively. As Japan embarked on its path of rapid industrialization, women's contributions became increasingly vital, prompting further legislative and policy developments aimed at enhancing gender equality in the workplace. This historical context sets the stage for a deeper exploration of how Japanese women have navigated the evolving labor landscape and the effectiveness of subsequent policies in promoting their rights and opportunities.

### 2.2.1 Japanese women’s participation in the aftermaths of WW2

Japanese women entered the economy during the period of Japan's economic miracle through various avenues, driven by economic necessity, social changes, and government policies. Many Japanese women initially entered the economy through employment in industrial sectors such as manufacturing. The booming post-war economy created a demand for labor, and women were hired for roles in assembly lines, textile factories,

and other labor-intensive industries. These jobs often provided women with stable employment and income opportunities, albeit with limited advancement prospects.

As Japan's economy diversified, opportunities for women expanded beyond traditional manufacturing roles. Many women found employment in the service sector, including retail, hospitality, healthcare, and clerical work. Service sector jobs often offered more flexibility and opportunities for interaction with customers, making them attractive options for women seeking employment. Part-time and temporary work became common avenues for women to enter the workforce, especially for those balancing work with caregiving responsibilities. Part-time jobs in retail, food service, and administrative roles allowed women to earn income while maintaining flexibility in their schedules. However, these positions often came with lower wages and fewer benefits compared to full-time employment.

The expansion of educational opportunities for women also played a crucial role in enabling them to pursue professional careers. Higher levels of education, including university degrees and vocational training, opened doors to professions such as teaching, nursing, finance, and engineering. Women who attained higher education qualifications were more likely to enter professional fields and managerial positions.

Some Japanese women entered the economy as entrepreneurs, starting their own businesses or ventures. Entrepreneurship provided women with opportunities to pursue their passions and leverage their skills and expertise in various industries. Small businesses, such as retail shops, restaurants, and service-oriented enterprises, allowed women to contribute to the economy while exercising autonomy and creativity (Crespín Perales, 2021).

The Japanese government implemented policies to encourage women's participation in the workforce and address gender disparities, including initiatives such as equal employment opportunity laws, maternity protection, and support for childcare services. Government support helped to create a more conducive environment for women to enter and remain in the workforce by addressing barriers such as gender discrimination and work-life balance issues.

Shifting social norms and attitudes towards women's roles also played a role in facilitating their entry into the economy. While traditional gender expectations persisted, there was growing acceptance of women working outside the home, particularly among younger generations. This cultural shift helped to reduce stigma associated with women's employment and encouraged more women to pursue careers and economic independence.

During Japan's "Economic Miracle" period, which spanned from the 1950s to the 1970s, women's participation in the economy underwent significant changes, driven by a combination of factors including economic growth, social shifts, and government policies. The reconstruction efforts necessitated a massive labor force to fuel the country's recovery and growth, with many men engaged in rebuilding efforts or lost during the war, there emerged in a significant labor shortage that subsequently created opportunities for women to enter the workforce in large numbers to fill the gaps.

The Economic Miracle was characterized by a boom in manufacturing, with industries such as electronics, automobiles, and consumer goods experiencing rapid expansion, which provided employment opportunities for both men and women, particularly in assembly line work and other labor-intensive roles, where omen were increasingly employed in manufacturing jobs, contributing to the overall growth of the sector.

The post-war period also saw shifts in societal attitudes towards women's roles. Traditional gender norms began to relax as economic necessity drove more women into the workforce. While cultural expectations still placed emphasis on women's roles as wives and mothers, there was growing acceptance of women working outside the home, particularly among younger generations.

Japan's investment in education played a significant role in preparing women for employment opportunities during the Economic Miracle: the expansion of educational opportunities, including compulsory education for both boys and girls, led to higher levels of literacy and educational attainment among women and enabled women to access a broader range of employment opportunities beyond traditional roles (Brinton, 1993).

### 2.2.2 Early legislative efforts in Japan

In post-World War II Japan, the government enacted several legislative reforms aimed at promoting gender equality in the labor market and improving working conditions for women, influenced by both domestic social movements and international pressures, particularly from Western nations advocating for women's rights.

The Japanese government implemented policies to promote equal pay for equal work, aiming to address gender disparities in wages. While the effectiveness of these policies varied, they signalled a commitment to combating gender discrimination in the workforce. Labor market regulations were introduced to protect the rights of workers, including women, and covered aspects such as working hours, overtime pay, and workplace safety, ensuring that women had legal protections in the workplace.

The government also expanded social services such as childcare facilities and eldercare support to assist working families and access to affordable childcare became increasingly important for women entering the workforce, enabling them to balance work and family responsibilities. Maternity protection policies were introduced to support pregnant women and working mothers, including provisions for maternity leave, job security during pregnancy, and breastfeeding breaks, allowing women to maintain employment while starting families.

One of the earliest legislative acts addressing gender equality in Post WW2 Japan was the Basic Law for a Gender Equal Society of 1985, which stands as a pivotal cornerstone in Japan's ongoing journey towards achieving gender equality and dismantling entrenched societal biases. This landmark legislation emerged against the backdrop of a nation grappling with deeply ingrained gender disparities and traditional role expectations and it represented a significant step towards ensuring equal opportunities for women in the workplace, although its effectiveness has been debated due to loopholes and weak enforcement mechanisms (Fukuda, 2017).

Enacted against a backdrop of international pressure and domestic advocacy for gender equality, the EEOL aimed to dismantle discriminatory practices that hindered women's access to equal opportunities in employment.

The EEOL was enacted on April 1, 1986, with the primary objective of promoting equal employment opportunities for men and women, as Japan's first comprehensive legislation specifically targeting gender discrimination in the workplace, it emerged as a response to growing societal awareness and pressure both domestically and internationally regarding gender inequality in Japan's workforce.

The EEOL mandated that employers provide equal treatment and opportunities for men and women in hiring, job assignments, promotions, and training programs. Employers were prohibited from discriminating against employees on the basis of gender and were required to establish action plans aimed at achieving gender equality within their organisations, action plans that thus were expected to outline specific measures to eliminate gender disparities and promote gender diversity across all levels of employment (Abe, 2009).

One of the primary utilities of the EEOL lay in its role in initiating a broader societal dialogue on gender equality in Japan: by legally mandating equal treatment and opportunities, the law prompted businesses to reassess their hiring and promotion practices, fostering a more inclusive and merit-based approach to employment, contributing to an increase in women's labor force participation and their representation in sectors traditionally dominated by men (Molony, 1995).

The EEOL also addressed the issue of equal pay for equal work, aiming to bridge the gender wage gap by ensuring that men and women received equitable compensation for performing the same or similar tasks, not only aiming to rectify economic disparities but also to recognise and validate women's contributions in the workforce.

Despite its progressive intent, the EEOL faced several challenges and criticisms: initially, enforcement mechanisms lacked teeth, and compliance among businesses varied widely, and critics argued that the law did not go far enough in addressing deeply entrenched gender norms and stereotypes that perpetuated inequality in the workplace and cultural expectations regarding women's roles as primary caregivers and homemakers continued to pose significant barriers to their career advancement (Molony, 1995).

Moreover, while the EEOL promoted formal equality in theory, its impact in practice was often limited by broader societal and economic factors: Japan’s corporate culture, characterised by long working hours and rigid hierarchies, often disadvantaged women seeking career advancement. The law's focus on equal opportunities sometimes overlooked the need for more comprehensive support measures, such as affordable childcare and flexible work arrangements, crucial for balancing work and family responsibilities.

Furthermore, the Child Care and Family Care Leave Law of 1991 provided provisions for maternity leave and family care leave, acknowledging the dual roles of women as caregivers and workers (Higuchi, 2015). The Child Care and Family Care Leave Law of 1991, also known as the Child Care Leave Law, represents a significant legislative effort in Japan aimed at supporting working parents and promoting a better work-life balance. Enacted on April 1, 1992, this law was introduced in response to growing societal demands for policies that accommodate the needs of families and facilitate women's participation in the workforce. Its primary objective was to provide employees, both men and women, with the legal right to take leave from work for childcare or family care purposes, thus recognising the importance of caregiving responsibilities and sought to alleviate the burden faced by working parents, particularly mothers, who traditionally bore the brunt of childcare duties, meaning that under this law, eligible employees are entitled to take up to one year of unpaid leave per child for childcare purposes until the child reaches the age of three. The law also allows for shorter periods of leave for family care, such as caring for an ill family member. Importantly, employees are guaranteed the right to return to their previous position or a comparable position after taking leave, ensuring job security and continuity in employment (Ogura, 1996). By recognizing the dual roles of men and women in caregiving, the law aimed to promote gender equality in the workplace and reduce gender disparities.

Despite its progressive intent, the Child Care and Family Care Leave Law has faced challenges in its implementation and uptake: as usual, cultural norms and workplace practices often discourage employees, especially men, from taking advantage of leave entitlements due to concerns about career advancement and workplace stigma (Suzuki,

2000). Moreover, the law's reliance on unpaid leave may pose financial challenges for families with limited resources.

Subsequently, the Basic Law for a Gender Equal Society of 1999 reinforced the government's commitment to gender equality by promoting measures to eliminate discrimination and ensure equal participation of women in all aspects of society, including employment (Sugimoto, 2018).

At its core, this law embodies a resolute commitment to fostering a more inclusive and equitable society, one where individuals are afforded equal opportunities regardless of gender, setting forth a comprehensive framework aimed at dismantling systemic barriers and empowering women to fully participate in all facets of Japanese life and the central objective is the promotion of gender equality across various domains, including education, employment, politics, and family dynamics: by advocating for the elimination of gender-based discrimination and the cultivation of equal opportunities, the legislation seeks to recalibrate societal norms and perceptions surrounding gender roles. Moreover, the law places a strong emphasis on the empowerment of women, recognising their invaluable contributions to society and the necessity of their participation in decision-making processes and through initiatives aimed at enhancing women's education, employment prospects, and leadership development, the legislation it endeavours to unlock their full potential and facilitate their meaningful engagement in shaping Japan's future (Higa, 2005).

Crucially, the Basic Law for a Gender Equal Society also addresses the pressing issue of gender-based violence, underscoring the imperative of preventing and addressing instances of domestic violence, sexual harassment, and other forms of gender-based abuse, thus the law’s advocacy for robust measures to protect victims and hold perpetrators accountable, the law seeks to cultivate a safer and more supportive environment for all individuals.

Besides, this piece of legislation advocates for the promotion of work-life balance, recognising the importance of enabling individuals to effectively balance their professional aspirations with their caregiving responsibilities: through the implementation of measures supporting flexible work arrangements, parental leave, and

accessible childcare services, the law endeavours to create a more conducive environment for individuals to thrive both personally and professionally (Higa, 2005).

Education and awareness-raising efforts also feature prominently in the law's provisions, highlighting the importance of challenging stereotypes and biases rooted in gender.

Thus, while the Basic Law for a Gender Equal Society of 1999 represented a crucial step forward in Japan's efforts to promote gender equality, its impact has been tempered by practical challenges and societal resistance. Efforts to strengthen enforcement mechanisms, enhance public awareness, and address cultural barriers are essential to advancing gender equality in Japan. Continued advocacy, policy refinement, and broader societal engagement are necessary to realise the law's vision of a more inclusive and equitable society for all genders.

Despite these legislative advancements, challenges remain in achieving full gender equality in Japan's labor market: cultural norms, traditional gender roles, and workplace practices often perpetuate inequalities, leading to a persistent gender pay gap and underrepresentation of women in leadership positions (Brinton, 2011). In conclusion, Japan's early legislative efforts to promote gender equality in female labor have laid foundational groundwork for improving women's rights in the workplace. However, ongoing reforms and stronger enforcement of existing laws are essential to address remaining barriers and achieve substantive equality for women in Japan.

### 2.3 Western influences: towards gender equality in South Korean and Japanese workforce

During the Japanese colonial era and South Korea's economic boom, the sexual division of labor within households and gender-segregated job markets exacerbated the marginalisation and exploitation of women under industrial capitalism. Neo-liberal economic policies further intensified discriminatory employment practices, promoting the male breadwinner ideal and disproportionately recruiting women into low-paid, precarious positions, both before and after the 1997-98 Asian debt crisis. (Song, 2014)

Due to globalisation, in several Asian countries, cultural attitudes toward women in the workforce have been compelled to change, driven by institutional and organisational shifts. In particular, nations like Japan and South Korea face a pressing need to increase female labor market participation due to their rapidly aging populations. For instance, a report by Japan's Gender Equality Bureau Cabinet Office (2006) highlighted the urgent need for Japan to achieve a gender-equal society in response to declining birth rates, an aging population, and a maturing domestic economy.

Although Japan appears to be making gradual progress in this direction, the country is slightly ahead of South Korea: female labor participation rates have been gradually increasing, likely influenced by legislative reforms and the impacts of globalisation (Chang, 2011; International Labor Organisation, 2009).

In addition to domestic legislation, international and in particular Western influences have played a significant role in shaping policies on gender equality in order for women to be integrated into Japanese and South Korean economy by introducing new ideas, practices, and policies that promote gender equality and women's empowerment: Western countries, particularly those in Europe and North America, have advanced legal frameworks that protect women's rights and promote gender equality in the workplace. Japan was the first to have drawn inspiration from these models to develop its own legislation, such as the Equal Employment Opportunity Law (EEOL), which prohibits gender discrimination and promotes equal opportunities for men and women in employment, as a matter of fact this piece of legislation was influenced by similar laws in Western countries and reflects international standards for gender equality.

Besides, the countries' accession to international bodies such as the United Nations (UN) and the Organisation for Economic Co-operation and Development (OECD) brought with it commitments to uphold global standards of gender equality and labor rights. The ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1984, for instance, obliged South Korea to implement laws and policies aimed at eliminating gender discrimination, an international framework provided both a guideline and a benchmark for domestic reforms.

Given the above, the United Nations has the basis of active promotion for the gender equality measures for the member countries through the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): yet in 1983, the optional protocol of the CEDAW was formulated after the proposal in 1979 and currently there are 187 member countries as for 2017; both South Korea and Japan became member countries in 1984 and 1985, respectively. With the addition of the optional protocol, it allows citizens of the member countries to appeal to CEDAW for their human rights by submitting a petition to the Committee, from which it provides one of mechanisms that can specify the legal content and the institutionalisation direction of the law. The CEDAW has suggested to the each member country that take special measures to promote full equality between men and women, enabling to ensure that human rights and fundamental freedoms can take full effect and to eliminate discrimination against the women in all areas of life. Finally, South Korea received recommendations from the CEDAW in 2015, and Japan also received recommendations from the CEDAW in 2016.
Currently, both South Korea and Japan share common gender issues to be resolved on account of the fact that they have been traditionally heavily influenced by Confucianism. With both countries under the military regimes, the establishment of new fundamental law also attracted attention. South Korea adopted the Constitution in 1948 and Japan did in 1947. Therefore, overall South Korea followed Japan in the establishment of new legislation, the concept of gender equality, in particular, has been significantly difficult for these two countries to specifically mark the actual lives of the citizens as the effect on the both countries.

Feminist movements in Western countries have advocated for women's rights and gender equality on a global scale: the impact of Western feminist ideologies and activism can be observed in several key aspects of the gender equality movements in these East Asian nations.

Firstly, Western feminist theories and practices have provided conceptual frameworks and tools that have been adapted and applied in South Korea and Japan. For instance, concepts such as patriarchy, gender discrimination, and women's rights, which gained prominence in Western feminist discourse, have been instrumental in framing the

discussion around gender inequality in both countries, as a matter of fact, feminist analyses of militarism and globalization have influenced feminist movements globally, including in East Asia (Enloe, 2014). Secondly, Western feminist movements have served as a source of inspiration and solidarity for activists in South Korea and Japan: the global visibility of movements like the suffragette movement, second-wave feminism, and contemporary intersectional feminism has provided a foundation for local activists to connect their struggles with broader global movements, facilitating the exchange of ideas, strategies, and solidarity across borders, amplifying the voices advocating for gender equality in East Asia (Marchetti, 2007). Moreover, Western feminist movements have contributed to shaping international norms and standards on women's rights, which have had implications for policy development and advocacy in South Korea and Japan.

However, it is important to note that while Western feminist movements have had a profound impact, they have also been critiqued for their cultural specificity and applicability in non-Western contexts: local feminist activists in South Korea and Japan have often adapted and localised feminist discourses to address specific socio-cultural and political contexts, ensuring relevance and effectiveness in their respective movements (Shin, 2018). Thus, although Western feminist movements have significantly influenced gender equality movements in South Korea and Japan by providing theoretical insights, strategic tools, and international solidarity, the adaptation and localisation of feminist discourses are crucial for addressing local challenges, the global exchange of ideas continues to shape and strengthen the pursuit of gender equality across borders.

Many multinational corporations have implemented policies to promote gender diversity and women's advancement in the workforce, influencing Japanese companies in particular to adopt similar practices. It is shown that Western corporate cultures that value gender equality and inclusive workplaces have influenced Japanese firms to prioritise diversity and create more opportunities for women in leadership positions.

Creating a conducive environment for gender equality and work-life balance in Japan and South Korea has seen some influence also from Western companies investing in

these countries: the presence of Western firms has introduced new policies and practices that have gradually shifted workplace dynamics and contributed to advancing labor rights and gender equality: in fact, Western companies entering Japan and South Korea have often brought with them their corporate cultures, which include policies promoting work-life balance. For example, flexible working hours, telecommuting options, and parental leave policies have been introduced to accommodate employees' personal lives while maintaining productivity, setting benchmarks for local companies and prompted discussions about the need for similar measures to enhance employee well-being and retention (Nishii & Özbilgin, 2007).

Moreover, Western companies have championed diversity and inclusion initiatives that prioritise gender equality in their Asian operations, by encompassing recruitment practices that aim to mitigate gender bias, leadership development programs for women, and support networks that foster career advancement opportunities irrespective of gender, thus not only influencing local employment norms but also contributed to challenging traditional gender roles within the workplace (Chang & Hughes, 2018).

Furthermore, the presence of Western companies has also influenced legislative reforms and policy-making in Japan and South Korea concerning labor rights and gender equality. For instance, the emphasis on transparency in pay structures and the enforcement of non-discriminatory hiring practices have been heightened due to international standards set by Western firms, consequently compelling local governments to review and amend existing laws to align with global expectations and promote a fair and equitable working environment for all employees (Locke & Kochan, 2015).

However, despite these advancements, challenges persist: as we have already seen, although law implementation and a broader feminist discourse, cultural norms and societal expectations in Japan and South Korea often prioritise long working hours and traditional gender roles, which can impede the full implementation of Western-inspired policies. Moreover, there is a need for sustained efforts to bridge the gap between policy formulation and effective enforcement on the ground (Reskin, 2012).

Thus, globalisation really did facilitate cross-cultural exchanges and collaborations between Japan and Western countries, leading to the sharing of ideas, best practices, and experiences related to women's empowerment and gender equality. International conferences, seminars, and forums provide platforms for dialogue and learning, fostering greater awareness and understanding of gender issues in Japan. Western experts, researchers, and organisations have contributed insights and expertise to Japanese efforts to integrate women into the economy and promote gender equality.

# 3. A comparison between South Korean and Japanese welfare policies for women's labour

Ironically, two countries widely considered to be democratic states in the East Asian region have exhibited significantly different levels of compliance with international gender equality standards, namely, South Korea and Japan. The vast differences of these two regional states are particularly noteworthy given their sustained domestic pressure to ratify new gender equality-related international treaties, such as the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW), which has significantly influenced the principle of gender equality and encourages the agreeing states to eliminate measures that are based on gender differences.

The growing initiative surrounding gender equality has made its mark in a variety of domestic settings through continuous legal and political measures since the Beijing Conference in 1995[2], an international agreement has called explicitly on its signatory members to pursue gender equality as a normative and stated goal. Compliance with this universal norm has been motivated by moral and practical concerns sustained in the context of aid and trade partnerships, multiple human rights treaties, and various agreements regarding the global division of labor.

While many states have exhibited growing levels of change as they apply international standards in the domestic context, other states - the ones in the East Asian region are part of such group - have exhibited resistance to the normative influence of such international support mechanisms to promote gender equality.

[2] The Beijing Conference in 1995, formally the Fourth World Conference on Women, resulted in the adoption of the Beijing Declaration and Platform for Action. This document outlined strategic objectives and actions to advance gender equality and women's rights globally by addressing twelve critical areas, including poverty, education, violence, health, and power-sharing. The conference underscored the necessity for global commitment to these goals, influencing national policies and international discourse on women's rights. (United Nations, 1995 - Beijing Declaration and Platform for Action; World Health Organization, 1995 - Fourth World Conference on Women, Beijing 1995)

### 3.1 South Korean contemporary key laws

In more recent years, South Korea has implemented policies aimed at improving work-life balance for both men and women. Measures such as parental leave, flexible working arrangements, and childcare subsidies have been introduced to support working parents, particularly mothers, in balancing their professional and family responsibilities.

Despite significant strides in women's participation in development, persistent challenges such as gender discrimination and traditional gender roles underscore the ongoing need for policies and initiatives to promote gender equality and women's empowerment in South Korean society. In light of this, the South Korean government has also introduced additional measures to address these challenges, such as the Gender Impact Analysis and Assessment Act, enacted in 2011, which requires government agencies to evaluate the gender impact of their policies and programs and aims to ensure that gender considerations are integrated into policy-making processes, promoting a more inclusive approach to governance (Shin, 2018).

Moreover, the government has sought to improve the representation of women in leadership positions: with the amendment of the National Assembly Act in 2013 the purpose was to introduce gender quotas for political party candidate lists, aiming to increase the number of women in the National Assembly (Lee & Koo, 2015). Similar efforts have been made in the corporate sector, with the Act on the Promotion of Female Participation and Career Development in Science and Technology, encouraging greater female representation in STEM fields (Kang & Lee, 2020).

The ongoing efforts to improve gender equality in South Korea demonstrate a commitment to addressing these challenges: by continuing to refine and enforce gender equality laws, and by fostering a cultural environment that values work-life balance and inclusivity, South Korea can make further strides towards a more equitable labor market.

The 2014 South Korean Framework Act on Gender Equality represents the most recent pivotal legislative effort to address and rectify longstanding gender disparities within South Korean society, marking the point where we stand nowadays. Enacted to replace the Gender Discrimination Prevention and Relief Act of 1999, this comprehensive law

aims to foster an equitable society by integrating gender perspectives across various sectors, including employment, education, health, and politics, mandating the government to develop and implement policies that ensure equal opportunities and treatment for all genders, thereby dismantling systemic barriers that have perpetuated gender inequality.

At its core, the Framework Act is designed to establish a legal foundation for promoting gender equality, with specific provisions aimed at preventing discrimination and ensuring equal rights and opportunities. One of the key aspects of the law is its broad definition of gender discrimination, which encompasses both direct and indirect forms of discrimination. This inclusive approach is crucial in addressing subtle and systemic forms of bias that have often been overlooked in previous legislation. The Act also emphasizes the importance of gender mainstreaming, requiring all government policies and programs to be evaluated for their impact on gender equality (Ministry of Gender Equality and Family, 2014).

In the employment sector, the Framework Act on Gender Equality outlines several measures to combat workplace discrimination and promote equal opportunities, requiring employers to establish and implement gender equality plans, which include measures to prevent sexual harassment and support work-life balance and also mandating equal pay for equal work, aiming to close the persistent gender wage gap in South Korea. By addressing these issues, the Act seeks to create a more inclusive and fair working environment, thereby enhancing the economic participation of women and other marginalized genders (Kim, 2016).

Education is another critical area addressed by the Framework Act: the inclusion of gender equality education in the national curriculum is mandatory, aiming to challenge and change traditional gender norms from an early age. This educational component is vital for fostering a culture of equality and respect, as it equips young people with the knowledge and skills to recognize and challenge gender-based discrimination. Additionally, the Act supports the development of educational programs for adults, particularly those in leadership positions, to ensure that gender equality principles are understood and applied at all levels of society (Park, 2017).

Health and reproductive rights are also prominently featured in the Framework Act: equal access to healthcare services and information is guaranteed, emphasising the need for gender-sensitive approaches to health issues and acknowledging the unique health challenges faced by women and other genders, and promotes the development of policies that address these specific needs. Furthermore, the Act underscores the importance of protecting reproductive rights, ensuring that individuals have the freedom to make informed decisions about their reproductive health without facing discrimination or coercion (Lee, 2015).

In the political arena, the Framework Act on Gender Equality sets ambitious goals for increasing the representation of women and other marginalised genders in decision-making positions, calling for the implementation of measures such as gender quotas and support for female candidates, aiming to achieve a more balanced representation in political institutions, an aspect of the law that is particularly significant in a country where women have historically been underrepresented in politics: as a matter of fact, by promoting gender diversity in leadership roles, the Act seeks to ensure that the perspectives and needs of all citizens are adequately represented in policy-making processes (Choi, 2018).

The implementation and enforcement of the Framework Act on Gender Equality are overseen by the Ministry of Gender Equality and Family, who is responsible for developing and coordinating gender equality policies, monitoring their effectiveness, and ensuring compliance with the law. This centralised approach is intended to provide a cohesive and coordinated response to gender inequality, enhancing the impact of the legislative measures. Additionally, the Act establishes mechanisms for individuals to report instances of gender discrimination, providing avenues for redress and accountability (Ministry of Gender Equality and Family, 2014).

Despite its comprehensive nature, the Framework Act on Gender Equality faces several challenges in its implementation. Moreover, there are concerns about the adequacy of resources and institutional support for fully realising the goals of the Act and critics argue that without sustained political will and public support, the ambitious objectives of the law may not be fully achieved. Nonetheless, the Framework Act represents a

significant step forward in the quest for gender equality in South Korea, laying the groundwork for ongoing efforts to create a more just and equitable society (Moon, 2019).

In conclusion, the 2014 South Korean Framework Act on Gender Equality is a landmark piece of legislation that aims to address systemic gender disparities through comprehensive and inclusive measures, which, by targeting key areas such as employment, education, health, and politics, seeks to create a more equitable society for all genders.

Nevertheless, as challenges still remain, the Framework Act provides a robust legal foundation for ongoing efforts to achieve gender equality in South Korea and trough its furthermore implementation, the Act has the potential to transform societal norms and structures, fostering a more inclusive and fair society for future generations.

When compared to the earlier 1953 Labour Standards Act, the 1987 Equal Employment Opportunity (EEO) Law and Act on the Welfare of Women Workers, the 1993 Special Act on the Employment Promotion of Persons with Disabilities, and the 2000 Framework Act on Gender Equality, it is evident that the 2014 Act encapsulates a more comprehensive and holistic approach to gender equality: as pivotal in setting the groundwork for labour rights as it could appear, it lacked in a targeted approach to address challenges faced by women in the workforce, the 1953 Labour Standards Act was one of South Korea's earliest attempts to regulate labor conditions, primarily focusing on establishing basic labor rights and protections for all workers, including women, it prohibited discrimination and established minimum working conditions and it was limited in scope regarding specific gender-related issues (Yoon, 2009).

The, the 1987 Equal Employment Opportunity Law and the Act on the Welfare of Women Workers marked a significant step forward by explicitly addressing gender discrimination in employment: introduced in response to increasing awareness of gender inequality in the workplace and were influenced by international movements towards gender equality, the EEO Law specifically targeted gender discrimination in hiring, promotion, and working conditions, and also included provisions to combat sexual harassment in the workplace (Kim, 2016). However, its implementation faced

significant challenges due to deeply rooted cultural norms and the lack of robust enforcement mechanisms.

In contrast, the 1993 Special Act on the Employment Promotion of Persons with Disabilities addressed another critical aspect of employment discrimination by focusing on individuals with disabilities. Although this Act was not exclusively about gender, it highlighted the government's evolving approach to inclusive employment practices, putting emphasis on creating equal employment opportunities and improving the working conditions for disabled individuals, reflecting a broader understanding of discrimination that extended beyond gender (Park, 2015).

The 2000 Framework Act on Gender Equality was an attempt to create a more comprehensive legal framework that integrated various aspects of gender discrimination in order to promote gender equality across different sectors, including politics, education, and employment. The Act introduced gender mainstreaming as a strategy, requiring all government policies and programs to consider their impacts on gender equality (Cho, 2004). Despite its progressive intentions, the Act struggled with practical implementation issues and faced resistance from traditional societal norms.

The 2014 Framework Act on Gender Equality built upon these previous legislative efforts, offering a more integrated and robust approach and it did not only address employment discrimination but also encompassed broader societal issues such as education, health, political representation, and cultural norms: through its comprehensive scope the Act reflects an understanding that gender equality cannot be achieved through isolated measures but requires a systemic and multifaceted approach (Ministry of Gender Equality and Family, 2014).

One of the key differences between the 2014 Act and its predecessors is its emphasis on gender mainstreaming across all government policies and programs, an approach that ensures that gender perspectives are considered in every aspect of policy-making, which is a significant advancement from the 1987 EEO Law and the 2000 Framework Act. Furthermore, the 2014 Act introduces more stringent measures for preventing and addressing sexual harassment and violence, demonstrating a stronger commitment to creating safe and equitable environments for all genders (Lee, 2015).

Another notable aspect of the 2014 Act is its focus on intersectionality, recognizing that gender discrimination can intersect with other forms of discrimination, such as those based on disability, age, and socioeconomic status, a departure point from earlier laws like the 1993 Special Act, which focused solely on disability without considering the compounded effects of multiple discrimination factors (Kim, 2016). By adopting an intersectional approach, the 2014 Act aims to address the diverse experiences of discrimination that individuals may face, providing a more inclusive framework for gender equality.

The 2014 Act also places a strong emphasis on public awareness and education, aiming to transform societal attitudes towards gender roles and norms. This includes mandatory gender equality education in schools and public institutions, which is a significant enhancement from the educational provisions in the 2000 Framework Act (Park, 2017). By fostering a culture of equality from an early age, the Act seeks to create lasting changes in societal perceptions and behaviours.

In terms of enforcement and accountability, the 2014 Act introduces more robust mechanisms for monitoring and compliance and a centralised approach that contrasts with the fragmented enforcement mechanisms of earlier laws, providing a more cohesive and effective framework for achieving gender equality: the Ministry of Gender Equality and Family is tasked with overseeing the implementation of the Act, ensuring that all government bodies adhere to its provisions (Choi, 2018).

In conclusion, the 2014 South Korean Framework Act on Gender Equality represents a significant evolution in the country's legislative efforts to promote gender equality. Building on the foundations laid by the 1953 Labour Standards Act, the 1987 EEO Law, the 1993 Special Act, and the 2000 Framework Act, the 2014 Act offers a more comprehensive, integrated, and intersectional approach to addressing gender disparities. By emphasizing gender mainstreaming, intersectionality, public awareness, and robust enforcement mechanisms, the 2014 Act marks a significant advancement in the pursuit of a more equitable society for all genders.

### 3.2 Japanese key contemporary laws

In more recent years, Japan has also undertaken significant steps to enhance work-life balance and promote gender equality in the workplace, where key policies such as the Work Style Reform Act of 2018 have been implemented to address long working hours and to encourage more flexible working arrangements, which benefit both men and women. Additionally, initiatives like the expansion of childcare services and parental leave allowances aim to support working parents, particularly mothers, in managing their professional and familial responsibilities (Suzuki, 2019).

Despite these efforts, Japan continues to face substantial challenges related to gender discrimination and deeply ingrained traditional gender roles and in light of these ongoing issues, the Japanese government has introduced further measures to promote gender equality and women's empowerment: for instance, the Act on Promotion of Women's Participation and Advancement in the Workplace, enacted in 2015, mandates that larger companies set and publicise targets for increasing the number of women in leadership positions (Yamaguchi, 2020), an act that aims to foster a more inclusive corporate environment by ensuring that gender considerations are integral to organisational policies and practices.

Furthermore, the government has focused on increasing female representation in political spheres, such as the Act on Promotion of Gender Equality in the Political Field, passed in 2018, which encourages political parties to voluntarily set targets for gender parity among their candidates, thus aiming to improve the gender balance in political representation (Kobayashi & Fukuoka, 2020). Similar efforts in the academic and corporate sectors include the initiatives under the Basic Act for Gender Equal Society, which strives to eliminate gender disparities across various fields, including education, employment, and leadership roles (Nakamura, 2017).

Japan's ongoing efforts to enhance gender equality underscore a persistent commitment to addressing the cultural and structural barriers that hinder women's full participation in the workforce and by continuing to implement and enforce comprehensive gender equality laws, and by promoting a cultural shift towards valuing work-life balance and

inclusivity, Japan is poised to make significant progress towards a more equitable labor market.

The 2015 Japanese Act on the Promotion of Women's Participation and Advancement in the Workplace, often referred to as the Act on Promotion of Women's Career Activities, represents the contemporary landmark legislative effort aimed at addressing gender disparities in Japan's labor market and promoting gender equality in the workplace. Enacted in response to persistent gender gaps and underutilisation of women's potential in the workforce, this Act mandates both public and private sector employers to take proactive measures to enhance women's participation and career advancement, requiring companies with more than 300 employees and government bodies to analyse the current status of women's employment within their organisations, formulate action plans with specific numerical targets, and publicly disclose these plans and their outcomes (Kano, 2016), thus reflecting Japan's commitment to creating an inclusive work environment where women can thrive, thus addressing both economic and social dimensions of gender inequality.

Prior to the introduction of this Act, Japan faced significant challenges in terms of gender equality in the workplace; as a matter of fact, despite a relatively high level of education among Japanese women, their labor force participation rates, particularly in managerial and executive positions, remained low compared to other developed countries (Shimada, 2017). The traditional gender roles and expectations, coupled with workplace practices such as long working hours and lack of childcare support, created barriers that hindered women's career progression. Subsequent to recognising these issues, the Japanese government under Prime Minister Shinzo Abe's administration included the promotion of women's workforce participation as a key component of the "*Abenomics*[3]" economic strategy, which aimed to revitalize the Japanese economy by

[3] Abenomics, introduced by Prime Minister Shinzo Abe in 2012, is a comprehensive economic strategy aimed at revitalizing Japan's economy through "three arrows": aggressive monetary easing, flexible fiscal policy, and structural reforms to boost growth and competitiveness, focusing on increasing inflation, stimulating demand, and implementing labor market reforms to address issues such as an aging population and gender inequality in the workforce (Hoshi & Ito, 2013; Hausman & Wieland, 2014).

leveraging the untapped potential of women, often referred to as "*Womenomics*[4]" (Kitanaka, 2016).

One of the significant features of the 2015 Act is its emphasis on accountability and transparency: in requiring organisations to set measurable goals and publicly disclose their progress, the Act aims to create a culture of accountability where companies are incentivised to make genuine efforts towards gender equality rather than merely complying with legal requirements (Matsui, 2019). This transparency is expected to drive competition among companies to improve their gender equality metrics and attract talent, thereby fostering an environment where women's contributions are valued and recognised.

The Act also underscores the importance of data-driven approaches in addressing gender disparities: employers are required to collect and analyse data on various aspects of women's employment, such as recruitment, promotion, and retention rates, as well as the gender pay gap (Nagase, 2016); this way, the data collection enables organizations to identify specific areas where women are underrepresented or disadvantaged and tailor their action plans to address these issues effectively, because by focusing on evidence-based strategies, the Act aims to facilitate more targeted and impactful interventions.

Moreover, the 2015 Act complements and builds upon previous gender equality legislation in Japan. For instance, the Equal Employment Opportunity Law (EEOL) of 1985, which prohibited gender discrimination in employment, laid the groundwork for promoting gender equality in the workplace. However, the EEOL's impact was limited due to its lack of enforceable penalties and reliance on voluntary compliance (Suzuki, 2007). Furthermore, the Act on Promotion of Women’s Career Activities addresses these shortcomings by incorporating mandatory requirements and mechanisms for public accountability, thus providing a more robust framework for advancing gender equality.

In addition to organizational measures, the Act promotes broader societal changes by encouraging a shift in attitudes towards gender roles and work-life balance and it

[4] A component of Japan's Abenomics strategy, introduced by Prime Minister Shinzo Abe, aimed at boosting economic growth by promoting greater gender equality in the workforce, focusing on increasing female labor force participation through measures such as improving childcare, promoting work-life balance, and supporting women's career advancement in corporate leadership and STEM fields (Kawaguchi, 2014; Shambaugh et al., 2015).

emphasises the need for flexible working arrangements, such as telecommuting and flexible hours, to support employees, particularly women, in balancing work and family responsibilities (Nemoto, 2016), not only benefitting women but also contributing to a more inclusive and adaptable workforce overall.

However, the implementation of the Act has encountered challenges: once again, in this case as well, cultural and institutional barriers, such as deeply ingrained gender norms and the lack of sufficient childcare facilities, continue to impede progress. Furthermore, while larger companies have generally complied with the Act's requirements, smaller firms often lack the resources and expertise to develop and implement effective gender equality plans (Osawa, 2019). But to better address these challenges, sustained efforts and collaboration between the government, businesses, and civil society to create an enabling environment for women's participation and advancement are required.

Yet, the 2015 Japanese Act on the Promotion of Women's Participation and Advancement in the Workplace represents a significant step towards achieving gender equality in Japan. By mandating data-driven action plans, promoting transparency, and fostering cultural change, the Act aims to dismantle the barriers that hinder women's career progression and harness their potential for economic growth, and although challenges remain, the Act's comprehensive approach provides a solid foundation for promoting gender equality and creating a more inclusive workplace. Continued efforts and multi-stakeholder collaboration are essential to realizing the full potential of this landmark legislation.

Besides, it must be noted that the 2015 Japanese Act on the Promotion of Women's Participation and Advancement in the Workplace marks a significant progression from earlier legislative efforts, particularly the 1986 Equal Employment Opportunity Law (EEOL) and the 1999 Basic Act for Gender-Equal Society, showing that nevertheless, we came a long way, but we still have some way to go as well. While the EEOL and the Basic Act laid crucial groundwork for gender equality, the 2015 Act introduced more stringent measures and accountability mechanisms to address persistent gender disparities in the workplace. The EEOL, enacted in 1986, was a pioneering step in prohibiting gender discrimination in recruitment, hiring, promotion, and other aspects of

employment (Shibata, 1999). However, it was often criticized for its lack of enforceability and reliance on voluntary compliance by employers, leading to limited practical impact: for example, the EEOL provided no substantial penalties for non-compliance, which meant that many employers could afford to disregard its provisions without facing significant consequences (Yoshino, 2018), thus while symbolically important, the legislation did not lead to a significant increase in women's employment in higher-ranking positions or a substantial reduction in gender pay gaps.

In contrast, the 2015 Act introduced mandatory requirements for both public and private sector employers to develop and implement concrete action plans aimed at enhancing women's participation in the workforce, including setting specific numerical targets for hiring and promoting women and publicly disclosing these plans and their outcomes (Kano, 2016). The emphasis on transparency and public accountability is a marked departure from the EEOL's approach, reflecting a shift towards more proactive and enforceable measures, seeking to create a more systematic and measurable approach to promoting gender equality (Matsui, 2019).

The 1999 Basic Act for Gender-Equal Society, on the other hand, provided a comprehensive framework for achieving gender equality across various sectors of society, including education, politics, and employment (Osawa, 2000), outlining the fundamental principles of a gender-equal society and called for the implementation of measures to eliminate gender-based discrimination and promote equal opportunities. This Act emphasised the importance of changing societal norms and promoting gender equality in all areas of life, recognising that economic participation is just one aspect of a broader social transformation. However, similar to the EEOL, the Basic Act also faced challenges in terms of enforceability and concrete impact: although it set out ambitious goals, the lack of specific, enforceable measures meant that progress was often slow and uneven (Iwao, 2003).

The 2015 Act builds upon the principles outlined in the Basic Act by introducing more specific and actionable requirements for employers and recognizes that achieving gender equality in the workplace requires not only broad policy frameworks but also targeted interventions that address the specific barriers women face in employment. By

focusing on measurable outcomes and holding employers accountable for their progress, the 2015 Act aims to translate the aspirational goals of the Basic Act into tangible improvements in women's employment status (Nemoto, 2016). Besides, the 2015 Act incorporates lessons learned from the limitations of the EEOL and the Basic Act, emphasizing the need for a combination of legislative mandates and cultural change to achieve lasting gender equality.

Another important point that has to be noted is that, thanks to this 2015 piece of legislation, employers are required to collect and analyse data on various aspects of women's employment, such as recruitment, promotion, and retention rates, as well as the gender pay gap (Nagase, 2016), putting emphasis, once again, on data collection and analysis, which further enables organisations to identify specific areas where women are underrepresented or disadvantaged and tailor their action plans to address these issues effectively. The EEOL and the Basic Act did not mandate such rigorous data collection and analysis, which limited their ability to drive targeted interventions. By contrast, the 2015 Act's data-driven approach provides a more robust framework for identifying and addressing gender disparities in the workplace.

Moreover, the 2015 Act encourages a cultural shift towards greater acceptance and support for women's participation in the workforce by promoting the adoption of flexible working arrangements, such as telecommuting and flexible hours, to support employees, particularly women, in balancing work and family responsibilities (Nemoto, 2016), an approach that does not only benefit women, but also contributes to a more inclusive and adaptable workforce overall, demonstrating that the EEOL and the Basic Act recognised the importance of work-life balance but did not provide specific measures to promote it, while the 2015 Act's focus on flexible working arrangements reflects a more nuanced understanding of the barriers to women's participation in the workforce and provides concrete solutions to address these challenges.

In summary, while the 1986 EEOL and the 1999 Basic Act for Gender-Equal Society laid important foundations for gender equality in Japan, the 2015 Act on the Promotion of Women's Participation and Advancement in the Workplace represents a significant step forward in terms of enforceability, accountability, and targeted interventions but it

also addresses the limitations of earlier legislation and provides a more comprehensive and effective framework for promoting gender equality in the workplace. This Act reflects a shift towards a more proactive and data-driven approach to gender equality, recognising the need for both legislative mandates and cultural change to achieve lasting progress.

### 3.3 Comparing South Korean and Japanese contemporary welfare policies

The 2014 South Korean Framework Act on Gender Equality and the 2015 Japanese Act on the Promotion of Women's Participation and Advancement in the Workplace represent significant legislative efforts by their respective countries to address gender inequality in various spheres of society, particularly in the workplace and although both acts share common goals of improving women's participation and status, yet they differ in their historical contexts, approaches, implementation strategies, and impacts.

The 2014 South Korean Framework Act on Gender Equality builds upon a series of legislative measures aimed at promoting gender equality in South Korea. Notably, it follows the 1999 Gender Discrimination Prevention and Relief Act, which sought to eliminate gender discrimination and promote equal opportunities and represents a more comprehensive approach, addressing gender inequality not only in employment but also in political, economic, social, cultural, and educational fields (Kim, 2014), but also reflecting South Korea's commitment to international conventions such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which the country ratified in 1984.

In contrast, Japan's 2015 Act on the Promotion of Women's Participation and Advancement in the Workplace builds on the 1986 Equal Employment Opportunity Law (EEOL) and the 1999 Basic Act for a Gender-Equal Society: since the EEOL was a pioneering effort to prohibit gender discrimination in employment, its effectiveness was limited due to its voluntary nature and lack of enforcement mechanisms (Shibata, 1999). The 1999 Basic Act aimed to promote gender equality across all aspects of society, yet faced similar challenges in achieving substantial change, while nowadays, the 2015 Act

represents a more targeted and enforceable effort to address gender disparities in the workforce, reflecting a strategic shift towards measurable outcomes and accountability (Kano, 2016).

The South Korean Framework Act on Gender Equality takes a holistic and multifaceted approach: it mandates gender mainstreaming in all government policies, requires public institutions to establish gender equality plans, and promotes gender-sensitive education and training (Kim, 2014), while also strengthening legal measures against gender-based violence and discrimination, providing mechanisms for redress and support for victims, furthermore emphasising the importance of gender-disaggregated data collection and analysis to inform policy-making and monitor progress.

Japan's 2015 Act, on the other hand, focuses specifically on enhancing women's participation and advancement in the workplace: by requiring companies with more than 300 employees to develop and publish action plans with numerical targets for hiring and promoting women (Nagase, 2016), these plans must include concrete measures such as improving work-life balance, supporting career development, and creating a more inclusive work environment, while also mandating regular reporting on progress, thus introducing a level of accountability that was lacking in earlier legislation (Matsui, 2019), a data-driven approach that enables more precise tracking of improvements and identification of areas needing further intervention.

One of the key provisions of the South Korean Framework Act is the requirement for all public institutions to establish gender equality implementation plans, which must be updated annually, ensuring that gender equality considerations are systematically integrated into public policy and administration (Kim, 2014), but also mandating gender impact assessments for major policies and projects, aiming to identify and mitigate any potential negative effects on gender equality and additionally introducing measures to enhance women's representation in decision-making positions in both the public and private sectors.

On the other hand, the Japanese 2015 Act is notable for its emphasis on transparency and public accountability: companies are required to publish their action plans and progress reports, which are made available to the public, a transparency that serves as a

powerful incentive for companies to actively pursue gender equality goals, as their efforts (or lack thereof) are visible to potential employees, customers, and investors (Nemoto, 2016). Furthermore, the Act encourages the adoption of flexible working arrangements, such as telecommuting and flexible hours, to support employees in balancing work and family responsibilities, which is crucial for increasing women's participation in the workforce (Nagase, 2016).

The impact of the 2014 South Korean Framework Act on Gender Equality has been significant in several areas, since it has led to increased awareness of gender issues and greater integration of gender perspectives in public policies and the emphasis on data collection and analysis has improved the monitoring and evaluation of gender equality initiatives, providing valuable insights for further action (Kim, 2018). However, challenges remain, particularly in changing deeply entrenched social norms and cultural attitudes towards gender roles but, despite legislative advances, gender disparities persist in many areas, including political representation, economic participation, and social status.

Japan's 2015 Act has similarly made notable strides in promoting gender equality in the workplace, leading to greater accountability and more concerted efforts to increase women's representation in leadership positions (Matsui, 2019). The promotion of flexible working arrangements has also had positive effects, contributing to a more inclusive work environment. However, the Act's impact has been uneven across different sectors and companies, and deeply rooted cultural attitudes towards gender roles continue to pose significant challenges (Nemoto, 2016). The persistence of long working hours and the strong expectation of dedication to work remain major barriers to achieving work-life balance and advancing women's careers.

When comparing the two acts, several key differences and similarities emerge because even though both acts aim to promote gender equality through legislative measures, but their scopes and approaches differ: the South Korean Act takes a broader approach, addressing gender equality across various fields and emphasizing gender mainstreaming in all aspects of public policy. In contrast, the Japanese Act is more focused, targeting

gender disparities specifically in the workplace and introducing more stringent accountability measures.

In terms of implementation strategies, the South Korean Act emphasises the integration of gender perspectives into all government policies and the establishment of gender equality plans in public institutions, while the Japanese Act, however, requires private sector companies to develop and publish action plans, reflecting a more direct engagement with the business community, a difference that highlights the varying strategies of the two countries in addressing gender inequality, with South Korea focusing on comprehensive policy integration and Japan on specific, measurable actions within the workplace.

Both acts face challenges in changing societal attitudes and cultural norms, because despite legislative efforts, deeply entrenched gender roles and expectations continue to hinder progress in both countries, and this further underscores the need for ongoing public awareness and education campaigns, as well as supportive measures such as childcare services and parental leave policies, to create an enabling environment for gender equality.

The 2014 South Korean Framework Act on Gender Equality and the 2015 Japanese Act on the Promotion of Women's Participation and Advancement in the Workplace represent significant legislative efforts to address gender inequality in their respective countries. While both acts share common goals, they differ in their approaches, implementation strategies, and impacts. The South Korean Act takes a holistic and multifaceted approach, emphasising gender mainstreaming and comprehensive policy integration, while the Japanese Act focuses on workplace-specific measures and accountability.

It must be this said that yes, both acts have made notable progress but face ongoing challenges in changing deeply entrenched social norms and cultural attitudes, so continued efforts are needed to build on these legislative foundations and create a more equitable and inclusive society for all.

# 4. Where do we stand now?

In contemporary South Korea and Japan, despite significant advancements in gender equality and women's rights in recent decades as well as substantial efforts made to address systemic discrimination and promote gender inclusivity in the workforce, persistent challenges remain regarding women's labor rights and both countries continue to grapple with disparities in wages, occupational segregation, and limited opportunities for career advancement for women. These challenges are deeply entrenched in cultural norms, historical legacies, and structural inequalities that have shaped the labor market dynamics in both nations.

In South Korea, women face considerable obstacles in accessing equal opportunities in the workforce, because despite the country's rapid economic development and industrialisation, traditional gender roles and stereotypes persist, due to the unrooted Confucianism system reinforcing the notion of women as primary caregivers and homemakers, the entrenched patriarchal mindset often translates into discriminatory practices in hiring, promotion, and pay, thus women are frequently relegated to lower-paid, precarious jobs in sectors such as manufacturing, hospitality, and domestic work, almost never in charge of decision-making positions, but rather they encounter limited job security and opportunities for career advancement. Furthermore, the gender pay gap remains a significant issue, with women earning substantially less than their male counterparts for comparable work.

Similarly, in Japan, women continue to face significant challenges in achieving equality in the labor market and dspite efforts to promote women's participation in the workforce through policies such as "Womenomics," which aims to boost female employment and leadership roles, cultural and institutional barriers persist. Japan's rigid corporate culture, characterized by long working hours and limited work-life balance, often marginalizes women, particularly those with caregiving responsibilities and as a result, many women are forced to choose between pursuing a career and fulfilling traditional family obligations, leading to high rates of female workforce participation. Moreover, occupational segregation remains prevalent.

In both South Korea and Japan, efforts to address gender inequality in the labor market have been hampered by systemic barriers and cultural norms that perpetuate gender-based discrimination and exclusion, but despite legislative measures aimed at promoting equal employment opportunities and prohibiting gender-based discrimination, enforcement mechanisms remain weak, and cultural resistance to change persists. Moreover, the COVID-19 pandemic has exacerbated existing inequalities, disproportionately affecting women who are more likely to work in precarious, low-paid jobs with limited social protections.

### 4.1 South Korean women's current situation in the economic setting

The situation regarding women's labor rights in South Korea has recently seen some sort legislative and social advancements, particularly with the implementation of the South Korean Framework Act on Gender Equality in 2014, which aimed to establish a comprehensive framework for promoting gender equality across various sectors, encompassing employment, education, and family life. But, despite these efforts, challenges persist, reflecting a complex interplay between traditional societal norms and modern legislative frameworks. According to Kim and Park (2017), the Act has led to a gradual improvement in the participation of women in the labor force, fostering a more inclusive work environment.

Before the 2014 Act, South Korea had already implemented several laws aimed at improving women's labor rights. For instance, the Equal Employment Opportunity Act of 1987 prohibited discrimination based on gender in hiring, promotion, and retirement. However, enforcement was weak, and societal attitudes towards gender roles remained largely unchanged (Moon, 2002), so the introduction of the Framework Act on Gender Equality in 2014 was intended to strengthen these provisions and ensure better compliance through more rigorous monitoring and enforcement mechanisms.

Despite these legislative efforts, the participation rate of women in the South Korean workforce remains relatively low compared to other OECD countries: according to the OECD (2020), the labor force participation rate for women aged 15-64 was

approximately 61.8%, compared to the OECD average of 69.1%. This disparity is partly attributed to the persistent cultural expectation that women should prioritise family and domestic responsibilities over their careers.

Sector-wise, women in South Korea are predominantly employed in services, which accounted for about 70% of female employment as of 2019 (OECD, 2020). The manufacturing sector employs around 17% of the female workforce, while agriculture employs about 6%, this means that women are significantly underrepresented in high-paying, high-status positions, such as those in the STEM fields and executive roles within corporations and according to the World Economic Forum's Global Gender Gap Report (2021), only 2.7% of women hold senior managerial positions in South Korea, one of the lowest percentages among OECD countries.

The gender pay gap remains a critical issue in South Korea, despite the legislative frameworks in place: as a matter of fact, according to OECD data, South Korea had the highest gender wage gap among OECD countries, with women earning, on average, 32.5% less than men, implying that the ROK was the only OECD member country that posted a rate higher than 30 percent, which was more than twice the OECD average of 12.1% in 2023 (Korea Times, 2024). This gap is influenced by several factors, including occupational segregation, differences in working hours, and the undervaluation of work typically performed by women.

The implementation of the Framework Act on Gender Equality aimed to address these disparities by promoting equal pay for equal work and encouraging transparency in wage structures. However, progress has been slow: as a study by Lee and Cho (2018) found that while the Act has led to some improvements in wage transparency and reporting, many companies still fail to comply fully with these requirements; moreover, the persistence of the gender pay gap suggests that additional measures, such as stricter enforcement of existing laws and policies promoting work-life balance, are necessary to achieve significant progress.

In addition to the Framework Act on Gender Equality, other legislative measures have been introduced to support women's labor rights and the introduction of quotas for women in public service positions and on corporate boards has also been a significant

step towards improving gender equality in the workforce, but according to the Ministry of Gender Equality and Family (2020), the quota for women in public service positions was set at 30%, and for corporate boards at 20%, quotas that have been instrumental in increasing women's representation in decision-making roles, though their effectiveness is still being evaluated.

Furthermore, workplace discrimination and harassment remain significant issues: as shown by a survey by the Korean Women's Development Institute (2020), 30% of female workers reported experiencing sexual harassment in the workplace, and although the Framework Act on Gender Equality includes provisions to address these issues, enforcement remains inconsistent, and many women are reluctant to report incidents due to fear of retaliation.

A multifaceted approach is suggested, including strengthening the enforcement of existing laws, increasing public awareness about gender equality, and promoting cultural change to challenge traditional gender norms. Additionally, policies that support work-life balance, such as expanded parental leave and childcare services, are crucial to enabling women to pursue their careers without sacrificing family responsibilities.

Employment discrimination in South Korea has evolved significantly since the country’s establishment in 1948, but despite numerous legislative efforts to promote gender equality in the workplace, discriminatory practices persist, often reflecting deep-seated societal norms and economic conditions.

Since workforce was predominantly male, driven by traditional Confucian values that prioritized men as the primary breadwinners and women as homemakers, women were often relegated to lower-status jobs and faced significant wage disparities, besides the fact that since the construction of the ROK after the Korean War of 1950-1953, the government’s economic policies focused primarily on industrialisation and economic growth, with limited attention to gender equality in employment.

Although the introduction of the Labor Standards Act in 1953 marked one of the earliest legislative efforts to regulate working conditions, including provisions related to female workers, enforcement was weak, and cultural attitudes remained largely unchanged:

women were primarily employed in low-wage, labor-intensive industries such as textiles and electronics, often under poor working conditions.

Despite legislative efforts, contemporary South Korea still grapples with significant employment discrimination, a disparity partly due to the high concentration of women in part-time and non-regular employment, which offers fewer benefits and lower wages.

One prominent example of gender discrimination in contemporary South Korea is the hiring practices in large conglomerates, or chaebols: these corporations often prefer hiring men for high-level positions, citing reasons such as potential pregnancy and childcare responsibilities as drawbacks for female employees and this practice is a modern reflection of historical biases that considered women less committed to their careers due to familial obligations.

In addition to gender discrimination, age discrimination has also become a significant issue: the rapid aging of South Korea's population has led to a labor market that undervalues older workers, often pushing them into early retirement or part-time, lower-paying jobs, but it is particularly problematic for women, who, after taking breaks for childbirth and childcare, find it difficult to re-enter the workforce in positions commensurate with their experience and education.

The IT and tech sectors, often seen as progressive, are not immune to these issues: women in tech report facing a "boys' club" culture, where they are excluded from key projects and networking opportunities, which are critical for career advancement (Kang, 2020). This sector's gender imbalance is exacerbated by educational disparities, with fewer women pursuing STEM (Science, Technology, Engineering, and Mathematics) degrees due to societal expectations and biases.

In response to these persistent issues, the Moon Jae-in administration (2017-2022) emphasized gender equality as part of its broader agenda through policies such as increased support for childcare and parental leave that were introduced to help balance work and family responsibilities, thereby encouraging more women to participate in the workforce.

Corporations have also begun to recognize the need for gender diversity: surprisingly, some chaebols have implemented programs to support female employees, such as

mentorship programs, leadership training, and initiatives to create a more inclusive workplace culture. For example, Samsung has established the "Women in Samsung" initiative, which aims to increase the number of women in managerial positions and provide support for their career development.

Comparing contemporary employment discrimination to historical practices reveals both progress and persistent challenges. In the 1950s and 1960s, discrimination was overt and institutionalized, with women largely excluded from high-paying and high-status jobs.

Nowadays, while laws prohibit explicit discrimination, implicit biases and structural barriers continue to limit women's opportunities and the nature of discrimination has also evolved: if in the past, discrimination was primarily about access to employment, today, it manifests more subtly through practices like differential pay, limited career advancement opportunities, and exclusion from key projects and networks.

The journey towards gender equality in South Korea's labor market has been long and complex and although legislative efforts have laid a foundation for change, societal attitudes and corporate practices continue to lag.

As South Korea continues to evolve, the integration of women into the economic fabric of the nation remains a critical challenge and an opportunity for transformative growth.

### 4.2 Japanese women’s current situation in the economic setting

Japan has made notable strides in improving women's labor rights, particularly with the implementation of the Act on the Promotion of Women's Participation and Advancement in the Workplace in 2015, mandating that companies with more than 300 employees develop and publish action plans to promote gender equality and increase the number of women in managerial positions (Gender Equality Bureau Cabinet Office, 2015). Despite these efforts, significant challenges remain, including persistent gender norms and a considerable gender pay gap.

Prior to this, the 1986 Equal Employment Opportunity Law (EEOL) was one of the first significant pieces of legislation aimed at eliminating gender discrimination in

employment. However, its impact was limited due to weak enforcement and the persistence of deep-rooted societal norms (Ishii-Kuntz, 2003), later on, the Basic Act for Gender-Equal Society of 1999 further emphasised the need for gender equality but lacked specific provisions to address workplace discrimination directly (Gelb, 2000).

The 2015 Act on the Promotion of Women's Participation and Advancement in the Workplace was placed to address these shortcomings by providing more concrete measures and stricter enforcement with its transparency intended to hold companies accountable and encourage them to create more inclusive work environments (Gender Equality Bureau Cabinet Office, 2015).

The participation of women in the Japanese labor force has seen gradual improvements, but disparities remain, according to the OECD (2020), the labor force participation rate for women aged 15-64 in Japan was approximately 72.6%, slightly above the OECD average of 69.1%. However, the quality of employment remains a concern, with many women working in part-time or non-regular positions that offer lower wages and fewer benefits compared to full-time roles (OECD, 2020).

Sector-wise, women in Japan are predominantly employed in the service sector, which accounts for about 70% of female employment; manufacturing employs around 15%, while the agricultural sector employs a smaller percentage and notably, women are underrepresented in STEM fields and executive positions, as according to a report by the World Economic Forum (2021), only 15% of leadership roles in Japanese companies are held by women, reflecting a significant gender disparity in senior management.

In addition to the 2015 Act, other legislative measures have been introduced to support women's labor rights, such as the Child Care and Family Care Leave Law, amended in 2017, which provides for parental leave and flexible working arrangements to help women balance work and family responsibilities. These measures are crucial in a society where traditional gender roles often place the burden of childcare on women (Ishii-Kuntz, 2019).

The introduction of quotas for women in political and public service positions has also been a significant step towards improving gender equality. In 2018, the Japanese government set a target to increase the number of women in leadership positions to 30%

by 2020, but although this target was not met, it has sparked important discussions and initiatives aimed at increasing women's representation in decision-making roles (Gender Equality Bureau Cabinet Office, 2020). Despite legislative improvements, several challenges continue to hinder the full realization of women's labor rights in Japan. Traditional gender roles and societal expectations still place significant pressure on women to prioritize family responsibilities over their careers - this cultural bias is reflected in the high rates of female labor force participation in part-time and non-regular jobs, which offer lower wages and fewer career advancement opportunities.

Workplace discrimination and harassment also remain significant issues: a survey by the Ministry of Health, Labour and Welfare (2019) found that 30% of female workers reported experiencing workplace harassment, and many cases go unreported due to fear of retaliation and although the 2015 Act includes provisions to address these issues, enforcement remains inconsistent, and cultural attitudes towards gender equality are slow to change.

To address these challenges, strengthening the enforcement of existing laws, increasing public awareness about gender equality, and promoting cultural change to challenge traditional gender norms is mandatory, but not sufficient. Additionally, policies that support work-life balance, such as expanded parental leave and childcare services, are crucial to enabling women to pursue their careers without sacrificing family responsibilities, thus Japan must continue to strengthen its legislative framework, promote cultural change, and support policies that enable women to balance work and family responsibilities, and as the country moves forward, the effective implementation and enforcement of these measures will be crucial in ensuring that all women can fully participate in and benefit from the labor market.

Despite legal protections and increased awareness, gender discrimination remains pervasive in Japan's labor market and one of the most glaring manifestations of discrimination is the gender wage gap, with women earning significantly less than their male counterparts for comparable work. According to data from the Organization for Economic Co-operation and Development (OECD, 2021), the gender wage gap in Japan is one of the widest among developed countries, with women earning only about 75% of

what men earn on average, meaning that women in Japan earn, on average, 23.5% less than their male counterparts, a gap influenced by various factors, including occupational segregation, the concentration of women in part-time and non-regular jobs, and the undervaluation of work typically performed by women (OECD, 2020), although the 2015 Act already includes provisions aimed at reducing this pay gap by promoting equal pay for equal work and encouraging companies to disclose their wage structures. However, progress has been slow. Furthermore, a study by the Japan Institute for Labour Policy and Training (JILPT, 2019) found that while some companies have made efforts to improve wage transparency and promote female advancement, many still lag behind, and the overall impact on the gender pay gap has been limited.

Occupational segregation is another key issue, with women disproportionately concentrated in low-paid, part-time, and non-regular employment. This phenomenon, often referred to as the "pink collar" or "glass ceiling" effect, reflects entrenched gender norms and biases that limit women's access to high-paying and high-status positions. Women are underrepresented in leadership roles and decision-making positions across various industries, further perpetuating inequality in the workplace.

Maternity harassment, known as "*matahara*," is a pervasive form of discrimination faced by pregnant women and mothers in the Japanese workforce, which espite legal protections, many women report because of experiencing pressure to resign or take unpaid leave upon announcing their pregnancies, facing harassment and discrimination from employers and colleagues. This practice not only violates women's rights but also contributes to their economic insecurity and career stagnation.

Moreover, the culture of long working hours and presenteeism in Japanese companies poses additional challenges for women, particularly those with caregiving responsibilities: the expectation of complete dedication to work often clashes with familial obligations, forcing women to choose between their careers and personal lives, a dilemma, commonly referred to as the "mummy track," leading many women to opt out of the workforce or accept lower-paying, less demanding jobs to balance work and family responsibilities.

The gender gap in the science, technology, engineering, and mathematics (STEM) fields is another area of concern, with women significantly underrepresented in these male-dominated fields. Societal stereotypes and biases discourage girls and women from pursuing STEM careers, limiting their access to lucrative and high-growth industries. The underrepresentation of women in STEM perpetuates gender disparities in wages, career opportunities, and innovation, undermining Japan's long-term economic competitiveness and technological advancement.

The Japanese government has taken various steps to address gender discrimination and promote women's participation in the labor force. Initiatives such as the "Womenomics" agenda, launched by Prime Minister Shinzo Abe in 2013, aim to empower women economically and increase their representation in leadership positions. The government has implemented policies to improve work-life balance, expand access to affordable childcare, and encourage companies to adopt more flexible work arrangements.

Corporate Japan has also begun to recognise the importance of gender diversity and inclusion as a business imperative. Many companies have introduced initiatives to support women's career development, such as mentorship programs, leadership training, and diversity quotas for boardroom positions. Some firms have also implemented measures to combat maternity harassment and promote a more inclusive workplace culture that values diversity and equal opportunity.

Comparing contemporary gender discrimination in the Japanese labor market to historical practices reveals both progress and persistent challenges, because while legal protections and awareness of gender issues have increased significantly since the post-war period, deeply ingrained cultural norms and structural inequalities continue to shape workplace dynamics and although overt forms of discrimination have declined, subtle biases and systemic barriers persist, hindering women's full participation and advancement in the workforce.

Gender discrimination remains a significant challenge in the Japanese labor market as well, with women facing persistent barriers to equal opportunities and fair treatment. Despite legislative efforts and increasing awareness, the gender wage gap, occupational

segregation, maternity harassment, and underrepresentation in leadership roles persist, reflecting deeply rooted cultural norms and structural inequalities.

### 4.3 A comparative analysis of the current economic situation presented in South Korea and Japan

In recent years, both South Korea and Japan have undertaken significant legislative efforts to improve women's labor rights and promote gender equality in the workplace. South Korea's 2014 Framework Act on Gender Equality and Japan's 2015 Act on the Promotion of Women's Participation and Advancement in the Workplace represent landmark legislation aimed at addressing gender disparities in employment but despite these efforts, both countries continue to face substantial challenges in achieving gender equality.

The 2014 South Korean Framework Act on Gender Equality was enacted to eliminate gender discrimination, promote equal opportunities, and improve the status of women in society and the workforce (Ministry of Gender Equality and Family, 2014), with gender equality in employment, education, and family life being mandatory, and also introducing measures to prevent gender-based violence and support work-life balance, while other key provisions include promoting gender equality in recruitment, preventing workplace discrimination, and ensuring equal pay for equal work.

Similarly, Japan's 2015 Act on the Promotion of Women's Participation and Advancement in the Workplace aims to enhance women's employment opportunities and reduce gender disparities in the workforce (Gender Equality Bureau Cabinet Office, 2015).

The participation of women in the labor force has seen improvements in both South Korea and Japan, although significant disparities remain: according to OECD data (2020), the labor force participation rate for women aged 15-64 in South Korea was approximately 60.5%, while in Japan it was around 72.6%, indicating a higher overall participation rate for Japanese women, but the quality of employment and the nature of jobs available to women vary significantly between the two countries.

In South Korea, women are predominantly employed in the service sector, which accounts for about 79.2% of female employment (OECD, 2020), while in Japan, the service sector also employs a majority of female workers, accounting for around 70% of women's employment (OECD, 2020). Similar to South Korea, a significant number of Japanese women are employed in part-time or non-regular positions, which offer lower wages and fewer benefits compared to full-time roles (OECD, 2020). This trend highlights a common issue in both countries: the underrepresentation of women in high-paying, stable jobs, and leadership positions.

The gender pay gap remains a significant issue in both South Korea and Japan, despite legislative efforts to address it. According to OECD data (2020), women in South Korea earn on average 32.5% less than men, and in Japan, the gender pay gap is also substantial, with women earning 23.5% less than their male counterparts (OECD, 2020). These gaps are influenced by various factors, including occupational segregation, the concentration of women in part-time and non-regular jobs, and the undervaluation of work typically performed by women (OECD, 2020). The 2014 South Korean Framework Act on Gender Equality includes provisions aimed at reducing the gender pay gap by promoting equal pay for equal work and encouraging companies to disclose their wage structures. However, progress has been slow.

A study by the Korean Women's Development Institute (KWDI, 2019) found that while some companies have made efforts to improve wage transparency and promote female advancement, many still lag behind, and the overall impact on the gender pay gap has been limited.

Similarly, the 2015 Japanese Act on the Promotion of Women's Participation and Advancement in the Workplace includes measures to address wage disparities by requiring companies to analyze and report on their wage structures, but still, cultural norms and workplace practices continue to pose significant barriers to achieving pay equity. Another study, by the Japan Institute for Labour Policy and Training (JILPT, 2019), found that while some progress has been made, the overall impact on reducing the gender pay gap has been modest.

Both South Korea and Japan face challenges in increasing the representation of women in leadership positions and STEM (Science, Technology, Engineering, and Mathematics) fields. In South Korea, women hold approximately 12.7% of managerial positions, reflecting significant underrepresentation in senior management (World Economic Forum, 2021) and similarly, in Japan, only about 15% of leadership roles are held by women (World Economic Forum, 2021). The underrepresentation of women in STEM fields is also a common issue in both countries: as data shows, in South Korea, women account for only 16% of all STEM graduates, while in Japan, the figure is slightly higher at 21% (OECD, 2020).

This disparity is influenced by cultural norms and educational practices that discourage women from pursuing careers in STEM in both South Korea and Japan, playing a significant role in shaping women's employment opportunities and experiences. In South Korea, traditional gender roles place significant pressure on women to prioritize family responsibilities over their careers. This cultural bias is reflected in the high rates of female labor force participation in part-time and non-regular jobs, which offer lower wages and fewer career advancement opportunities (Choi & Kim, 2018).

In Japan, similar cultural expectations and workplace practices limit women's employment opportunities and the long working hours and inflexible work environments in many Japanese companies make it difficult for women to balance work and family responsibilities (Nemoto, 2013). Additionally, societal expectations for women to take on caregiving roles further restrict their ability to pursue full-time careers.

Both South Korea and Japan have introduced various government initiatives and policy measures to support women's labor rights and promote gender equality and to support work-life balance, such as expanded parental leave and childcare services in South Korea (Ministry of Gender Equality and Family, 2019). Additionally, the government has introduced quotas for women in political and public service positions to increase their representation in decision-making roles (Korean Women's Development Institute, 2019).

In Japan, the government has also introduced policies to support work-life balance, such as the Child Care and Family Care Leave Law, which provides for parental leave and flexible working arrangements (Gender Equality Bureau Cabinet Office, 2020). Additionally, the government has set targets to increase the number of women in leadership positions to 30% by 2020, although this target was not met (Gender Equality Bureau Cabinet Office, 2020).

Besides, according to the World Economic Forum's Global Gender Gap Report 2023, South Korea is ranked 114th and Japan 123rd out of 146 countries in terms of Economic Participation and Opportunity: these rankings highlight significant gender disparities in the economic sector within both nations, indicating substantial room for improvement in achieving gender equality in the workplace and ensuring equal economic opportunities for women. Besides, in the domain of Political Empowerment, the same report of 2023 places South Korea at 88th and Japan at 138th out of 146 countries, reflecting the ongoing challenges both nations face in achieving gender parity in political representation and leadership roles, underscoring the need for enhanced efforts to promote women's participation and influence in the political arena.

In conclusion, both South Korea and Japan have made significant legislative efforts to improve women's labor rights and promote gender equality in the workplace. The 2014 South Korean Framework Act on Gender Equality and the 2015 Japanese Act on the Promotion of Women's Participation and Advancement in the Workplace represent important steps in addressing gender disparities in employment. However, significant challenges remain in both countries, including persistent gender norms, workplace discrimination, and substantial gender pay gaps. To achieve true gender equality in the workforce, both South Korea and Japan must continue to strengthen their legislative frameworks, promote cultural change, and support policies that enable women to balance work and family responsibilities. The effective implementation and enforcement of these measures will be crucial in ensuring that all women can fully participate in and benefit from the labor market.

# 5. Conclusion

This comparative analysis of gender and inclusion in the South Korean and Japanese economies, from the post-war period to present days, aims to reveal a complex interplay of legislative advances, cultural norms, and persistent structural barriers. Despite both nations implementing laws and policies aimed at promoting gender equality, deep-rooted cultural expectations and systemic issues continue to hinder significant progress, but in order to achieve true gender equality, in conclusion it is essential to strengthen enforcement mechanisms and foster cultural shifts towards better work-life balance and the recognition of women as equal individuals beyond their traditional roles.

The starting point of this research was the question "*Where do women stand when the course of history is being made by male-taken decisions?*", and this inquiry led to further exploration of how decisions for women, often made without their direct involvement, impact their status and opportunities in society: by examining the respective post-war eras in South Korea and Japan, the research uncovered the critical contributions and challenges women faced as their countries rebuilt their economies and societies. In Japan, the post-World War II period saw women stepping into various labor sectors to support rapid industrialisation. Nevertheless, although the provisions to protect female workers, the enforcement of the laws was weak, and cultural norms continued to limit women's participation in higher-status jobs. Similarly, in South Korea, the post-Korean War era involved women entering the labor force as the nation pursued economic recovery, and although the Labor Standards Act of 1953 aimed to set basic conditions for female employment, traditional gender roles and the society's deeply rooted confucian thought remained a significant barrier which still persists nowadays.

The historical exploration highlighted that both countries' initial legislative efforts were primarily focused on economic growth, with gender equality taking a secondary role: women's integration in the economy as workforce was needed in order to rebuild their countries, but it was seen as an aid to the main workforce - the one of men's - and not as an equivalent form of labour itself, thus seeing women as caregivers who would come out of the household and eventually come back once the economic situation would get

better, and not seeing them as equal human beings, capable of contributing to society in the same way as men. Western feminist ideals and foreign investments also played a part in shaping the labor landscape, but significant cultural resistance to gender equality persisted, and still persists nowadays.

The research then shifted to focus on key contemporary laws governing female labor in modern South Korea and Japan, which have evolved over time, although their effectiveness in promoting gender equality remains mixed. The comparative analysis of these legal frameworks reveals that while both countries have made legislative strides, the real-world application and enforcement of these laws are inconsistent.

To provide a comprehensive understanding of the current social dynamics influencing gender equality, the research incorporated quantitative data collected from global databases like the World Bank and United Nations, which highlighted persistent gender disparities in both countries.

The results showed that in Japan, despite legal reforms, the gender pay gap remains significant: Japanese women earn about 73% of what men earn, with a notable underrepresentation in leadership positions, and the prevalence of non-regular employment among women exacerbates the pay gap and limits career advancement opportunities, ranking 125 out of 146 in the Global Gender Gap Index 2023 rankings of the World Economic Forum. Similarly, in South Korea, women earn approximately 65% of men's wages, one of the highest gender pay gaps among OECD countries, placing the country 105 out of the 146 countries in the same rankings, showing that high educational attainment (Korea’s placed 104, with a 0.977 index) - as shown on the same Global Gender Gap Report of 2023 - does not translate into equitable economic participation, as cultural expectations around motherhood and family responsibilities restrict women's career progression, underlying that these insights underscore the need for more robust policies and cultural shifts to support gender equality.

The synthesis of findings from the historical analysis, legal examination, and contemporary data analysis persists with the two starting hypotheses:

- contemporary laws provide some level of support for gender equality in terms of labor and wage but do not see men and women as equals;

- achieving true gender equality requires women to be seen as individuals beyond their traditional roles.

The research findings support these hypotheses, indicating that while legislative measures have been implemented, they fall short of achieving true gender equality, but to address these issues, the following policy recommendations could be proposed:

I. Both South Korea and Japan need to enhance the enforcement of existing gender equality laws, including stricter penalties for non-compliance and more rigorous monitoring of workplace practices.
II. Encouraging flexible work arrangements which can help balance work and family responsibilities, making it easier for women to pursue careers while managing household duties, thus policies that support telecommuting, part-time work, and flexible hours are essential.
III. Efforts to change societal attitudes towards gender roles are crucial, such as public awareness campaigns, education programs during school years, and initiatives promoting shared household responsibilities can help shift cultural norms.
IV. The promotion of programs that support women's career advancement, such as mentorship, leadership training, and networking opportunities, can help address the underrepresentation of women in senior positions.
V. Implementing policies to close the gender pay gap, such as pay transparency, gender-neutral job evaluations, and incentives for companies that demonstrate gender pay equity, is vital.
VI. Strengthening the Institutions: In South Korea, the proposed abolition of the Ministry of Gender Equality and Family should be reconsidered, and instead of abolishing it, the ministry should be strengthened to better address gender issues, while in Japan, the Gender Equality Bureau (which is not a ministry) should be enhanced as well.

Thus, my research underscores the need for comprehensive and multifaceted approaches to achieving gender equality: while both countries have made legislative strides, the persistence of cultural and structural barriers necessitates stronger enforcement mechanisms and cultural shifts, by recognising women as equal individuals and

addressing deep-rooted societal norms, South Korea and Japan can make significant progress towards true gender equality.

The analysis of historical developments, contemporary legal frameworks, and current social dynamics provides a well-rounded perspective on the challenges and opportunities for female representation in the labor markets of South Korea and Japan. Moving forward, sustained efforts to implement and enforce gender equality policies, coupled with initiatives to shift cultural attitudes, are essential for creating inclusive and equitable economies, and this does not comprehend merely South Korea and Japan, but many other countries of the world: as presented by the United Nations' Sustainable Development Goals, at the current pace, it is projected to take approximately 286 years to eliminate gaps in legal protection and abolish discriminatory laws, 140 years for women to achieve equal representation in positions of power and leadership in the workplace, and 47 years to reach equal representation in national parliaments. Furthermore, as presented by the World Economic Forum's 2023 Report on the Global Gender Gap, East Asia and the Pacific region have achieved 68.8% gender parity until now, ranking fifth among the eight regions. The progress has stagnated for over a decade, with a slight decline of 0.2 percentage points since the last report and Japan is presented at the bottom of the ranking, denoting that at the current pace, it will take around 189 years for the region to achieve gender parity, so it is estimated to be closed in 2212.

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