

Symbolic Ratification and Cultural Resistance: South Korea's Dilemma in Implementing CEDAW (Convention on Elimination of All Forms of Discrimination Against Women)

Imaniar Insy Savety Habibah MM

Department of International Relations, University of Indonesia

Depok, Indonesia 16424

imaniarinsy15@gmail.com

Abstract

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This article aims to examine the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in South Korea, with particular attention to the influence of the country's patriarchal cultural structure. It focuses on analyzing how and why patriarchal norms influence the implementation of CEDAW in South Korea. This article employs Cultural Theory as the analytical framework to explore how cultural values can affect the enforcement of global norms. It argues that the embedded norms and values within a state, in this case, South Korea, significantly hinder the effective implementation of international norms. Although South Korea has formally committed to implementing CEDAW and promoting women's rights and gender equality, the realization of these goals remains challenging due to the deeply entrenched patriarchal culture, which often marginalizes women's roles in society. This article finds that the implementation of CEDAW is obstructed by the South Korean government's reluctance to trigger domestic instability by imposing global norms that contradict prevailing cultural values. At the same time, the government faces international pressure to maintain its image as a committed actor for gender equality on the global stage.

Keywords: South Korea; Gender Equality; Patriarchal Culture; Global Norms; CEDAW.

1. INTRODUCTION

South Korea has ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) on December 27, 1984, and incorporated it into national law on January 26, 1985 (Chang et al., 2005). This ratification signaled the South Korean government's formal commitment to promoting gender equality and eliminating all forms of discrimination against women. CEDAW has established universal standards and principles of justice between men and women. It guarantees equal rights for women, regardless of their marital status, in all areas, including political, economic, social, and cultural spheres. The deeply rooted patriarchal culture and long-standing gender norms within South Korean society continue to hinder progress toward gender equality. These entrenched cultural practices have

made it particularly difficult for South Korean women to access the rights and protections guaranteed under the convention fully.

Despite South Korea's formal commitment to eliminating all forms of discrimination against women through the ratification of CEDAW, the country has encountered numerous challenges in its implementation. The CEDAW Committee has issued at least three formal admonitions, accompanied by critical evaluations that highlight South Korea's shortcomings in fulfilling its obligations under the Convention. Several key issues have been the subject of strong criticism from the Committee. First, the issue of significant gender inequality, particularly reflected in the persistent and substantial gender wage gap, continues to raise concerns (Republic of Korea, 2010). Second, gender-based violence remains a major and ongoing problem, with no substantial decrease in reported cases despite legal and policy reforms. Third, the issue of reproductive rights and access to abortion has also drawn attention. Although South Korea repealed its abortion ban in 2019, the CEDAW Committee has since urged the government to ensure that women have access to safe and legal reproductive health services (Human Rights Bureau, Republic of Korea, 2022).

The deeply rooted patriarchal culture in South Korea is widely regarded as the primary obstacle to achieving gender equality. There are several cultural legacies, as well as specific reasons, that contribute to this culture's deep-seated nature. In this paper, I will outline two primary reasons why this culture has such a profound impact on people's lives and policies in South Korea. The first is Confucian beliefs. Confucianism is a way of life that emerged in the 6th to 5th centuries BCE and has been practiced by the Chinese people for over two thousand years. Although it has undergone many changes, its teachings still form the core of Chinese learning and values, influencing social behavior and spreading to other countries, particularly South Korea, Japan, and China. Confucianism has become culturally embedded in the patterns of government, society, education, and family in East Asia, making it difficult to eradicate (Tu Weiming, 2024).

Confucianism also teaches about a social hierarchy where men are prioritized over women. This is shown by principles such as *nān zūn nǚ bēi* (男尊女卑) or 'male superiority over women'. This teaching emerged in the Han dynasty based on the premise of ethical standards, where women in the family must recognize the superiority of men, along with the teachings of the three obediences and four virtues. This teaching then limits the role of women in society and the family, which then, from generation to generation, makes women a second-class and pushes their role towards the domestic. South Korea, as a country that adheres to Confucianism since the Koryo Dynasty era and reached its peak in the Joseon Dynasty era. During the Joseon Dynasty, Confucianism became the state ideology that governed all aspects of life, including governance, education, and social life. Confucianism teaches about social hierarchy through *San Cong Si De* (三从四德), or can be interpreted as "Three obediences and four virtues" (Kardina & Yurisa, 2021). The three obediences are: one, daughters must obey their fathers; two, wives must submit to their husbands; three, widows must depend on their sons. This shows that the roots of patriarchy in South Korea originated from historical teachings about women's domestic roles and men's subordination, so that in its development, the role of women was always more encouraged in domestic roles.

In addition to Confucian teachings, another cultural heritage that has become the root of patriarchal culture in South Korea is the existence of a system called Hoju. This system asserts that a household has a Head of the family at its center, where only direct male descendants inherit the position and become the next Head of the family if the main Head dies (Korean LLI, n.d.). The Hoju system is also referred to as Korea's age-old patriarchal system, which was in effect from 31 March 2005 until the end of 2007. This system emphasizes an individual's position as the legal representative of a family. In this system, men have a higher priority than women in occupying the position of Head of the household. A daughter will be registered in the family register under her father (who is Hoju) until such time as she gets married. When the woman gets married she will be placed under her husband (who is Hoju). As well as the rule

that states that children will still be registered under their father's family even if their mother has custody of them after divorce (Korean LLI, n.d.).

Confucianism and the Hoju system are two of the significant roots of patriarchal culture in South Korea. Although they are no longer explicitly discussed, nor are they the basis of behavior, they are psychologically embedded in all levels of South Korean society. Especially Confucianism, which is considered a teaching of truth. Although no longer widely discussed in society, these two things have constructed how South Korean society runs. These two cultural heritages have discriminated against the role of women through sexual stereotypes. This culture creates a patriarchal culture because society understands social construction by placing hierarchy in it by placing women in a lower status than men.

It is out of concern for this issue that this article is written. The discussion in this article will focus on how cultural norms embedded in a country (in this issue, South Korea) and believed to be a "truth" or "absolute" construction, become the cause of global norms that are difficult to implement. Although South Korea has committed to implementing CEDAW and upholding rights and equality for women in the country, this is still difficult to realize because South Korean society is still very attached to Patriarchal culture; therefore this research was conducted to answer the question, Why does Patriarchal Culture affect the implementation of CEDAW in South Korea?

According to a study by Vaddi (2024), the administrative culture of Confucianism has had a significant impact on the behavioral patterns and attitudes of South Korean bureaucrats and citizens. Managerial values developed by Western countries still cannot be fully absorbed and integrated with South Korean administrative culture due to the strong ethical values and Confucian culture (Vaddi, 2024). In another work written by Koh (2008), explains how feminist scholars have contributed many important works regarding the role of Confucianism in maintaining the idea of women's subordination to men. Feminists argue that the concept of male superiority over women is embedded in Confucian philosophy (Koh, 2008).

In addition to literature that discusses how Confucianism is rooted and becomes a reference value in the layers of South Korean society, the literature that the author collects also contains how efforts to implement CEDAW as a commitment to gender equality. According to Kreutzer and Mitchell (2024), countries that ratify CEDAW with reservations tend to experience less improvement in women's rights than countries that ratify without reservations. Kreutzer and Mitchell also point out that countries with worse conditions of gender inequality tend to make reservations to the core articles that are most critical to the success of the treaty (Kreutzer & Mitchell, 2024).

Based on a review of previous literature, Confucianism is a deeply rooted tradition in South Korean society. Its values, regarded as normative truths, often hinder the acceptance of global norms, including the implementation of CEDAW. Confucianism, which fostered a patriarchal system, has significantly shaped the attitudes and behaviors of both the government and the public. The longstanding gender hierarchy has led to policies with masculine orientations that tend to overlook women's roles. Additionally, Western-originated values are difficult to integrate into South Korea's administrative culture due to the persistent influence of Confucian ethics.

The literature review shows that Confucian values are deeply embedded in South Korean society and are regarded as fundamental truths. These values are closely tied to the country's pervasive patriarchal culture, which influences all levels of society. Several studies also highlight that the ratification of international instruments, such as CEDAW, does not automatically translate into strong governmental commitment. While the urgency of gender equality continues to be voiced by South Korean women, no existing literature specifically addresses how Confucian-rooted patriarchy affects the implementation of CEDAW. This article seeks to fill that gap by examining how patriarchal cultural values significantly shape the implementation of global gender equality norms in South Korea, where state commitment often contrasts with societal resistance.

The author will divide this article into five sections. The first part is an introduction that contains the background, literature review, and problem formulation that will be discussed in

this article. The second section will explain Richard Lebow's cultural theory used by the author to dissect the framework of how cultural values affect the implementation of global norms, through the analysis of decision-making by the state. In the next section, the author describes the type of research conducted, the type of data to be used, data collection techniques, and analysis techniques that will be used for this series of studies, and is contained in the methodology section. In the fourth section, the analysis will focus on how the state as an actor must deal with two norms, namely local and global. How the state will position itself and fulfil global expectations, but must also be able to maintain domestic stability that has Patriarchal cultural values that are opposite to the value of the global norm of gender equality (CEDAW) being implemented. The final section will contain conclusions about the results of the research, accompanied by references as a source of validity of the data used.

2. ANALYTICAL FRAMEWORK

Richard Ned Lebow is a constructivist thinker who offers a new analytical perspective in the study of International Relations. His thinking comes from criticising the main theories in the study of International Relations, such as Realism and Liberalism. Lebow argues that in determining interactions in international relations and decision-making does not entirely depend on material interests and military power alone, as mentioned in the theories of realism and liberalism, but also emphasises aspects of culture, identity, and human psychology (Lebow 2008). Constructivism itself recognises that culture and ideology have a greater role than simply offering rationality for the behaviour of actors in international relations. Constructivism gives people an identity that offers meaning, order, and predictability to their lives (Taylor, 1989). In Lebow's theoretical presentation, he emphasises the basic concepts of several ancient Greek philosophers that have a close attachment to the concepts in constructivism. One of them is the concept of identity, which is a basic concept in constructivism.

Lebow emphasises that culture shapes the way actors think and assess situations. In other words, culture is a form of rationality: it is not just a passive background, but actively directs how actors define situations, threats, and appropriate actions. Rationality is not universal, but is shaped by cultural values, norms, and history. Within the framework of cultural theory, political decisions are not made solely because of calculations of material gains and losses, but because of the quest for honour, avoidance of shame, or response to humiliation. Therefore, understanding cultural motives is key to predicting the behaviour of states or leaders. In short, Lebow's theory offers a perspective that, in international politics, it is not enough to measure economic power or interests; it is also necessary to understand the values and cultural identities that underlie the way states see the world and interact in it.

Lebow developed the root of thinking of several ancient Greek philosophers about the concept of identity into a concept called "Ideal-Type Worlds". He took and developed this concept from Max Weber's sociological approach of ideal types, which are analytical models that do not always exist in pure reality, but are useful for analysing and understanding the dynamics of the real world (Lebow 2008). Lebow's four Ideal Type Worlds include:

Honor is mentioned as a dominant motive that influences actors' decision-making behaviour. Lebow describes Honour as a trait that seeks recognition, reputation, and dignity. According to Lebow, states act in the international community based on image and to gain recognition. Stability results from a balance of honour, where no party wants to disrupt its status or image or to taint its honour on the global world stage. This motive is also referred to as the ultimate and most important motive, because according to Lebow, states will seek recognition or prestige and a sense of self-worth to show their image and honour on the world stage (Lebow 2008).

Fear, is also one of the dominant motives that influence actor behaviour in decision-making. Lebow explains fear as a feeling of threat felt by the state that encourages the state to take preventive or defensive action. This creates a dynamic security dilemma and results in instability. Lebow does not limit Fear to only external threats, such as threats from other countries. Lebow's cultural theory also includes fear of internal instability. Lebow developed

the concept of fear as a psychological and cultural reaction to a sense of loss of control, position or existence, either at the interstate level or in the country's domestic situation. In Lebow's cultural framework, fear cannot be separated from the internal social and historical context. States do not just act because of external calculations, but because they are shaped by narratives, identities, and anxieties that live in their political culture (Lebow 2008).

Interest, this motive is also referred to as material interest (*appetite*). In this motive, the state acts based on rational calculations regarding material gains, particularly economic wealth and security. Although the "world of interest" focuses on material interests, Lebow states that this motivation cannot always be separated from other motivations such as honour and fear. In practice, states often mix these motives (Mölder 2011). So, interest is closely related to the state's image and recognition, especially when the state sees that a positive image can enhance its material and strategic interests internationally.

Reason, this concept emphasises that the world is morally and politically ideal. Where states act for the common good, stability, and justice. This is also one of the normative goals of Lebow's theory, a world where honour is balanced with the common good and justice. In his book *Cultural Theory of International Relations*, Lebow mentions that Habit plays a role in shaping and organising actors' rationality in behaviour and decision making through three main motives, namely: Honour, Fear, and Interest. This last concept is a harmony that will form a way of thinking that is considered rational by the actor, with consideration of the three main motives that direct the actor in making decisions (Lebow 2008).

In his take on the Cultural Theory of International Relations, Lebow takes a closer look at changing norms, beliefs and values and how these changes are usually motivated by irrational factors which he refers to as, interest (appetite), honour, fear and reason, which are the four aspects he introduces through the concept of Ideal Type World. These four factors can dominate decision-making in a globalised society. The international order is a complex and diverse phenomenon in which the cultural identity of the actors certainly plays an important role. Since ancient times, international actors have relied on fundamental drives to justify their behaviour in the face of various intercultural challenges. With his cultural theory, Richard Ned Lebow provides a promising approach to the discipline of international relations, which might encourage the debate between cultural relativists and rationalists (Mölder 2011).

There are several reasons for using this theory according to the author, first, Cultural Theory offers an analytical approach to culture, psychology and state motivation in decision making, this is in line with what the author wants to convey about how Patriarchal Culture in South Korea has been psychologically embedded in all levels of South Korean society to limit the state to act contrary to local cultural values and impose comprehensive implementation of the Localisation of CEDAW norms which are global gender equality norms.

Secondly, Lebow also emphasises the dominance of cultural values that greatly influence the formation of state decisions. This is in line with how South Korea is considered difficult to realise the implementation of CEDAW to uphold rights and equality for women. This leads to a patriarchal culture in South Korea that is rooted in Confucianism. Confucianism itself is a way of life propagated by Confucianists in the 6th to 5th centuries BC, and followed by the Chinese people for more than two millennia. Although it has undergone many changes, the teachings of Confucianism still remain the core of learning, the source of values, and the social code of the Chinese people, whose influence has spread to other countries, especially South Korea, Japan and China. Confucianism has become the root of life that has been cultivated and deeply embedded and even difficult to erase because it has rooted in the patterns of government, society, education, and family in East Asia (Tu Weiming 2024).

Three, the author assumes that the concept of "Ideal-Type Worlds" proposed by Lebow with four main aspects in his analytical framework is able to assist the author in analysing and dissecting research questions to find answers to the phenomena raised. For the Fear aspect, it is used to see the possibility that the less effective implementation of CEDAW is the impact of the state's fear of facing instability if it imposes the application of global norms that conflict with local norms; the appetite or interest aspect, will be used to see whether there are interests

behind the ratification of CEDAW, whether it is political, social or cultural interests; the aspect of honour and social status, where it can be seen whether the ratification of CEDAW is just a formality to maintain the image and honour of South Korea in the eyes of the world due to pressure from local feminism actions that encourage the Government to provide regulations on gender equality; the last is reason or rationality, which will try to see whether the efforts to internalise CEDAW norms do clash with Patriarchal culture rooted in Confucianism and Hoju teachings so that the Government cannot move actively because it will result in social stability in society. These aspects will lead to the answer, why the Patriarchal culture rooted in the cultural heritage of Confucianism has a significant influence on the implementation of CEDAW norms. Lebow's Cultural Theory is expected to be able to answer this research question using the aspects that are the main focus in Lebow's thinking about the influence of culture and identity on state action.

3. RESEARCH METHOD

The research entitled "Symbolic Ratification and Cultural Resistance: South Korea's Dilemma in Implementing CEDAW (Convention on Elimination of All Forms of Discrimination Against Women)" will be explored using scientific methods with a qualitative approach. The basic concept of qualitative research is research to explore and understand the meaning that a number of individuals or groups of people ascribe to social or humanitarian problems (Creswell, 2014). The qualitative approach chosen in this study is based on several specific reasons, one of which is because the research conducted by the author is one of the studies with social studies objects that seek to understand social situations, events, roles, interactions and groups.

In order to understand an existing phenomenon as well as possible, in addition to requiring good concepts, theories, and methods, researchers also need supporting data in the form of data relevant to the phenomenon being studied for the validity of the research. Therefore, it is important for researchers to collect data and interpret the data obtained and then reprocess it based on theories, concepts, and expert views with research methods that have been determined during the research process which will result in a narrative that explains the relationship between data and phenomena that occur (Yusuf, 2014).

This study relies exclusively on secondary data obtained from credible and authoritative sources to ensure data validity and reliability. The data are drawn from periodic reports published by the CEDAW Committee as accountability assessments of CEDAW implementation in South Korea, gender gap indicators issued by the World Economic Forum, and official gender equality data from the Ministry of Gender Equality and Family. Additional data are collected from peer-reviewed academic literature, prior research, and reputable news outlets reporting on gender-based violence and gender equality issues. All data are analyzed qualitatively and presented descriptively to support the arguments advanced in this study and to address the research questions.

Data analysis was conducted using the triangulation method with narrative content analysis. Triangulation is an approach that uses more than one method or data source in studying the social phenomenon being studied (Bryman, 2012). After grouping the types of data and then outlining the keywords of the data that has been collected, the analysis will be carried out using the triangulation method. In this method, data sources will be compared between category, or between one and another to understand why patriarchal culture can affect CEDAW implementation efforts in South Korea. In addition, this analysis technique is also used to see the suitability and credibility of data so as not to lead to errors in data entry and processing.

4. RESULT AND DISCUSSION

The South Korean government's efforts to reduce the number of sexual crime cases seem to continue to encounter obstacles. The strong patriarchal culture and deep-rooted hatred of women as well as the increasing rate of femicide in South Korea, are proof that the South Korean government has not been able to provide a safe and equal life for women in South

Korea. Feminist activism has been increasingly organised and promoted by South Korean women as a form of scathing criticism of the culture of discrimination and gender-based crimes in South Korea.

The increasing threat of femicide and the growing push for 4B actions show that South Korean women have been living in fear for years. Although the South Korean government itself has ratified CEDAW as a form of commitment to eliminate all forms of discrimination against women since 1984, this effort is still far from the expected target. Various national efforts such as the passing of women's protection laws, the establishment of the Ministry of Gender Equality and the Family, and public awareness campaigns, are carried out, but in reality, these efforts are hampered by the patriarchal culture and misogyny that are deeply rooted in South Korea. Therefore, despite many formal commitments to the protection and elimination of all forms of discrimination against women, even encouraged by the ratification of CEDAW, the actual results in protecting women from gender-based violence in South Korea are far from the expected targets.

The government's perceived lack of commitment in dealing with the problem of gender based crimes has led women in South Korea to voice themselves through protests. 4B is a movement that stands as a form of disappointment and criticism of the government and the patriarchal culture that is rooted in South Korea. Patriarchal culture is formed for different historical reasons in each country. In the perspective of International Relations, patriarchal culture is formed from the process of gender hierarchy that has taken root since the era of traditional International Relations theory. Traditional feminist theory emerged to criticise the world order, which is mostly dominated by elite, white, male practitioners, which is a form of patriarchy that assumes that women are not suitable to occupy strategic positions in politics (Runyan & Peterson, 1991).

The deeply rooted patriarchal culture in South Korea is considered to be the main cause of the difficulty of creating gender equality in South Korea. There are several cultural heritages as well as specific reasons why the patriarchal culture in South Korea is deeply rooted. Among them are the teachings of Confucianism and the Hoju system, which are the strong foundations of patriarchal culture. This is why, even though the government has ratified CEDAW into national law, its implementation cannot be fully implemented. CEDAW establishes universal and equitable principles between men and women. It also stipulates equal rights for women regardless of their marital status in all fields, including political, economic, social and cultural. However, this application does not seem to be working as it should. Patriarchal practices and culture⁷ in South Korea are so deeply rooted that this makes it difficult for South Korean women to obtain justice and equality. Even now, they are increasingly feeling the threat of femicide. This analysis will be explored using Cultural Theory proposed by Richard Lebow. By analysing the interrelationship of 3 main motives and 1 motive of rationality that underlie how the government makes decisions. The analysis of how culture, psychology and history in the country affect the decisions taken by the state will also be explored using Cultural Theory proposed by Richard Lebow.

Pursuing Global Reputation While Preserving Traditional Honor: The Cultural Dilemma in the Ratification of CEDAW

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) has received almost universal ratification, with 189 countries showing commitment in ratification. Yet there is some debate about whether the treaty has been successful in promoting gender equality. Sceptical observers point to the large number of reservations and to the perceived lenient enforcement framework, which relies on governments to self-report to the UN Committee on the Elimination of Discrimination against Women. Like other UN human rights treaty monitoring bodies, the CEDAW Committee has no coercive enforcement powers and is severely under-resourced. But it diligently reviews each country report, engages in dialogue with government delegations, and issues concluding observations on the extent to

which each state party is complying with the treaty. The CEDAW Committee also actively engages with civil society and encourages "shadow reports" from non-governmental organisations, which yield important information that governments may omit from their reports (Carole 2023).

South Korea became the 90th country to ratify CEDAW, on 27 December 1984. At that time the traditional patriarchal ideology had prevailed in South Korean society. This was an ideology that was carried over from the imperial era of South Korea. For example, there are family laws that recognise discrimination between men and women. The male-dominated and authoritarian family system, where women have to move their family register to the husband's family after marriage, and because of the paternal lineage system, women without sons will receive emotional and material losses in the family (Cho 1984). The South Korean government ratified CEDAW with reservations to Article 9 and items c, d, e, g of Article 16, Paragraph 1. That is, they did not immediately agree or implement the articles in full. However, most of these reservations were lifted after the amendment of the Family Law on 15 March 1991. Only Article 9 and item g of Article 16 Paragraph 1 still retained their objections. The objection to Article 9 was then lifted in 1997 through an amendment to the Citizenship Law, which recognises maternal (matrilineal) lineage in addition to paternal (patrilineal) (Cho 1984).

Based on data from the Global Gender Gap Report 2023 by the World Economic Forum (WEF), South Korea is ranked 105th out of 146 countries with a score of 0.680 (or 68% gender equality has been achieved) (World Economic Forum 2023). This is not a good number, as it could tarnish South Korea's reputation on the international stage. The figure also marks a drop of 6 ranks compared to the previous year, which also emphasize that the gender gap that exists in South Korea is a serious problem, especially in the aspects of economic participation and political empowerment of women. The WEF also projected that South Korea will need about 162 years to close the gender gap in the country as a whole. This also shows that South Korea is lagging behind in gender equality, suggesting that there is international pressure to improve its reputation as a developed country. CEDAW has been ratified almost worldwide, and many Asian countries such as the Philippines and Mongolia are above South Korea, so ratifying and reporting to CEDAW can be an international image strategy. Ratifying CEDAW becomes a diplomatic symbol to be considered a "progressive" country in the eyes of the world, especially since gender equality norms have now become one of the goals of the UN.

South Korea has done various ways to show its commitment to gender equality efforts. However, domestic challenges are one of the real obstacles. The patriarchal culture in South Korea is very closely attached to the cultural heritage of its people, especially the legacy of Confucianism and the *Haju* system. CEDAW has at least influenced the formation of several laws on anti-discrimination against women, including the Framework Act on Gender Equality in 2014. This act serves as a legal framework used to promote gender equality, including measures to protect women's rights in the workplace, political environment and society. However, South Korea still lacks full implementation of CEDAW, a comprehensive anti-discrimination law has yet to be enacted despite repeated warnings from the CEDAW Committee (Advocate for Human Rights 2023).

South Korea has received at least eight periodic evaluations from the CEDAW committee for its lack of consistent commitment to eliminating discrimination against women. There are several reprimands that need to be underlined well and become evidence of South Korea's lack of commitment to the implementation of CEDAW and gender equality efforts. One of the reprimands that South Korea received from the CEDAW committee is in the 7th periodic report, in this report there is a very significant gender imbalance, containing low participation of women in decision making, and inadequate protection for victims of violence (Republic of Korea 2010). Even so, the seventh report also mentioned the important efforts and steps taken by the South Korean government to comply with CEDAW, but the issue that continues to be a concern remains the same, because there is no definite legal protection for victims of violence and continues to be an important focus that must be considered.

In the last recorded periodic report, the 8th periodic report published in 2018, the CEDAW committee made repeated recommendations and criticisms. This is related to the lack of comprehensive anti-discrimination laws in Korea, resulting in gender-based crimes continuing to be high (Advocate for Human Rights 2023). This is because perpetrators do not get deterrent punishment, and victims are reluctant to report because of the construction and perspective that always blames the victim. As the author has explained in sub-chapter 3.2 about the number of cases of gender-based crimes, one of the reasons why victims are reluctant to report is that victims feel that the report is useless, because only a few percent of reports are followed up and the rest will be ignored. The CEDAW Committee also highlighted the high level of domestic, digital and sexual gender-based violence in South Korea and the lack of punishment for perpetrators.

After a period of authoritarianism, South Korea has made significant efforts to improve its international image by actively participating in the United Nations human rights system. The ratification of CEDAW in 1984 and the adoption of the optional protocol in 2006 reflect South Korea's commitment to enhancing its global reputation as a democratic country that respects women's rights (Petersen and Richardson, n.d.). Despite facing many challenges in the implementation of CEDAW, the South Korean government made every effort to show its responsibility and commitment, such as the abolition of the Hoju system and adopting quotas to increase women's political participation. However, the gender gap in South Korea continues to experience ups and downs. The patriarchal culture inherited from Confucianism and the Hoju system continues to dominate South Korea's social structure. Values such as gender hierarchy and the traditional gender role of women as subordinate to men continue to influence the country's social policies and practices. This is one of the obstacles to progress in gender equality despite international pressure.

Although South Korea has ratified CEDAW since 1984, the domestic implementation of gender equality norms continues to face substantial resistance. This reflects a broader state dilemma between responding to international pressure and preserving entrenched domestic cultural values. On the one hand, as a member of the global community committed to human rights and democratic standards, South Korea faces sustained international scrutiny through CEDAW monitoring mechanisms and global gender equality rankings. Ratification and periodic reporting thus function as strategic tools to signal compliance, safeguard international reputation, and maintain recognition as a modern and progressive state. On the other hand, substantive implementation of CEDAW norms risks destabilizing deeply rooted patriarchal structures that underpin social order, political legitimacy, and traditional notions of honor within South Korean society. Gender equality reforms challenge long-standing cultural hierarchies influenced by Confucian values, provoking resistance from conservative actors and potentially intensifying domestic political conflict. Consequently, the state adopts a selective and cautious approach, accommodating global gender equality norms symbolically while limiting their transformative impact at the domestic level.

This tension demonstrates that state responses to international gender norms are not driven solely by legal obligation or rational interest, but are profoundly shaped by cultural considerations. In this context, patriarchal culture operates as a normative constraint that conditions how global norms are interpreted, localized, and ultimately implemented. South Korea's experience with CEDAW thus illustrates how international human rights commitments are negotiated within a cultural framework that prioritizes the preservation of traditional honor and social stability over substantive gender equality.

The Threat of Instability and the Crisis of Patriarchal Culture in South Korea

Women in South Korea continue to experience systemic discrimination due to the cult's teachings that often marginalise women's roles and establish strong gender hierarchies. Even though Confucianism is no longer overtly taught and the Hoju system has been abolished, there are still remnants of these values that have taken root and become the cornerstone of

South Korean society. This makes it difficult for women to gain access to equality. The embedded hierarchical values that continue to put women into a discriminatory position have had many impacts, especially on the strong patriarchal culture in South Korea. Therefore, there are many movements that support gender equality in South Korea. This movement has also caused a lot of backlash from a patriarchal society. The phenomenon of anti-feminism and misogyny is also getting bigger in South Korea as well as the increasingly vocal feminist movement. Both of these, if not managed carefully, have the potential to cause domestic rifts. The state must act carefully to impose CEDAW because the dominant value of society is patriarchal.

In Richard Ned Lebow's Cultural Theory, the fear motive reflects a condition where the state acts out of fear of instability or loss of status. In the South Korean context, the ratification and reporting of CEDAW reflects not only a commitment to a global norm, but also the state's attempt to manage two sources of fear: international pressure due to a poor reputation in gender equality, as well as domestic pressure from a patriarchal society and anti-feminist movements that see equality as a threat to traditional values. The state, thus, operates in a structural dilemma between external demands and unfinished domestic tensions.

Every day, women live in fear. In South Korea, gender-based crimes are never-ending. Most recently, in 2024 South Korea faced an epidemic of digital sex crimes, with hundreds of women and children targeted by the spread of fake indecent images. The group sharing these fake images reportedly has 220,000 members. With a significant increase in reported cases from 2021 to 2024, with approximately 116 reports in 2021 and 297 reports in 2024 (Barr 2024).

In addition to the recently discussed digital sexual crimes, women in South Korea also face relationship violence. The increasing rate of relationship violence in South Korea has led to an alarming number of deaths over the past few years. However, this has not been accompanied by strict laws and regulations against violence, which has resulted in perpetrators often escaping punishment, or even receiving only light sentences. In a recent case, a medical student in his 20s killed a woman from the roof of a high-rise building in daylight because she demanded to break off their relationship. Another case involved a man who entered his ex-girlfriend's house and strangled her to death. Then in March 2024, a man stabbed his ex-girlfriend to death after their relationship ended (Park 2024).

The number of cases of relationship violence in South Korea has reached alarming levels. According to The National Police Agency Report, there has been a significant increase in reports of relationship violence. In 2020 there were approximately 49,000 reports of dating violence received by the national police, then this figure rose rapidly in 2023 with a figure reaching 77,000, and 19,000 records of reports throughout 2024 (Park 2024). In 2023 alone, 57.9% of reports were domestic violence cases, 45.5% were sexual violence cases, 10.5% of reports were stalking cases, 10.1% of cases were recorded for dating violence, and the rest were other forms of sexual crimes (Hot-Line 2023). These figures show that women are living in an unsafe environment. Fears will be felt even more if there is no firm protection for women in South Korea.

In contrast to the number of sexual crimes against women, the sanctions given to perpetrators are not commensurate. According to reports, out of 14,000 suspects of dating violence, only about 310 people or 2.22% were arrested for the crime. According to the Korean Women's HotLine, 138 women were murdered by their husbands or boyfriends, and 311 women survived the attempted murder in 2023. Looking at this data, it can be said that a South Korean woman faces the risk of being murdered by her husband or male partner every 19 hours. With such large numbers and no protection and efforts to eliminate gender-based crimes, South Korean women have been living under the fear of becoming victims of sexual crimes every day. Despite anti-discrimination laws and affirmative policies, implementation is weak. Many cases of gender-based violence are not taken seriously by law enforcement officials. Even the legal system still shows bias against female victims, especially in cases of sexual harassment or violence, which is contrary to Articles 2 and 5 of CEDAW which require states to eliminate discrimination in practice and culture (Vikanaswari, Resen, and Dewi 2024).

With all efforts to provide access to equality for women in South Korea, it seems that the South Korean government is still unable to guarantee a decent and safe life for women. The poor implementation of CEDAW, laws that do not favour women, and ineffective sanctions against sex offenders have led women in South Korea to voice their protests through the 4B movement. This movement first emerged at the end of 2010, with a movement that sought to voice encouragement: not to marry (*bihon*), not to give birth (*bichulsan*), not to date (*biyonae*), and not to have sexual relations with men (*bisekseu*) (Coates 2024). The movement was a form of protest against the oppression of a patriarchal and misogynistic society, where women were pressurised into traditional roles under conditions that were often unjust and discriminatory. The movement became globally recognised as a feminist movement that criticised patriarchal culture and misogyny.

The women's movement for equality in South Korea was popular even before CEDAW was ratified. Cho (n.d) mentions that since the 1980s the women's movement began to develop identifiably precisely since the democratic transition period at the end of the authoritarian regime (Cho, n.d) . It is not easy to face the challenges of localisation of global norms with domestic norms that are still running and strongly held in South Korea. At the beginning when CEDAW was ratified, South Korea even still adhered to the Hoju system. This system is known as a highly patriarchal family system, which consciously produces discrimination in many aspects. It is also said to be deeply rooted in Confucian values, especially during the Joseon Dynasty (1392-1910) (Yune 20066). It emphasises strong social hierarchy and male supremacy in the household. Hoju systematically perpetuated superiority and masculinity and pushed the role of women towards domestic roles. Systemically, Hoju gives legal legitimacy to male dominance thus preventing women from gaining equal rights and social position in the smallest unit of society, the family.

In its development, the feminist movement that sought to bring the vision of gender equality also faced challenges from a patriarchal society. A wave of anti-feminism emerged to counter the struggles of Feminism in South Korea because it was considered a threat to the existing order. The emergence of awareness about gender equality and the emergence of many movements that fight for equality for women encourage individuals or groups to seek security and stability. Often stability is fought for through control or oppression of others who are considered to threaten the existing order, in this case the feminism and gender equality movement is considered a movement that threatens the stability and order of South Korean society (Ahn 2022a). In South Korea, the fear of societal changes brought about by the feminist movement has triggered a strong reaction from parts of society and the government. President Yoon Suk Yeol, for example, won the election on a platform that accused feminists of being man-haters and promised to disband the Ministry of Gender Equality and Family. This move reflected an attempt to restore a sense of security for a group that felt threatened by the progress of the gender equality movement (Ahn 2022a).

The strong patriarchal culture that created a wave of anti-feminism has created a climate of deep fear for women and gender activists in South Korea. Women who speak out on gender issues are often subjected to verbal abuse and threats of violence, even just because of their hairstyle or appearance or even just because they are women. The term "femi" is also labelled on them. This word means that gender warriors and feminist activists are considered mentally ill, which creates an atmosphere of fear for women who want to speak out about their rights. Some men feel that feminism has overreached and compromised their rights, especially in terms of employment and social roles. They see feminism as a threat to their position in society, which has led to the rise of the anti-feminist movement (Sabbathani 2024).

From some of the points described above, it can be seen that gender equality efforts in South Korea are very difficult to enforce. This is also a result of the patriarchal culture that seems to have become a habit in all levels of South Korean society. Although patriarchal systems are gradually being changed, this elimination process still leaves an understanding that has become a habit that is unconsciously used because it has made a psychological impression (Habibullah and Rahmah 2023). The backlash against the gender equality

movement is also evidence that the social hierarchy that places men higher and women lower has become an order that is considered legitimate and cannot be changed, so women who try to uphold their rights are considered violating the order and are considered to want division. Therefore, in adopting global norms on gender equality, in this case CEDAW, the South Korean Government did so with caution. Both the Government and society tend to be cautious in adopting reforms that are considered "disruptive to social harmony and traditional family values" (Cho 1984). Legal reforms were carried out gradually as there was a fear of instability in society if changes were made too quickly.

From the perspective of Richard Ned Lebow's Cultural Theory, the persistence of gender-based violence and the state's cautious approach toward CEDAW implementation in South Korea can be understood through the fear motive. Fear, in this context, does not merely reflect concern over physical security, but a deeper anxiety over social instability and the erosion of established hierarchies. The South Korean state faces fear on two interconnected levels: internationally, fear of reputational damage, normative exclusion, and loss of status as a modern democratic state; and domestically, fear of social fragmentation triggered by challenges to patriarchal order. As feminist movements gain visibility and anti-feminist backlash intensifies, gender equality norms are increasingly framed as disruptive forces rather than emancipatory ones. Consequently, the state manages fear by engaging in symbolic compliance, ratifying CEDAW and reporting progress, while avoiding full-scale normative transformation that could destabilize dominant cultural values.

At the societal level, fear operates as a powerful mechanism sustaining patriarchal resistance. Rising misogyny, digital sexual crimes, and femicide illustrate how violence functions not only as criminal behavior but also as a means of social control aimed at preserving threatened masculine dominance. The anti-feminist movement reflects a collective anxiety among certain social groups who perceive gender equality as a loss of privilege and security. This fear is mirrored in state behavior, where law enforcement leniency, weak sanctions, and selective policy enforcement signal an implicit accommodation of patriarchal anxiety. Through Lebow's lens, such responses reveal that state rationality is shaped less by legal obligation or humanitarian concern, and more by the imperative to contain fear-induced instability. As long as fear of cultural disruption outweighs concern for women's security, gender-based violence will continue to be treated as a manageable social risk rather than an existential threat to human security.

CEDAW as a Tool of Image Diplomacy: State Interests in a Masculine Political Structure

As a member of the OECD and G20, South Korea must maintain its modern and democratic developed country status. Over the past decade, South Korea has experienced the largest increase in gender wage gaps among OECD countries. In 2021, the gender wage gap in South Korea is 31%, which is double the average gender wage gap in other OECD countries, which is only about 12% (Ahn 2022a). South Korean women mostly have to choose between career and family with the index placing it as the worst OECD country for female workers in 2022. With these figures South Korea must also be careful to pay attention to the rise of the feminist movement in the country as well as the position of the country and the pressure of global norms on gender equality. South Korea must listen to feminists' insistence on gender equality, on the other hand it also cannot rashly impose the implementation of CEDAW because on the one hand its society is still attached to patriarchal cultural values. The South Korean government faces a dilemma between meeting international expectations for gender equality and maintaining domestic social stability that is still influenced by patriarchal values. Despite pressure from civil society and the international community, substantive change is often hampered by domestic cultural and political resistance.

South Korea was shaped within a framework of masculine rationality from the beginning. This can be seen in how women's rights are only recognised to the extent that they do not disrupt the patriarchal family structure that is used in the social strata of South Korean society.

This created a political structure that has been difficult to break away from despite the government's ratification of CEDAW. According to Kim (2020), democracy in post-colonial South Korea was shaped not by universal liberal values such as individual equality, but by the need to re-establish national stability and authority often through strengthening the role of men in the household and society (Kim 2020). Such as how since 1958 South Korea has reinforced the subordination of women through legal norms, such as male leadership of the family (*Haju* system). It is true that women are given "rights" but only within the framework of cultural limitations. This is also the background to how CEDAW was ratified only as a benefit from the position of structurally masculine legal and political traditions that were used only as a diplomatic tool or symbol of modernity but not a reflection of an internal commitment to substantive equality.

From how the historical narrative above, it can be said that the state's interest in ratifying CEDAW is not to overhaul gender relations, but also to fulfil the image of global diplomacy, so that the state is recognised as a developed and democratic country. In understanding Richard Lebow's cultural theory, the "interest" motive can be seen from South Korea's strategic decision to strengthen its position in the international system after the authoritarian era, where the state seeks to improve its reputation by showing compliance with global norms such as gender equality. This is reflected in South Korea's action to not only ratify CEDAW, but also its Optional Protocol, which opens a pathway for women to sue the state in international forums. This creates a strong external constraint, also showing how important the "self-image" as a developed and democratic country is in the eyes of the world (Carole 2023).

South Korea's economic transformation under Park Chung Hee has created new social dynamics that have shaken traditional patriarchal foundations. During the period of rapid economic growth (1960s-1980s), men took centre stage in the formal work sector, while women were encouraged to remain in the domestic sphere, reinforcing the traditional gender structure. However, the Asian financial crisis in 1997 forced South Korea to open up to foreign investment and embrace a wave of globalisation that demanded efficiency and the involvement of female labour in the productive economy. Many men lost their permanent jobs, while women, in order to support the household economy, began to enter the labour sector in large numbers. Data from 2015, where Women's economic activity rate is only 57.9% compared to 78.6% for men. The rate of high-ranking female workers is only 4.7% (71 women among 1,515 senior workers) (Ministry of Gender Equality and Family, n.d.). shows that while women's economic participation is increasing, there are still large gaps in employment rates, leadership positions, and wages (Leonardo Ernesto Puimara 2008).

This change in economic structure has created a threat to male dominance in the workplace, as well as identity anxiety among men, especially the younger generation. They are now not only competing among men, but also have to deal with women in domains that were once dominated by men. In this context, feminist movements and gender equality policies such as CEDAW are often seen as a threat to the traditional socio-economic order. The state, which has been operating within a masculine political structure, is caught in a dilemma: on the one hand, it needs women's labour to sustain the national economy and maintain stability amidst the challenges of globalisation; on the other hand, it is also worried about resistance from domestic conservative groups who feel they are losing their privileges. The decision to ratify and maintain involvement in CEDAW can be read as an act based on interest, which is aimed at maintaining economic growth, international reputation, and system stability. However, in practice, the state did not fully implement the substantive equality values contained in CEDAW, hindered by an entrenched patriarchal culture and resistance from masculine groups who felt economically and symbolically pushed out. The state acts strategically, using the rhetoric of gender equality to salvage its global image while leaving patriarchal domestic structures in place.

Through the lens of Richard Ned Lebow's Cultural Theory, South Korea's engagement with CEDAW can be understood as being strongly driven by the interest motive. In Lebow's framework, interest refers to actions taken to preserve material advantages, political stability,

and strategic positioning within the international system. For South Korea, ratifying CEDAW serves clear instrumental interests: safeguarding its status as a modern, democratic, and developed state within global institutions such as the OECD and G20, while mitigating reputational risks stemming from poor gender equality indicators. Compliance with global gender norms functions as a diplomatic signal that aligns South Korea with dominant international standards, thereby reinforcing its credibility, economic attractiveness, and normative legitimacy. From this perspective, CEDAW operates less as a transformative human rights commitment and more as a strategic resource to consolidate the state's global standing amid intensified scrutiny over gender inequality.

At the domestic level, the interest motive also explains the state's selective and restrained implementation of CEDAW within a masculine political structure. The South Korean state has a vested interest in maintaining economic productivity and social order while avoiding political backlash from patriarchal and anti-feminist constituencies who perceive gender equality reforms as a threat to established privileges. As women's participation in the labor market becomes economically necessary under globalization, the state accommodates women's inclusion instrumentally, without dismantling patriarchal hierarchies in leadership, wages, or family structures. This reflects an interest-based calculus in which gender equality is promoted only to the extent that it supports economic growth and regime stability, rather than challenging masculine dominance embedded in institutions. In Lebow's terms, the state's rationality is not emancipatory but strategic: CEDAW is retained as a symbol of progress to satisfy external audiences, while substantive equality is constrained to protect domestic power structures and interests.

Rationality in the Shadow of Culture: Patriarchy as a Cultural Barrier to the Implementation of CEDAW

Through the previous discussion, it can be seen that the Patriarchal Culture in South Korea has shaped the way the country thinks and acts, so that the country tends to be compromising towards international norms such as CEDAW. The wave of anti-feminism and anti-feminist leaders is also one indicator that proves that patriarchal culture has entered all levels of society even in the political realm. In the era of Yoon Suk Yeol's leadership, who was considered anti-feminist because of his campaign that encouraged the dissolution of the Ministry of Gender Equality and Family (MOGEF) also showed the government's lack of seriousness in carrying out commitments to CEDAW (Vikanaswari, Resen, and Dewi 2024). This clearly shows an anti-feminist attitude. President Yoon Suk-yeol was elected on a campaign that targeted young men who felt marginalised by gender equality policies. Yoon even proposed the dissolution of the Ministry of Gender Equality and Family, which is supposed to be at the forefront of implementing the principles of CEDAW. This shows that the state's policies have gone against the spirit of gender equality.

The existence of the Ministry of Gender Equality and Family (MOGEF) is actually a sign of the seriousness of the South Korean Government in dealing with gender equality issues. The existence of MOGEF as a ministry is a support for the struggle for gender equality experienced by discriminated women in South Korea. However, gender equality efforts in South Korea face various challenges in its application in society. One of these challenges is the patriarchal culture that is still very much embedded in South Korean society, where the patriarchal system places men in a higher position than women. In addition, the feminist movement that fights for gender equality is also considered taboo by South Korean society. The movement against feminism is referred to as anti-feminism, where the anti-feminists in South Korea are mostly young men (Vikanaswari, Resen, and Dewi 2024).

The strong patriarchal culture has created anti-feminism in South Korean society. With many young men who are anti-feminist, issues and government policies related to gender equality become pros and cons in society. One of the issues that arose was the abolition of MOGEF as a ministry in the South Korean government. This idea was presented by politicians

from the People Power Party (PPP), namely Representatives Yoo Seong-min and Ha Tae Keung. The issue of abolishing MOGEF is because MOGEF is considered not doing its job properly, and instead creating gender conflicts in South Korea. Yoo argues that "the work that MOGEF does can be done by other government agencies", while according to Ha, "MOGEF has encouraged gender conflict rather than promoting gender equality and harmony" (Eunji 2021).

South Korea itself became the 90th country to ratify CEDAW. Even so, that does not mean that the South Korean Government can immediately implement it easily. At the beginning of CEDAW ratification, South Korea at that time was still attached to the patriarchal ideology that had existed for centuries in South Korean society (Kardina and Yurisa 2021). Many stereotypes about gender roles were widely circulated in society at that time, for example, men earned money and women had to stay at home. South Korea also has quite high cases of violence, as the author has explained in the previous analysis section. This is also caused by patriarchal culture and economic factors. Patriarchal culture is also cited as the root of the problem of sexual violence in South Korea. This culture makes men in South Korea misogyny or hate women. This hatred is also shown by the wave of anti-feminism and sentiment towards fighters for gender equality.

This patriarchal culture makes men in South Korea feel superior. They see women as objects that they must dominate and control completely, and women must submit to this hierarchical order. This patriarchal culture not only controls all aspects of Korean society. However, this culture has also entered the government and bureaucracy in South Korea. Despite having a female president in office, this still does not guarantee that Korean women are free from patriarchal culture (Kardina and Yurisa 2021). The election of President Yoon Suk-Yeol, who openly carries an anti-feminist agenda, also includes the discourse of dissolving the Ministry of Gender Equality. This situation makes it clear that despite the legal reforms, there is still a dominant masculine political structure, and that the implementation of CEDAW is not being carried out consistently due to the tension between the need to maintain an international image and the pressure of patriarchal domestic politics. The threat to disband MOGEF can be read as a symptom of domestic resistance to international norm change, which places the state in an ambiguous position: between a formal commitment to CEDAW and a substantive unwillingness to implement it (Ahn 2022b). The government realises that such backward steps could tarnish South Korea's international reputation, especially ahead of the public review by the CEDAW Committee, and this explains why the regressive policy has not been fully executed.

The above explanation demonstrates the cultural habit of patriarchy that is entrenched in social structures and institutions, making it difficult for the state to make substantial transformations despite ratifying CEDAW. In international reports such as WEF, Global Gender gap, and periodic reports of the CEDAW Committee South Korea continues to be criticised for the low political and economic participation of women. However, gender equality efforts in the domestic sphere are also difficult to fight for due to the patriarchal culture inherent in all levels of South Korean society. The acceptance of CEDAW in South Korea did not immediately abolish patriarchal culture. There are many dynamics in it, between the obligation to fulfil CEDAW implementation commitments and domestic political challenges that are still very patriarchal and oppose gender equality movements. South Korea uses CEDAW as a tool to strengthen its international legitimacy, but its implementation often does not touch the roots of a strong patriarchal structure. This is because there is resistance to gender equality norms due to concerns about disrupting local social and cultural stability, especially those rooted in traditional patriarchal cultural values.

According to Lebow, rationality does not only stand as a universal entity that is free from values, but is also influenced by habits. In addition, actor rationality according to Lebow is also influenced by cultural norms that influence actor perceptions of actions that are considered reasonable or feasible. In South Korea, patriarchal culture has long been rooted in the social, political and legal order, which forms its own rationality that affects the way the country

addresses the issue of gender equality. In the context of this paper, patriarchal culture is not only a social setting but also a habitual rationality or rationality rooted in habit or habit that affects the frame of mind that limits the space for the state to adopt international norms such as CEDAW to maintain its global image. The implementation of the substance of this convention also continues to be a dead end, because the act of deconstructing patriarchal patriarchy is seen as inconsistent with the 'cultural rationality' that has been formed for a long time. It can be concluded that the implementation of CEDAW in South Korea tends to be symbolic, as a compromise between the pressure of international norms and domestic cultural tendencies that still strongly maintain traditional gender structures.

From Richard Ned Lebow's perspective, rationality is never value-free or universally objective, but is shaped by habits, cultural norms, and historically embedded meanings that define what actions are considered reasonable or acceptable. In the South Korean case, patriarchal culture has evolved into a form of habitual rationality that structures state behavior toward gender equality norms. Within this framework, policies that preserve male dominance, limit feminist influence, or restrain institutions such as the Ministry of Gender Equality and Family are not perceived as irrational or regressive, but rather as sensible measures to maintain social order and political stability. Patriarchy thus operates as a taken-for-granted logic that informs state calculations, defining the boundaries within which international norms like CEDAW can be accommodated without fundamentally disrupting established hierarchies.

This patriarchal rationality explains why South Korea's implementation of CEDAW remains largely symbolic despite formal legal commitments. From the state's perspective, fully dismantling patriarchal structures, through strict enforcement of gender equality laws or strong institutional empowerment of feminist agendas, appears "unreasonable" because it contradicts long-standing cultural habits embedded in political institutions, bureaucracy, and public expectations. As a result, the state adopts a compromise rationality: it upholds CEDAW at the level of ratification, reporting, and international representation to maintain global legitimacy, while domestically limiting substantive transformation that could challenge masculine political dominance. In Lebow's terms, this is not a failure of rationality, but a culturally conditioned rational response. Patriarchy functions as a rational habit that constrains policy choices, allowing the state to reconcile international obligations with domestic cultural continuity. Consequently, CEDAW implementation in South Korea is shaped less by legal incapacity than by a culturally embedded rationality that prioritizes the preservation of patriarchal order over transformative gender equality.

5. CONCLUSION

It can be concluded that the persistence of patriarchal culture constitutes the primary structural obstacle to the realization of gender equality in South Korea. Cultural legacies such as Confucian values and the Hoju system have historically institutionalised male dominance and continue to shape social expectations and state behaviour. Consequently, although South Korea has formally ratified CEDAW, its implementation remains partial and constrained. The universal principles of equality embedded in CEDAW clash with domestic cultural logics, producing a continuous tension between global normative commitments and internal socio-political dynamics.

South Korea's ratification of CEDAW reflects a strategic response to international pressure rather than a fully transformative commitment. Facing poor global gender equality rankings and the risk of reputational damage, the state adopted CEDAW to signal compliance with international standards and preserve its image as a modern democratic actor, particularly in the post-authoritarian era. At the same time, substantive implementation is restrained by fears of domestic instability, both from patriarchal conservative groups resistant to feminist agendas and from feminist movements demanding deeper structural reforms. This dual pressure results in a cautious and selective engagement with gender equality norms.

Through the lens of Richard Ned Lebow's Cultural Theory, South Korea's approach to CEDAW can be understood as a normative manoeuvre shaped by fear, interest, honour, and

culturally conditioned rationality. Rather than reflecting a failure of rational action, the state's selective implementation of CEDAW represents a culturally rational response aimed at balancing global expectations with domestic stability. Patriarchal culture functions as a "rational habit" that filters international norms, allowing compliance without substantive transformation.

This article contributes to the field of International Relations by demonstrating that compliance with international gender equality norms cannot be sufficiently explained through legal-institutional or interest-based approaches alone. By applying Richard Ned Lebow's Cultural Theory, the study extends IR scholarship on norm diffusion by showing how fear, honour, and culturally embedded rationality shape state responses to international human rights regimes such as CEDAW. It highlights that norm ratification may function as a symbolic strategy to secure global legitimacy while substantive implementation is filtered through domestic patriarchal structures. In doing so, this article bridges feminist IR and constructivist debates by foregrounding culture as an active mechanism of norm resistance rather than a passive background condition.

From a policy perspective, this study provides critical insights for South Korean gender governance by revealing the limitations of symbolic compliance and performative reform. It underscores that effective implementation of CEDAW requires confronting patriarchal culture as a structural and political force embedded within state institutions, electoral dynamics, and policy rationality. Without addressing these cultural constraints, gender equality policies risk remaining fragmented and reactive, prioritising reputational management over women's security. This contribution is particularly relevant for policymakers and international monitoring bodies seeking to move beyond formal ratification toward substantive, context-sensitive gender justice.

Besides the advantages of using Cultural Theory, this theory also has weaknesses. Concepts such as honour and fear are highly abstract and difficult to measure quantitatively. This makes verification for empirical validity quite difficult if not combined with other approaches. Lebow also does not provide limitations on the interpretation of motives that influence actors' decision-making, so there is a risk of bias from researchers in determining the dominant motives behind state policies. This theory also emphasises more on normative values so that it is less relative in discussing institutional dynamics such as bureaucracy and structural enforcement of international law, even though the issue of CEDAW implementation is closely related to institutional and domestic political issues. Therefore, the author proposes that further studies should combine cultural theory with Acharya's historical institutionalism or norms localisation approach in order to explain in more detail how global norms are negotiated in domestic state structures.

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