Abstract

This thesis describes hierarchical and patrilineal norms in family law of the Korean Civil Code and discusses a gradual elimination of these norms in compatibility with constitutional law.

First part of the thesis highlights the specifics of the Korean family law in a historical context and analyzes the head of a family system's origin and family registers as one of the main sources of inequality in the Korean family law. The second part focuses on the process of the Constitution and the Civil Code codification and represents Confucian and women's organizations which influenced the family law. In this case the incompatibility of family law of the Civil Code and constitutional law was found out as the main object of the dispute. The aim of this thesis is to determine whether the present family law in the Civil Code can be considered as compatible with the Constitution or not. The third part is therefore devoted to amendments to family law of socio-political changes background, where is the clear gradual elimination of hierarchical and patrilineal ethical standards of the Civil Code until the turn of the new millennium.