

Breaking Ties Across Borders: The Legal Complexity of International Divorce in South Korea

While the number of international marriages (i.e., marriages between spouses of different nationalities) is rising globally, research has disproportionately focused on their formation rather than their dissolution. In particular, although legal institutions play a crucial role in shaping the emotional and financial contours of international marriages, legal processes remain understudied in this area. Recent qualitative studies have begun to shed light on the legal complexities of international divorce. However, few scholarly efforts have been made to quantitatively examine its legal pathways. This study uses nationally representative administrative data on divorce registrations in South Korea to compare the likelihood of contested (court-filed) versus uncontested (mutually agreed) divorces between international and domestic couples. The findings show that international marriages are significantly more likely to end in contested divorce. This pattern holds regardless of whether the foreign spouse is the husband or the wife, though it is especially pronounced when the husband is Korean and the wife is foreign. Given the financial and emotional burdens often associated with contested divorces, these findings suggest that the legal process of international divorce may contribute to unequal life trajectories for members of international families during and after divorce.