

ISSN 1598-2661

SUNGKYUN JOURNAL OF EAST ASIAN STUDIES

VOL.14 No.2

OCT. 2014



Academy of East Asian Studies
Sungkyunkwan University

BOOK REVIEW

Anne ALLISON. *Precarious Japan*. Durham and London: Duke University Press, 2013. 256 pages. ISBN: 978-0-8223-5562-5 (Paperback). 23.95 USD.

Precarious Japan opens with an excellent overview of the Japanese social and economic situation from the postwar period to post-3.11, focusing especially on the post-Bubble and neoliberalization eras and how *family*, as a metaphor for relationships in the corporate workplace, no longer applies. Rather than the warm metaphor of family, insecurity has replaced what was once touted as the (“uniquely Japanese” and national) “structure of *amae*” (subordinates coddling up to one’s superiors and being treated as children), which in effect both justified cooperation within corporate enterprises and reified notions of a Confucian “obedience from below and benevolence from above” ideology. Allison suggests that when Prime Minister Koizumi applied the American neoliberal model in the 2000s, while introducing fresh expectations of self-sufficiency, he further dismantled not only the public sector and job security, but the family metaphor both in business and private life. Whereas in the postwar boom years the government and corporations fostered a lifetime employment culture for men expected to play the role of fathers, in abandoning this model the family social infrastructure partially collapsed, leaving forms of destitution in some ways specific to Japan.

This book is an accessible ethnographic study drawing on both interviews and various media ranging from much talked-about essays and articles in newspapers to books by activists and those who have experienced suffering in the new era of neoliberalism. Although echoing the title of Judith Butler’s *Precarious Life*,¹ it is written less as sustained development of a speculative critique than as descriptive ethnography, describing how people today experience redundancy in the new era or otherwise feel abject and meaningless in their lives. In Allison’s accounts, precarity threatens to become accepted as the norm rather than a passing phase of a low in the economy. It primarily presents a series of vignettes all exemplifying the book’s title.

One questionable decision was to allow the image of “mud”—literal and overused after the 3.11 tsunami—to stand as a metaphor beyond the context of 3.11. While it may help one quickly grasp a situation in an instant, mud is a most infelicitous metaphor that maps onto *anything* tangible, and as such its use seems to play into a certain outdated postmodern vein of winking to solicit a sympathetic response based on an act of naming that may merely obscure our understanding of precarity in the present. The mud metaphor fails to be compelling as it is mapped onto all sorts of socio-economic calamities in Japan today, reducing the materiality of the subject (the precariat) to the virtual overlay of a very general metaphor. This contributes to an exaggerated sense of sentimentality and passive helplessness,

¹ Judith Butler, *Precarious Life: The Powers of Mourning and Violence* (London: Verso, 2004).

which as such accedes to a spectrum of normalcy as presented in the neoliberal-centered mass media.

As Japan has dropped its Japan, Inc. family-enterprise-nation status and become a “Globalization ‘R’ Us” nation reduced to the bottom line of profits and rationalization, what cannot be overlooked is how Americanized in the worst sense (in terms of class division, privilege and income disparity) Japan has become. One might even generalize from some books—such as Lisa Duggan’s *The Twilight of Equality? Neoliberalism, Cultural Politics, and the Attack on Democracy* and Henry A. Giroux’s *Against the Terror of Neoliberalism: Politics Beyond the Age of Greed*²—that precarity in Japan no longer be defined primarily in Japanese terms for trends (*hikikomori*, *furitā*, etc.): rather, the focus should be on the common plight that besets people under capital around the world to the degree that they comply with the neoliberal model. Thus, although the focus on grass roots movements is excellent, it would have been interesting to take one more step and to contextualize the Japanese situation as *typical* and as a warning, a case study in the failure of neoliberalism in the world.

Between the time this study was written and published and now, a shift in attitudes toward change is becoming more tangible as the gap between rich and poor has made capitalist society as we have come to think of it untenable. Most influential in this shift has been the economic analysis by Thomas Piketty, David Harvey’s recent work, and also philosophical flanking maneuvers designed to move us beyond the status quo as developed by Alain Badiou.³ Thus it may be unfair to judge Allison’s tone and approach of ironic distance in relation to the serious horizon of changes being proposed by, for instance, the Green Party in Europe. But there is hope in these pending changes and discourse on alternatives to the status quo.

One contradiction that Allison did not mention in her analysis of the dwindling family is the disparity between two competing and seemingly unassailable value systems expressed in economic terms: filial piety and capital accumulation. In terms of the former, a debt (*on* 恩) is created by the parents (by raising a child) so that when grown up and gainfully employed the child can repay the debt. Contradictions arise when an older generation hails from a more prosperous era of capital accumulation (boom years) before the era of outsourcing and downsizing, when full-time jobs have dried up for the younger generation. A question in need of further exploration is: how has a *sense* of repayment been lost?

Based on what one learns in this book one naturally comes to wonder how temples, shrines (for instance, holding *ikebana* club exhibitions), as well as gathering places for various hobbies (such as sewing classes held by sewing

² Lisa Duggan, *The Twilight of Equality?: Neoliberalism, Cultural Politics, and the Attack on Democracy* (Boston: Beacon Press, 2003); and Henry A. Giroux, *Against the Terror of Neoliberalism: Politics beyond the Age of Greed* (Boulder, Colorado: Paradigm Publishers, 2008).

³ Thomas Piketty, *Capital in the Twenty-First Century*, translated by Arthur Goldhammer (Cambridge Massachusetts: The Belknap Press of Harvard University Press, 2014); David Harvey, *Seventeen Contradictions and the End of Capitalism* (London: Profile Books, 2014); and Alain Badiou, *The Rebirth of History: Times of Riots and Uprisings*, translated by Gregory Elliott (New York: Verso, 2012).

machine vendors) serve as places for people to make friends and form a sense of community. Such analysis of how *ibasho* (places where one fits in) exist in these religious and commercial contexts and more analysis of what contributes to the decline of interest in such activities by those who are lonely and devalued as “precariat” would seem important to understanding the extent of isolation and precarity today, how people are drawn together or apart in terms of “corporeal sociality” (141), a term drawn from Franco Berardi’s *The Soul at Work*, a work Allison often turns to in situating precarity.⁴

There is a sense that the innovative social spaces designed by activists to help the lost youth and elderly emphasize unconditional acceptance of one another (one such place even has posted rules including “Don’t talk about people in their absence”) (170). It is here, where the activist community spirit appears in the book, that I feel more could be said about the consumer “trap” created, in effect, by media shifting inordinate attention to appearances and qualities of consumer items, so that one must always (and even more so in Tokyo) display one’s refined taste. The problem of loneliness surely has some link to this forced consumerist orientation. Thus to accept one another in these cultivated safe spaces (*ibasho*) would seem to present a post-consumerist culture as well as a “post-capitalist system” in the case of the Nippon Active Life Club, which removes money from Marx’s famous exchange equation “commodity-money-commodity” (C-M-C) and introduces “care-care-care (C-C-C)” (167). For me, this was the most exciting chapter, as Allison describes grass-roots action *outside* of the commonly accepted sphere of unjust practices and paradigms.

This attention to the margins also has the effect of wonderfully deconstructing the roots of precarity and suggesting a need to raise further questions about the very assumption of class divisions. Early in the book, Allison writes, lack of “recognition (*shōnin*) (not called by name at work and treated as disposable labor) ...crippled” one person’s “sense of self” (15). This is one example of the margins of meaningful work as opposed to being unrecognized disposable labor. As focus throughout this book is almost exclusively on a wounded middle-class sense of importance, it suggests to me an underappreciating of manual labor and other jobs that deserve recognition of the need for a stable living wage. Rather than reproduce this class division, why not rethink the very reasons (without abandoning the ethnographic methodology) for the division of manual and “cognitariat” (16) labor themselves, not only the decline of recognition for mental jobs. Though perhaps beyond the scope of this book, by breaching alternative labor value and exchange issues this work points to a need not stated: to adjust how capital—and recognition—is distributed in society based on tasks, not accumulated (or inherited) capital.

As *Precarious Japan* offers a reading of the ill effects of neoliberalism in Japan, an alternative title for book might have been *The Failure of Neoliberalism in Japan* or *The Poverty of Neoliberal Japan: Cultural Reflections and Interviews*. This

⁴ Franco Berardi, *The Soul at Work: From Alienation to Autonomy* (Los Angeles, CA: Semiotext(e)), 2009.

BOOK REVIEW

orientation might open a more critical dimension, shifting slightly away from reportage and personal narratives which tend to appeal to *pathos* more than *logos*, Aristotelian drama and pity rather than Brechtian or Badiouian challenges to *how* representation is being challenged and ontologies shaken. Yet it lays the foundation for such future work and is highly recommended.

Dean BRINK
Tamkang University
interpoetics@gmail.com

BOOK REVIEW

Sung-Deuk OAK. *The Making of Korean Christianity: Protestant Encounters with Korean Religions 1876-1915*. Waco, TX: Baylor University Press, 2013. 437 pages. ISBN: 978-1602585751 (Hardback). 69.95 USD.

Christianity has become a rapidly expanding area of interest in Korean studies, producing numerous articles and monographs, as well as dissertations and master's theses from both universities and seminaries. Oak's *The Making of Korean Christianity* is a welcome addition to this growing field. Examining the early history of Protestantism in Korea, the book opens up the vast archival records of the first generation of Western missionaries. The focus of the study is on the missionaries' theological response to traditional Korean religions—how they understood the relationship of Christianity to shamanism, Confucianism, Daoism, and Buddhism.

The book begins with the fascinating discourse that developed among the missionaries as they searched for a Korean name for God. Their anti-Catholicism would not permit them to use the term that had been used by Korean Roman Catholics for over a century, *Ch'önju* or "Lord of Heaven." At the same time, they did not want an indigenous term that retained too much flavor of the old religions. Hence, they came up with *Hananim*, a name, Oak suggests, with origins in the sky god and chief deity in the traditional pantheon, but now with a new theological twist. After some orthographic manipulation, the missionaries claimed that the term actually meant "One God." Moreover, they argued that it was a legacy of a primitive monotheism, the original faith of ancient Korea, which had become corrupted down through the centuries by outside polytheistic influences. Christianity was thus presented as reviving the religion that the Koreans had at the beginning of their history.

Whatever the missionaries may have imaginatively envisioned and invented as Korean primal faith, the beliefs and practices that they encountered in the mission field were a far cry from any kind of monotheism. The religious landscape of Korea was filled with innumerable spirits and deities, who were the objects of worship and veneration, as well as fear and expulsion. Missionary writings provide vivid accounts of demon possessions and exorcisms, involving not only shamans and other traditional practitioners but even the Christians themselves. Converts were often won through exorcisms performed by Korean evangelists and Bible Women. At first the missionaries were not sure what to make of this enchanted world of spirits. The official position of the Presbyterian Church, to which the majority of the missionaries belonged, was defined in the Calvinist doctrine of cessationism, which posited that miracles and other supernatural phenomena ended with the age of the apostles. Some held fast to this view, dismissing the possessions, exorcisms, and other supernatural acts as superstition. Others came around to believing in them as authentic experiences. They were awed by the power and ubiquity of the phenomena, and the missionaries also found sanction in their biblicism. Since the Bible was the ultimate authority for the Protestant faith,

the New Testament stories of Jesus casting out demons could not be ignored, no matter what official Calvinist theology held. As a result, the missionaries permitted the realm of spirits to continue in the lives of Korean converts.

The book explores other examples of Christian adaptation to indigenous beliefs and practices. The image of the cross was interpreted by some Koreans in the light of *Chönggam-nok*, a book of prognostications composed of mysterious symbols and apocalyptic messages. The *Chönggam-nok* spoke of the “ten auspicious places” (*sipsüngjiji*), which would provide places of refuge in times of trouble, and some converts equated them with the Christian churches because the crosses that adorned them were shaped like the Chinese character for ten. The continuing hold of Confucianism on Korean converts led them to create the *ch’udohoe*, a Christian memorial service for deceased family members that substituted for the old ritual of ancestor veneration, which was prohibited by the missionaries. Korean Protestants also developed another unique ritual in the *saeb’yök kido* or dawn prayer meeting, which reflected Daoist spiritual practice. According to Oak, the innovations were initiated by the Koreans but were carried out with the approval and cooperation of the missionaries.

The indigenization of Christianity in Korea and such topics as exorcism, millennialism, the Christian memorial service, and dawn prayer meeting have received extensive coverage in previous works, but a distinctive contribution of Oak’s study is his discussion of the role that China played in the early history of Korean Protestantism. Having preceded the Korea missionaries by decades, the China missionaries passed on their experience and wisdom. It was in China, along the Manchurian border, that the first Koreans were converted as they came into contact with the new faith. In the following decades, Christian literature poured into Korea from China. Most of the theological terminology was imported wholesale from China. Mission policy drew on the Chinese model.

The central argument of the book is that the Western missionaries were not cultural imperialists as previously believed but were rather open-minded and enlightened intellectuals who recognized the value of Korean religions. The missionaries selected for the study certainly seem to be ahead of their time. But there are a couple of questions regarding this thesis. The first is a historiographical one: have the missionaries in Korea really been perceived as imperialists? The literature review cites mostly Korean theological works that make the charge. But as far as Korean studies in North America is concerned, missionary scholars such as James Gale and Homer Hulbert have long been respected as pioneers in the study of Korean culture and history. Furthermore, the popular image of missionaries is positive in Korea. Because the Japanese became the imperialist aggressors, Western missionaries in Korea did not face the same problems of complicity with imperialism as did their counterparts in other parts of the world. In fact, during the colonial period, many were seen as friends of the Korean people in their struggle for independence.

The second question is a related one. How representative were the missionaries portrayed in the book? As Oak himself points out, the general theological orientation of Korean Protestantism has been conservative. The

1920s, in particular, solidified its conservative character when fundamentalist missionaries arrived in force. Considering this theological backdrop, how widely shared were the more progressive views and opinions of the missionaries selected for the study? And were their tolerant positions on Korean religions sustained in the ensuing decades?

The history of Protestantism in Korea is rich and complex, and Oak's work makes a valuable contribution toward understanding its origins and initial development. It sheds light not only on Protestantism during this period but also Koreans religions, albeit filtered through a missionary lens. The book begins to tell the story of the "making of Korean Christianity." But there is much more to follow.

Sean C. KIM
University of Central Missouri
ckim@ucmo.edu

BOOK REVIEW

Marie Seong-hak KIM. *Law and Custom in Korea: Comparative Legal History*. Cambridge: Cambridge University Press, 2012. 364 pages. ISBN: 9781107006973 (Hardback). 100 USD.

Because a country's legal system represents the codification of the social values and identity of a nation, or at least of the powerful elite responsible for it, understanding that history is of great importance. For instance, Sun Joo Kim and Jungwon Kim's *Wrongful Deaths* reveals the worldview of the common people of Korea through the translation of their testimonies given in inquests.¹ To date, English-language scholarship on Korean legal history has focused either on Chosŏn criminal law or on contemporary law. Marie Seong-hak Kim—an academic and licensed attorney—builds upon this foundation through her *Law and Custom in Korea*. This work traces the history of law and custom in Korea from the Chosŏn period to today, focusing on its relationships with the legal histories of France and Japan, producing a comparative historical study that makes significant contributions in multiple fields.

Spanning several periods and countries, Kim challenges the idea that Chosŏn Korea possessed a civil law that grew out of custom and possessed elements of modern law, such as contractual liberty and private rights, which were allegedly destroyed by Japanese imperialism. Kim holds that this popular narrative of legal history is a myth based on an imprecise use of the word custom and its cognates. Therefore, in her study, Kim carefully differentiates between customs (popular practices, habits, or social facts, please note the “s”) and custom (a common usage that has acquired the force or validity of law, please note the lack of an “s”) and customary law (custom that has been written down). Kim argues that while customs did exist, and might be taken into account at times by individual magistrates in particular cases, the Chosŏn government did not recognize custom as a source of law that arose from the people independent from the sovereign, such as what existed in medieval France. Instead, Kim contends that, just as the Japanese government had done in its own country during the late Meiji period, Japanese colonial officials “conjured up a Korean customary law” (1), in order to ease Korea's transition from a pre-modern to a modern legal system, and that the role of custom and law in contemporary (south) Korea is deeply, and to a certain extent unconsciously, shaped by this colonial legacy.

Kim proceeds to trace the history of custom in Korea through eight carefully researched and written chapters. In the first, Kim carefully differentiates the values enshrined in traditional Western (French) and Asian (Chinese and Korean) legal

¹ Sun Joo Kim and Jungwon Kim, *Wrongful Deaths: Selected Inquest Records from Nineteenth-Century Korea* (Seattle: University of Washington Press, 2014).

systems. Of particular importance to her argument is her exploration of custom in medieval France. Kim shows that while custom possessed legal standing, the king had the authority to abolish and modify “bad” custom. The king’s judges, entrusted with carrying out this duty, transformed custom in accordance with the standards of Roman and canon law as they converted it into customary law in order to have a record to refer to, making future cases easier to resolve. This process was a part of the French monarchy’s project of increasing its authority through a centralized legal system. In contrast, Kim shows that Chosŏn lacked legal specialists who were entrusted with the power to make law, not because its legal system was inferior, but because, unlike the French, there already existed a centralized government. Chapter two addresses those who point to *hyangyak* (community compacts) as proof that Chosŏn Korea did in fact possess custom. However, Kim argues that far from representing the flow of law from the bottom-up, these locally-based organizations that sought to encourage Confucian morality were the result of a mutually beneficial alliance between the central state and local yangban elites. Thus, while local, the compacts were not embodiments of local practices that became custom, but an instrument of moral transformation and social order imposed on the lower rungs of society by the elite.

In chapter three, Kim moves away from pre-modern Korea to provide a brief history of custom in Meiji Japan, as she argues that the Japanese legal regime in Korea was patterned after it. The Meiji government had undertaken a process of self-colonization, similar to nineteenth-century France, in which the center sought to expand modernity and its own authority into the periphery. This process of legal modernization, necessary for building a modern nation and treaty revision, involved such radical reforms as creating a truly independent ministry of justice and separating civil and criminal law. To provide some stability during this process and to offer legal guidance to judges when they faced a case in which no applicable statutory law existed, the Meiji government recognized custom as a source of law. At the same time, by reserving the right to reject the legality of custom when it was not in accord with reason or natural law, as in the French system, the Meiji state gave itself the ability to reject or revise custom as needed. Custom thus served as a flexible tool that allowed enough stability to maintain social order, while enabling Japan to transition into modernity.

Returning to Korea in chapter four, Kim focuses on the thought and activities of Ume Kenjirō, an adviser to Itō Hirobumi, the first Resident-General of Korea, in order to show that, while in some ways Japan did seek to strengthen its power on the peninsula through legal reform in Korea, there was a real attempt to build an independent judiciary in Korea, giving substance to Japan’s public claims that it was working to build a modern, independent Korean nation-state. Kim points to Ume’s efforts to develop a civil code in line with liberal principles and based on Korean (rather than Japanese) customs, when simply transplanting Japan’s civil code would have been much easier and more effective at strengthening Japanese power over the peninsula, as proof of this. However, as more Japanese, including Itō, became convinced that indirect control was not feasible, Ume found himself increasingly isolated, and eventually died of typhus in Seoul in 1910.

Kim shifts to the post-annexation period in chapter five, focusing on the conflict between the central government in Tokyo and the Governor-General in Seoul over the role of custom. Since Korean customs differed in many respects from Japanese, accepting them as sources of custom would make legal centralization under Tokyo's control more difficult, leading to opposition from that quarter. Conversely, the governor-general argued that attempting to import Japanese law too quickly without giving sufficient recognition to Korean custom would lead to social instability. While this argument was a useful way of justifying Seoul's autonomy, it was not simply a pretext. Just as in Meiji Japan, the colonial government in Korea sought to use customary law as a means of preserving stability while slowly bringing change by rereading Korean custom in accordance with Japanese legal ideas.

In chapter six, Kim shows that Japanese judges working in colonial Korea were as adept as their Meiji counterparts in utilizing custom in their rulings. In fact, it seems that they possessed even greater authority as they could accept as custom practices that were only a couple of years old and did not even require proof that a custom existed in order to base a ruling on it. The judges were also empowered to apply custom even if it was in contradiction to statutory law. Judges therefore could legislate from the bench while presenting the colonial state as governing in accordance with Korean custom even as it used concepts of morality or public order to shape Korean law in contradiction to Korean customs when it saw fit, for instance, by granting women the right to initiate divorce. Thus the judges serving the Meiji state and the Japanese colonial government in Korea both used the legal concept of custom to bring transformation while maintaining some stability.

In chapter seven, Kim compares Japan's legal system in Korea with that of the British and French in Africa, and the Dutch in Indonesia. Kim shows that, despite some French interest in assimilation, European countries were mostly content to govern through local elites, supporting them as they ruled in accordance with their own understanding of custom. Thus, there existed separate courts for Europeans and the colonial people they ruled, though in some colonies, individual natives could, if considered "civilized" enough, successfully petition to be governed in accordance with European law. While the cultural gap between Europeans and colonial peoples was such that few saw assimilation as a workable policy, Japan, which justified its right to rule in Korea in part on their cultural and racial similarities, pursued a policy of rapid assimilation. However, the Japanese government found it difficult to believe that Koreans would use rights granted by Japan to serve the empire and not the cause of Korean independence, and therefore insisted that such rights must be granted to all as a group rather than to individuals, allowing for indefinite delay. Despite these problems, Kim argues that Koreans were still willing to turn to the colonial courts to adjudicate their conflicts, meaning that they accepted them as working effectively and as possessing at least some legitimacy, and that many of the reforms demanded by Africans during their anti-colonial movements, such as the integration of customary law and modern law, already existed in colonial Korea.

In chapter eight, Kim shows that the Korean legal system is still shaped

by Japanese legal ideas about custom, which is recognized as a source of law in Korea. Custom is in fact a particularly complex issue, since, having suffered thirty-five years as a Japanese colony, Koreans have had to sort out what they consider to be illegitimate colonial custom from authentic Korean custom, leading questions of law to turn into debates about the meaning of the colonial period and Korean identity. Despite attempts to undue the colonial legacy, contemporary judges, like their colonial counterparts, appeal to reason, though in the form of liberal values, such as gender equality, rather than public order or morality, to legislate from the bench. For instance, as Kim shows, in 2004 the constitutional court struck down a law passed by the legislature to move the Republic of Korea's capital from Seoul on the basis of "customary constitutional law." The colonial era therefore continues to influence the contemporary Korean legal system.

Kim's work has many strengths, but also a few problems. One of particular concern is the comparative lack of Korean voices, especially in chapters four, five, and six, where the peninsula is the focus of her work. While Kim acknowledges this issue in her conclusion, explaining that, in part because of the fear of being labeled collaborators, "Korean legal elites during the colonial period remain mostly anonymous and their contributions to legal reform before independence are largely unknown" (301), this does not seem to the reviewer to be a satisfactory explanation, especially since at least some Koreans have been willing to talk about their relationships with the Japanese colonial government.² Similarly, the creative use of extant sources, such as newspaper articles, could have helped in this regard. Moreover, some of Kim's more controversial assertions, such as her contention that over time the Japanese colonial courts gained increasing "legality" ("the extensiveness and effectiveness of colonial legal institutions," 266) among the Korean population, would have been strengthened by more references to Korean voices.

This issue aside, Kim's work is a superb and informative piece of scholarship that only could be completed by a scholar with the breadth of knowledge and understanding that she possesses. Though custom and law is a difficult subject matter, Kim does an excellent job of explaining complex legal terms and ideas in a comprehensible way and in dealing with a sensitive period of history, showing how the Japanese colonial period shaped Korean history without seeking to condone or exonerate imperialism. And while I think she could have been more critical, Kim is still to be credited for describing Chosŏn Korea in its own terms, noting its strengths when it is all too easy simply to criticize it for its failings. Kim has therefore created a significant work that traces the history of the relationship between custom and law in Korea, an understudied but important area. A particularly noteworthy aspect of Kim's work is her ability to bring together time periods that are usually treated separately and in seamlessly welding together the histories of several different countries. It is therefore difficult to exaggerate the importance of this book. While the difficulty of the subject matter means it is likely

² For instance, see the oral history of Kang Pyŏngju found in Hildi Kang, *Under the Black Umbrella: Voices from Colonial Korea, 1910-1945* (Ithaca: Cornell University Press, 2001), 49-60.

BOOK REVIEW

unsuited for an undergraduate classroom, it is appropriate for a graduate seminar. Those interested in Korean, Japanese, or comparative legal history would likely gain the most from *Law and Custom in Korea*, but I would also highly recommend it to anyone interested in Korean history from the Chosŏn Dynasty to the present, as Kim ably shows how the impact of the past is still felt keenly today.

Franklin RAUSCH
Lander University
frausch@lander.edu