

The Possibility of Intimate Public Sphere : Political Familism of Divided Koreans*

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Abstract

Discourses around Korean familism emphasize traditional factors or remain in the realm of how Korean familism corresponds with mobilization strategy of a developmental state and functions in a transformative manner; therefore, the discourses are unable to break from the normative argument of public vs. private and egoistic vs. moral. This study explores the possibility of prospective interpretation by revisiting competing hypotheses on factors and characteristics of contemporary Korean familism. Major findings of this research are as follow.

First, existing discussions can be generally categorized as follows: Cultural causation (Confucian familism theory), industrialization causation, historical structure approach and politico-sociological approach. By critically reconstituting achievements and limits of preceding studies, it is possible to better understand the familism of divided Korea as a political construct via historic experiences of the colonial modernity and war state as outcome of 'the invention of tradition' insisted by Eric Hobsbawm. This study conceptualizes institutional condition of familism into "family status system," a unique mechanism of the civil right of the divided state, which is a combined result of the National Security Act, implicative system, and patriarchal Family Law, all of three are twins of the 1948 Constitution of the Republic of Korea.

Second, when complexity and multi-meanings of 'family' which is a space of reproduction where gender, generation, class and state come together, are applied to the level of historical experiences of cold war and post-cold war in the East Asia, 'family' in the war system plays the function of ambivalent medium in the sense that it becomes a compensating space of lost public space and that it is also a socialization space in which traumas related to colony, war, division are reproduced.

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In this context, this study proposes the potential of 'political familism' innate in family-centeredness of divided Koreans to be considered in intimate public sphere that is neither public nor private. In conclusion, this study shows that Korean familism needs to be understood comprehensively in conjunction with structural and institutional conditions around families, the legitimacy of the state, and the historical experiences as well as political consciousness of family members interacting with such environment. This research also calls for an interpretation which focuses on agency and political potentials of familism as historical product of colonial modernity.

Keywords: Divided Koreans, family status system, political familism, invention of tradition, intimate public sphere

1. Issues Raised

This study examines the cause for why familism has not been weakened but reproduced or even reinforced from historical and sociopolitical perspective.¹⁾ Durkheim (1978) predicted that as organic solidarity develops, solidarity that links an individual to his or her family, homeland and traditions from the past and collective action will weaken. Durkheim's such insight was based on the presumption of organic correlation among state, individual and family following the development of modern social contract. With this in mind, it is possible to think outside the box and view reinforced contemporary familism in Korea is the outcome of modern politics which is closely related to the development level of a nation state. In other words, even after the establishment of a modern nation state and corresponding personal relationships, the mechanism of cohesion, weakening, reproduction of solidarity and identity of family and primary group is solely dependent on the society's characteristics and the history of social contract, society and political process.

Yet, Korean familism discourse that excludes historical experiences of the divided state tends to remain in the realm of cultural reductionism which leads

1) For example, there are not enough logical and empirical grounds to substantiate that recent social issues such as declining fertility rate and late marriages are a new principle of social order that reinforces individualism. Social phenomena like family disintegration do not prove weakening of familism. Rather, they are proving 'family fatigue' of Koreans who experienced 'functional overload' during modernization (Chang, Kyung-Sup 2009, 312-313).

to Confucian traditions.²⁾ Not only in common notion but also in the prevailing academic discourses, familism³⁾ of contemporary Korean society shows collectivism traits whereas private is prioritized over public in social and family relationships, therefore showing egoistic characteristics (Lee, Kwang-Kyu 1994; Lee, Hwang-Jik 2002; Choi, Woo-Young 2006). To some, familism is presented as a norms of social integration (Yu, Seok-Choon and Wang, Hye-Suk 2007; Choi, Young-Jin 2006; Kim, Won-Shik 2003; Park, Seung-Hee 2006; Lee, Hyo-Jae 2003), to others, it is a subject for criticism and the legacy of the past that must be rejected (Lee, Teuk-Jae 2001; Lee, Seung-Hwan 2004; Jeong, Jae-Young 2002).

For example, Choi Jai-Seul (1994, 27) who diagnosed social psychology of Koreans as 'familial character' defines familism as follows: "home is the unit that constitutes society, and home is superior to any other social groups, and individuals cannot be separated from home and individuals within home are not free and equal whereas there is a strict status rank between them and that relationship is applied even outside of homes to the society. Lee Hyo-Jae (1985, 193) who pointed out that the characteristics of divided states as 'patriarchal authoritarianism' defines familism as "expanding familial relationship to the society other than family members and applying it to behavior patterns and value system prevalent in social relationships."

Cho Hye-Jeong (1985) who raised issues about 'utilitarian family groupism' being anti-social familism from an ethical perspective argues that the essence of familism is as follows: "basic unit that consists the society is not an individual but a family group and familism is based on the conviction that the family group comes before any other social groups including the state." Similarly, Kim

2) 'Traditional' origin of Korean familism is generally assumed to be the late-Chosŏn era when centralized state was absolutized, and family order as a clan relative group has been known to be reinforced around the end of Chosŏn dynasty when traditional status order and economic order was agitated. Villages of the same family name were atomized with the crisis in Confucian ruling order, and family-centrism of these families were reinforced as well (Kim, Dong-Choon 2002; Choi, Woo-Young 2006).

3) According to D. Klup who first gave an academic definition of familism, familism is defined as "the value system that maintaining and functioning of family group becomes the overriding standard for determining all actions and attitudes of individuals" (Klup 1966, 188), and the familism here has the meaning of family-centrism. On the other hand, Lee Hwang-Jik (2002) who studied conceptual history of familism rejects discussions that define familism as the norms for integration and discussions that define familism as familial egoism; and separates 'family-centeredness as the grounds for action' and 'familism as the social convention.'

Dong-Choon (1998) defined Korean familial practice which “puts devotion towards family above devotion towards society and nation “as neofamilism or amoral familism. Above mentioned discussions are different in terms of level of analysis and context, but they all focus on negative functions of familism in terms of publicness. However, criticism on contemporary familism functions cannot substitute for the explanation about the cause of occurrence and reproduction of familism. This article aims to thoroughly discuss the possibility of prospective interpretation on political potential internalized in familism of divided Koreans by critically reorganizing previous discussions on the cause of contemporary Korean familism.

The reason behind excessive number of hypotheses on 'Confucian traditions' or 'industrialization' and lack of 'division' agenda in the history of familism studies is relatable to the lack of family studies and empirical research on the period from 1945 to 1960. Many researchers pointed out that the cause of difficulty in researching for this period none other than difficulty in collecting data (Lee, Dong-Won and Hahm, In-Hee 1996, 199, Hahm, In-Hee 2006, 161, Kim, Soo-Young 2001, 282)⁴). Even though there were fundamental sociopolitical changes such as liberation, division, war and formation of a nation in this period, epistemic vacuum is the proof of suppressed memory and cover-up of scarred family histories. This gap has become an obstacle in studying the process of familism development with respect to the characteristics of formation of Koreans. In that sense, division system is a restriction on theoretical analysis on oneself (Kim, Jong-Yup 2004). This article is an attempt to fill that academic gap. The core message in the article is that in the East Asian division system which was heavily influenced by the experiences of colonization, war and violence, familism is a political composition that is not limited to the level of mere feudal remain or 'pre-modern in modern', but should be regarded as a output of politico-socialization which reflects subjectification form of two Koreas.

4) Families suffered the most during this social chaos and if someone in the family did not die, or is not missing or is not abducted, it means that the member was injured. Yet, family related studies on this period only partially look at separated families or war widows and lack in dealing with overall lives of families.

2. Existing Discussion on Contemporary Korean Familism: Competing Hypotheses and Mechanisms

There are generally four causation hypotheses on factors of Korean familism. First, there is cultural causation, commonly called as 'Confucianism'; second, industrialization causation which emphasizes compressed industrialization process; third, historical structure approach which focuses on characteristics of capitalism of a developmental state, especially on sacrifices of and dependence on families; lastly, politico-sociological approach which stresses the issues of the colonial modernity and war state. The following is the result of critical review of achievements and limits of four causation hypotheses and detailed review of mechanisms intervening in the origin, changes and reproduction of familism.

a) Cultural Causation: Confucian Familism Theory

As mentioned earlier, prevailing view on Korean familism regards familism as an output of Confucianism or traditions (King 1985; Shin, Soo-Jin; 1998; Song, Jae-Ryong 2002; Yu, Seok-Choon and Wang, Hye-Suk 2005, 2007). Paradoxically, it caused the situation where “same words are repeated” as in 'familism caused family egoism' or 'familism caused patriarchal culture' (Lee, Hwang-Jik 2002, 336-337). Regarding Korean familism as the product of Confucian traditions or a cultural product was the prevailing view for a very long time. Of course, the fact that Confucianism was mobilized as a justification mechanism and ruling ideology of authoritarian state in the modern history of Korea cannot be denied. Recent arguments (Yu, Seok-Choon 1997; Choi, Youngjin 2006; Yu, Seok-Choon and Wang, Hye Suk, 2007; Fukuyama 1996) about how Confucian (traditional) familism became the driving force behind rapid compressive growth and that the Confucian familism should be reinforced as an alternative for so-called 'state failure' and 'market failure' has coupled with 'Asian values' which is a variant of social capital theory; and since this combination is even more serious as the combination has the ideological implications to impute welfare which is a state responsibility to families. Such arguments overlook the idea that the phenomenon

where families function as social capital is a result of welfare model created by the political and economic environment of Korea, which is in fact, lack of welfare policy.

Kim Dong-Choon (2002) and Choi Woo-Young (2006) made persuasive arguments against Confucian familism theory. According to Kim Dong-Choon (2002), family system based on paternal blood line and sociopolitical condition which required strengthened solidarity of families and clans made a greater influence on reinforced familism than the Confucian value itself through inherent criticism about Confucian composition principle. Furthermore, he emphasizes sociopolitical and institutional factors of colonized modern times such as the Korean War, military dictatorship and capitalist competition system. Choi Woo-Young (2006) also reinterprets the origin of Korean familism as the product of 'family strategy' of local elites responding to the new state-society relationship of the late Chosŏn period which became conflicting and rupturing from the previous reciprocal relationship of the mid Chosŏn period. Meanwhile, familism appeared as a social term and a discourse for social criticism from the patriotic enlightenment period. During this period, familism became a part of national rights recovery movement to challenge aggression by foreign powers and also a target to criticize 'family-centrism' (Jeon, Mi-Kyoung 2002; Kim, Hye-Kyung and Chung, Chin-Sung 2001). Such arguments pointed out the weakness of cultural causation which only considers Confucianism as the independent variable and opened a new door to possible historical and politico-sociological interpretation.

b) Industrialization Causation: Compressed Industrialization and Anomie Theory

Meanwhile, cultural causation theory closely resonates with industrialization causation. Many studies that view familism as the result of rapid social changes such as compressed industrialization (Park, Young-Shin 1985; Cho, Hye-Jeong 1985; Shin, Soo-Jin 1999; Chang, Kyung-Sup 2000) have been reproduced without fully examining Confucian traditions, which have cultural causation implications. This is related to the dominant influence of modernization theory which functioned

as the mainstream discourse of social sciences in Korea. Korean way of accepting modernization theory that presumes linear social change of 'extend families to nuclear families' only focused on how ideal type of nuclear family produced by compressed industrialization corresponds and conflicts with traditions (traditional familism) and most of the studies applied universality of modernization theory to Korean particularity and verified it (Shin, Soo-Jin 1999; Choi, Young-Jin 2006). Discrepancy between 'biological adaptation' and 'symbol system adaptation' (Cho, Hye-Jeong 1986, 165), a type of pathology that appears in the process of 'handling tension' (Park, Young-Shin 1985, 32), interpretation of 'accidental pluralism' of family ideology as the issue of 'compressed modernity' (Chang, Kyung-Sup 2000) are all in the vicinity of industrialization causation hypotheses. In the ideal type of the Family presumed by modernization theory, families are restricted to the private as the unit for economic reproduction and responsible for emotional functions and their close ties to the state or public areas are often neglected. In other words, familism was viewed as a type of psychological tension or cultural lag that corresponds to continued industrialization, and the fact that rapid industrialization is part of a political process pushed by the nation's leadership, policy drive and ideological needs were neglected.⁵⁾

c) Historical Structure Approach : Mobilization Strategies of the Developmental State

Recent studies on how mobilization strategy of a development state in the 1960s and 1970s changed and distorted characteristics of familism provided a theoretical foundation to recover political and economic context to the existing discussions (Kim, Soo-Young 2001; Kang, Jin-Woong 2001a, 2010; Kim, Dong-No 1997; Ha 2007; Chang, Kyung-Sup 2009). The gist of these arguments is that capitalism based on family sacrifice and nepotism mobilization method created by the

5) Influence of modernization theory can be found in researchers in the Marxist group who participated in the previous debate on characteristics of Korean society. By failing to think outside of dichotomy of premodern/modern and economic assumptions, they were not able to pay attention to 'how' premodern thinking and system such as family and familism were reproduced in the modern social relationships (Kim, Dong-Choon 2006, 89-90).

developmental state led to atomization of families and family-centered survival strategies and that eventually transformed into a society-wide extended familism. Ha (2001) defines the outcome of historical legacy of colonization and unique mobilization method during the state-led industrialization in the 1960s and 1970s as 'neofamilism'.⁶⁾ When there are no political groups or classes that can resist the autonomy of a strong nation, structural condition where personal ties are the only path to access state power is a historic legacy of colonization. Furthermore, meritocratic and regionalism-based recruit method of the state leader who was immersed in least developed status of Korea and its need for rapid growth reinforced nepotism network in the society by corresponding with resource access strategy via academic connections, regionalism and kinship of businesses and administrative officers at the government. And the result of this can be summarized as follows: society divided by the level of accessibility to state powers, suppressed integration based on classes, wild regionalism, hollow bureaucracy where there is only a insignificant line between businesses and government bureaucrats (Ha 2007, 366-378). This study keenly grasps the social institutional implication of the nation's role in reinforcing traditional social relations which was the hidden side of the 'successes' of late industrialization. However, when the agent for nepotism industrialization of Korea is reverted to emotional factors such as Park Chung-Hee's 'political leadership' or 'sense of inferiority', the political background of such industrialization the process of which economic growth theory and familism ideology was both mobilized to build legitimacy of a nation and to deal with system competition between two Koreas which was forced by global capitalist system - is paradoxically hidden.

Kim Dong-No (1997), Kang Jin-Woong (2001, 2010) and Chang Kyung-Sup (2009) also regards mobilization strategies of the developmental state as the cause behind the modification of familism. Firstly, Kang Jin-Woong (2001, 2010), who compared changes in familism in accordance with the change of systems in two Koreas from historical structure perspective, focuses on the different outcomes of

6) The term neofamilism is a concept chosen to describe ethos and structural characteristics of social movement and status acquisition by the union of collective family, kinship, acquaintance and school ties (Ha, Yong-Chool 2007, 366).

South Korea's developmental state mobilization strategy and North Korea's family state mobilization strategy. In the study, familism is defined as the structured overall image of how family groups respond to coercion of a nation in the relationship of state (structure) and family (action) (Kang, Jin-Woong 2001, 15), but the outcome was two contrasting familisms. In 'atomized familism' of South Korea, individual families' interests had priority over the state's, whereas in 'cell familism' of North Korea, families' interests were in line with that of the state (Kang, Jin-Woong 2010, 139). However, historic structure perspective that focused on 'state suppression' limited the cause of changes in familism to the product of economic and ideological mobilization of two systems, resulting in confined comparison of ideal types in applying the concept of familism.

Kim Dong-No (1997) noted that 'modified familism' is a result of distorted moral and social aspect of individuals' lives due to economic intervention of a developmental state in order to secure lacking legitimacy of the state and unbalanced growth. Unlike 'traditional familism' which was based on cooperative agricultural local communities, modified familism which has egoistic characteristics forms network among individuals based on the premise that there is a 'severance between the interest of families and the society (communities)'. In this modified extended family, the relationships among individuals are set as instrumental cooperation whereas relationships outside the family are characterized by extreme competition and conflicts. The result of lack of morality⁷⁾ in a developmental state can be compared with 'colonization of life world' of Habermas. Furthermore, Chang Kyung-Sup (2009) conceptualizes Korean family welfare model created by 'developmental politics familism' as 'welfare by the family' which is different from 'welfare for the family' or 'welfare through the family.' In the mid-90s, Korean welfare model (in which families replace the state) and 'functional overload' imposed on families led to daily family fatigue of Koreans and that recent family disintegration and defamilization reflects the paradox of 'normal risk of Korean families' (2009, 233-235). This study opened up new possibilities to deal

7) In this context, 'morality' refers not to ethical norms on a personal level but to fairness of social institutions and that based on the consensus and voluntary servitude, ruling class can rule subordinate class (Kim, Dong-No 1997, 31).

with familism issues that arise from the relationship between family and state by proposing legitimacy of a state and developmental mobilization strategy as important factors.

Yet, such discussions are limited as they keep silence about sociopolitical conditions of 1948 regime which comes before the developmental state of 1960's and 70's. In Korea, pre-1961 regime is commonly seen as prehistory, and if how the process of state formation before 1961, in other words, how 'non-economic conditions for economic modernization' affected lives and consciousness of family members sociopolitically are overlooked, explanation about familism will repeat itself as sacrifice discourse as a result of economic development or circular reasoning of a success story.

d) Politico-sociological Approach: Historical Experiences of the Colonial Modernity and the Korean War

Social history studies with politico-sociological perspectives which shed light on the relationship between formation of a nation and familism which was often neglected in the previous approaches prove that Korean familism was already structured in the 1950s through historical experiences of colonization, war and division (Kim, Dong-Choon 1998; Kang, In-Chul 2006; Kim, Myung-Hee 2009a, 2009b). According to Kim Dong-Choon (1998), despite capitalist production method, formation of a nation state and abolition of status system, premodern family and clan order was reorganized into unique Korean state/family relationship; and therefore, Korean modernity began in 1950s. Neo-familism with a lack of public ethics occurs when a state and family forms vertical relationship without any medium in between (1998, 224-225). Furthermore, he argues that since colonization, violent governing system which was not based on national consensus and the colonial modernization process which did not provide people the opportunity to experience society or nation as a contractual substance led to familial practice of which 'when state powers and social trust collapses people who feel victimized tend to cling to private interests of families which is their only homeground.' This argument brought attention to modernization experiences of the

public which is the foundation of modern familism and interaction with the state. Obedience to the nation and obsession with family, in other words, nationalism is the other side of the coin with 'amoral familism' which was conceptualized by Banfield (1958) (Kim, Dong-Choon 2006, 442-445).

Based on ample historical records, Kang In-Chul (2006) focuses on the new social culture that began after the Korean War which was 'simultaneous development of reduced familism and expanded familism.' After the Korean War which was a decisive momentum to internalize cold war world view, a kind of civil religion which was 'cold war anticommunism, pro-American, liberal democracy' appeared and it was combined with tools of suppression such as the National Security Act, nationwide curfew and implicative system creating a 'police state.' The Korean War which accelerated the trend of smaller families, and mistrust which was formed among relatives during the conflicts between the leftists and rightists were causes behind the generalization of 'reduced familism.' The result was stronger emotional ties, patriarchal authority and aspirations for education and social climbing. The basis of 'expanded familism' or 'nepotism' is 'modernly transformed traditional organizations' such as clan gatherings, hometown associations and alumni reunions. And throughout 1960s, it was reinforced by institutional and symbolic mechanisms such as nepotism operation and recruiting practice of businesses, ideological mobilization of familism by the state, New Civil Law that protected patriarchal family system and textbook and national holidays that strengthened state and familial values (Kang, In-Chul 2006, 392-402).

Each study provided important motives for Kim Myung-Hee (2009a, 2009b)'s study by capturing that formation of nation and modern modification of familism in Korea are all part of a same process. Yet, these studies must be complemented in the following areas. First, if familism structured in 1950s and 60s are the result of colonization and state formation and were continuously reproduced without being languished, it is needed to shed a new light on to the status and dynamics of familism as a outcome of a political process of the colonial modern. These studies lack following ideas in common. First, the Korean War was not a onetime event but was reproduced in the 'institutional' conditions of the division system that reproduced 'violence' and 'trauma.' Second, these studies failed to pay

sufficient attention to the dynamics and equivocality of familism that were reproduced in the experience realm of the public and their politico-sociological implications which are very hard to capture in the dichotomous frame of moral-amoral, public-private of 'amoral familism'⁸⁾ conceptualized by Banfield.

At this juncture, Yun Hyung-Sook (2002)'s anthropologic research on the mechanism of 'Ilgajuūi (strong lineage identity)' and its transformations in the daily lives of clan villages which experienced the Korean War.⁹⁾ For villagers who call the Korean War a turbulent time, themselves as subjects and fight between two systems as a regime change, a nation that they can be loyal to and the sense as a citizen was not formed yet. Noh Yong-Seok (2004, 2005) who studied how local people understood the situation during the process of state formation after independence from a similar perspective points out that locals recognized the process of state formation as two violences and were not yet citizens unlike the common knowledge that the war created citizens (Tilly 1985; Lee, Ji-Yun 2006). At the center of how the public responded to the 'two violences' of the leftists and rightists, there was family, and in this process, the public 'stopped' its understanding of the state and became 'depoliticized.' In the process of state formation, family was an important unit not only to the locals but also to the state. This mutual strategy is ongoing up until now. As the formation of state and state power was understood as isolation and breakup of family system, life strategy to reinvigorate family system appeared, and therefore, the Association of Bereaved Families of Cheongdo Civilian Killing Victims is not an organization to resist ruling ideology but to adhere to familism. This study keenly points out that the familism of the bereaved families cannot be explained only in the context of protecting the clan, but it is a process of finding realization of themselves which

8) As mentioned earlier, Banfield (1958)'s 'amoral familism' refers to atomized family relationship and historic context of late capitalism in the 1950s where there were no ethical code other than familism and no experience of public sphere formation. In such societies, people believe in the need of a strong state to control neighbors but at the same time, they dread and mistrust the government.

9) Ilgajuūi (strong lineage identity) is a strategic term to describe blaming others' actions and insisting duty and rights to others in the situation where those who have to live along with others in their postwar hometowns. Ilkachuūi (strong lineage identity) eased potential class conflict between landowner-tenant among relatives and provided strong ideological and realistic motivation to actively participate in postwar reorganization of regional social power. Election is a good example where Ilgajuūi (strong lineage identity) is aggressively expressed and mobilized. For more, refer to Yun Hyung-Suk (2002).

was forgotten after the killing (2005, 222-224). Kim Myung-Hee (2009a, 2009b) who also studied sociopolitical process of the bereaved families of the Korean War civilian killings, argues that typical cases of defensive, moral, political and resistant familism of the bereaved families are dynamic formation of nationalization process of the divided state.

These studies which are in the trend of 'bottom-up research of the Korean War' that began in the 1990s shed light on the fact that there are various adaptation strategies which correspond to graded citizenship of a divided nation via voices of the public who are excluded from the official historic records. Most representative study is the one done by Cho Eun (2006) who compared life stories of Wolnam families (displaced North Koreans living in South Korea) and Wolpuk families (left families in South Korea by movers to North Korea) providing important insights about the response strategies of family members who interact with the divided nation. Despite their differences, Wolnam families and Wolpuk families showed similarities in terms of 'survival via family.' Yet, familism of Wolnam and Wolpuk families are multi-layered. Wolnam families are open to sharing their memories without the need to prove themselves as citizens, whereas Wolpuk families constantly had to prove themselves as citizens and remain silent about a part of their family history. The biggest difference of becoming a citizen between Wolnam and Wolpuk families were the mention of 'passports' (Cho, Eun 2002, 72). 'State violence' during wartimes and 'implicative system' which was a institutionalized form of violence after the war commonly appear as the background of lives of the people in these studies and shows the process of how silent political culture becomes structured in the double whammy of burden of family supporting and political exclusion. More than anything, in the history of the divided state where families were taken hostages to create citizens, 'implicative system' was an institutional measure that binds 'becoming family' and 'becoming citizen' (Cho, Eun 2002). These studies shed a light on the status of families which is a collection of contradictions caused by the divided state and also implies that contemporary Korean familism should be studied in the context of its relationship with the citizenship of the divided state.

3. Summary of Alternative Hypothesis: Civil Right of the Divided State and Family Status System

Based on the previous discussions, it is possible to understand that there were various mechanisms in the level of culture, economy, politics and ideology contributed to reinforcing family-centered practices and that those were reproduced in multiple layers in the process of the colonial modern. In that sense, 'economic development without distribution' and 'war state' are structural conditions that strengthen cohesion and division of families in the economic and political level. And the cultural asset of Confucianism and the ideal type of the Family was mobilized as the ideological mechanism of 'quasi-familism,' justifying patriarchal nation and nepotic political practices. Moreover, the results of bottom-up research on the Korean War (Kang, In-Chul 2006; Noh, Yong-Seok 2005; Yun, Hyung-Sook 2002; Cho, Eun 2006; Kim, Myung-Hee 2009a) filled the gap of empirical research on the 1945-1960 period showing that Korean familism is closely related to the process of becoming citizen in the divided state. Here, 'institutional and political conditions' that bind 'becoming family' and 'becoming national' requires theoretical review on family members.

Rokkan (1975) distinguished four steps in state formation as state formation, nation building, establishment of political citizenship and establishment of social citizenship. These steps are analytical concepts rather than historical concepts, but the period from the independence when territory and sovereignty was returned to Korea legally and institutionally, and the year 1948 when the government was establishment to the cease fire in 1953 falls under the first step of state formation. But as Brubaker (1992) insists, a nation not only as a territorial organization but also as a membership organization building citizenship is drawing ideological and legal lines between citizen and non-citizen and that citizenship is dependent on the characteristics and paths of state formation, self-understanding on its people and citizens or nationhood (Brubaker 1992, 1-34).¹⁰⁾

10) Citizenship is essentially related to the people being able to socially participate as the 'fully recognized' legal members of the community, and since citizenship is expanded with the social boundaries, if a society is limited in its nature, the characteristic of citizenship is also limited (Turner 1997, 181).

During the Korean War or in the early stages of national security nation, the way Korea 'made citizens' were not by recognizing people who had basic rights as citizens but rather, by excluding 'suspicious citizens' and 'non-citizens,' and it was mentioned by Kim Dong-Choon (2006) who studied formation of the divided state and citizenship issues. The Korean War which was a civil war, ideology war and war among kinship destroyed kinship village communities by separating nationals and non-nationals even before the outbreak of the war. A nation formed during the formation process of the divided state was a broken state, national security state and war state which regarded part of its 'nationals' as 'enemy' or potential enemy. And due to the condition that Korea was only a divided half, not only national identity and state identity but also people's identity were divided (Kim, Dong-Choon 1997, 89-100). At the same time, the process of identity division was the division process of citizenship.

However, how 'implicative system'(緣坐制) which means the guilt by association - 'family law' and 'citizenship' is related is the area that were not sufficiently reviewed in the discussions about families, state and citizenship in Korea (Chang, Mi-Kyung 2005; Choi, Hyun 2006; Kim, Dong-Choon 2006). Turner (2001, 192-199) suggests war, labor and reproduction as the route of reproductive citizenship which creates social identity and points out that family is at the center of this reproduction process. That is, members of the society are given citizenship and reproduce at the same time by forming the family as intended by the state. Also, from the perspective of sociology of law, Glendon (1989)'s following argument has its implications. He insisted that 'family law' not only represents law and social convention but also has the function to construct attitudes of people toward family and that family law is 'symbolic representation of ideal family' (of the state) (Glendon 1989, 16, 37; requoted from Yang, Hyun-Ah 2007, 104).

To be exact, there were four laws for the family members in Korea. Since 1948, the 'Constitution' which stipulates that "the Republic of Korea shall be a democratic republic" in Article 1 ostensibly symbolized the national ideology of the Republic of Korea. However, the real constitution that affected people's daily lives was the 'twin sibling of the 1948 Constitution', 'the National Security Act' which was

positive law, and it always accompanied constant, institutional and physical violence. Family law in the civil law formed a range of paternal clan relationships and defined the government intended family image. Colonial state realigned modern family registration system to organize a system to control people as it pleases, therefore, individual's identity could only be formed based on family identity in colonized Korea (Kang, Jin-Woong 2001a). Until its revision in 2005, Family registration system was an important institutional framework in which all family members shared their father's citizenship. Moreover, to potential secondary citizens who had to endure not only limits in finding jobs in the private and government sectors, they also had to withstand threats of maddening state violence, background investigation as part of social surveillance system, daily family status discrimination¹¹⁾; and to them, 'implicative system' (緣坐制) can only be experienced as another status system that threatens their nationhood or citizenship based on their attribution, birth. One can take joint responsibility with the relatives under the 'implicative system' which is a premodern criminal law. It was officially abolished in 1894 during the Gabo Reform but remained influential for more than a century even after the stipulation in the 1980 Constitution of the 'prohibition of implicative system' during the 5th Republic, violating the principle of individual judicial responsibility of modern criminal law¹²⁾, separated nationals and non-nationals. Combination of these four laws that affected lives of family members was a strong institutional foundation that binds families with the state. And it demanded internalization of constant self-censorship by formalities, surveillance, punishment and various symbolic violences such as 'reds', 'ideological offenders', and 'people with suspicious identities.' In Anti-communist Regimented Society, (Cho, Hee-Yeon ed, 2003), punishing a 'bad example' was the most effective method of ruling. It had the same effect of punishing 100 people with

11) This refers to 'treating individuals or groups unfairly or bombarding them based on types, formation process, members and responsibility on family without any rational reason.' This not only includes direct discrimination but also indirect discrimination that causes inequality based on family status and bullying such as derogatory remarks and attitudes. (Study group for solving discrimination based on different types of families and security for family members · Democratic Labor Party 2008, 14).

12) In the constitution of the 5th Republic (enacted in 1980), "no citizen shall suffer unfavorable treatment on account of an act not of his own doing but committed by a relative" was stipulated in Article 12 (3) and the provision was slightly revised and stipulated in Article 13 (3) of the 6th Republic Constitution reaffirming the prohibition of the implicative system (Kim Young Bum 1990, 346-347).

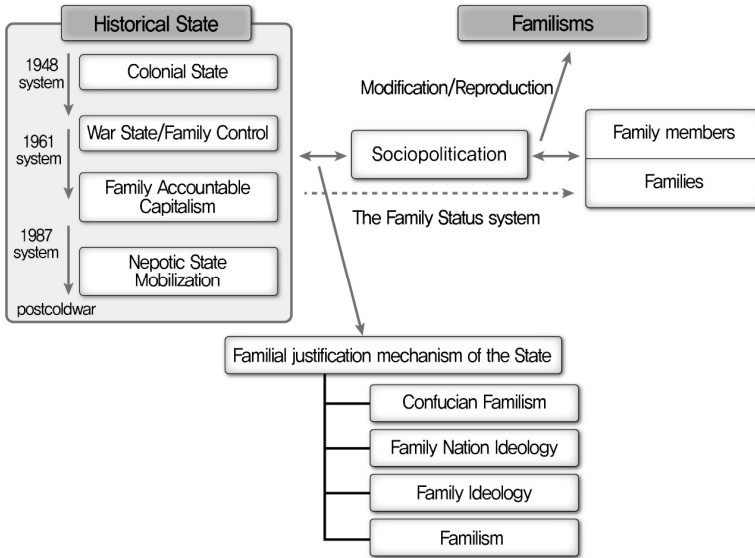
just one case. Considering the fact that the number of Korean War related civilian killing victims reached almost 1 million, it is not difficult to assume the conscious and unconscious impact of practices of implicative system that was applied to the level of fourth cousins and patriarchal family law's code of relatives on lives and political culture of Koreans.¹³⁾ During the development process of the colonial modern, division as 'families' and formation of 'nationals' were like the two-sided coins. This reflects the distorted modernity of the colonial modern and incomplete social contract.

To sum up, even if formal suffrage and citizenship were provided, people were divided into nationals and non-nationals and primary and secondary citizens by 'families', and implicative system (Cho, Eun 2008, 27) was the essential tool that actually restrained remaining three steps of state formation (nation-building, formation of political and social citizenship) as the system created an extreme closed circuit in terms of socioeconomy and society. Combination of idea of family in the premodern era, patriarchal family law with the past of colonial discipline and implicative system with a new type of ideological hierarchical order worked as status politics (Turner 2001) of the family status system that disciplines the relationship between state and families in a non-visible manner.¹⁴⁾ This article views the family status system as the institutional and ideological mechanism that consciously and unconsciously affects political and social identities of family members and also as a structural condition that limits practices of family members and which produces various family-centered practice strategies. Following figure is provided to differentiate top-bottom familism and bottom-up familism that is reproduced in the sociopolitical process and also to clarify level of analysis.

13) Refer to Kang Jin Woong (2010, 159-164) about North Korea's family mobilization based on class origins.

14) Patriarchal family law built hierarchy within families based on 'gender' and 'age', whereas implicative system build hierarchy within families with multiple layers based on 'origins' and 'ideology'. Each were principles that conservatized and depoliticized families and at the same time made families cohesive and divided.

[Figure 1-1] Sociopoliticization and Familism



4. The Invention of Tradition and Intimate Public Sphere: Political familism of Divided Koreans¹⁵⁾

The following are characteristics and implications of political familism of the divided Koreans based on the previous discussions and empirical research results submitted to the academia in South Korea.

First, there are multiple meaning affiliations of familism in modern social relationships, but dominant causal mechanism in Korean familism can be related to the colonial modern experiences and the issue of the war state. Sudden destruction of family history experienced by family members during the Korean

15) Following discussions are not deductively designed prior to the empirical studies but are based on the author's empirical research results (Kim, Myung-Hee 2009a, 2009b, 2014) and the product of interaction with such results.

War promoted the development of family-centered survival strategies and as a result, family-centered agency was structured multi-layered in the action space of the postwar restoration period between 1950s and 1970s and the anti-communist regimented society. Most of all, the operation of civil rights in the divided states combining the National Security Act, anti-communist regiment, background investigation, implicative system and patriarchal Family Law was found as the institutional mechanism binding individuals' identities to their family and reproducing familism, and this study conceptualized the mechanism into 'family status system.' The new form of family status system seasoned with ideological characteristics reinforced cohesion to individual family groups and at the same time, functioned as status politics that divided society members according to family and ideology. Family members' 'being a citizen' and 'house reproduction strategy' which were waged in individual forms for offsetting/compensating for graded civil rights in the anti-communist state, produced excess of being a citizen and false loyalty, and revealed that familism was a social process of feedback gearing with the spread of blood, regional and school ties (Kim, Myung-Hee 2009a).

Therefore, contemporary Korean familism is not only sociocultural but also political, and can be understood as the outcome of the Hobsbawm (2004)'s 'the invention of tradition.' According to him, 'the invention of tradition' is a product of sociopolitical process with important sociopolitical functions which is clearly different from 'custom' that dominates traditional societies. Characteristics of the 'the invention of tradition' is its artificial continuance with the past and checking and expressing social integration and identity by forming its own past. For example, one anthropological research case shows that "in the time where it was relatively free from ideological restrictions of the past, in order to get rid of the memory that there were 'reds' in the village, and to build an identity of Yangban family with the status of Pulch'ŏnchiwi (high rank acknowledged by the state), villagers were inventing 'traditions' by reissuing family genealogies and building Confucian academies (Park, Jeong-Seok 2002, 339). Even in Kim Myung-Hee (2009a)'s study on family histories, family members' action to reorganize lineage via family genealogies, clan gatherings, hometown associations for generations and mobilization of Confucian/Yangban discourse shares similar context. This is the

politics of recognition of families in order to secure stable position as the member of the system and legitimacy, and invention of dual tradition of trying to find the origin of self-identity from sources other than the power in reality, for example, attributable identity in primary relationships such as hometown, relatives, clan, ancestors, ethnic groups. This provides an important theoretical basis for comparative study on Korean diaspora familism which will be the follow-up study.

Second, when familism is regarded as the product of politico-socialization, 'familism' is not a single entity but is dynamic and ambivalent by reflecting images of family and state of the family members who are positioned in different levels of the society.¹⁶⁾ At the same time, public and private realms are also organized in a fluid manner which is closely related to families which divides these two realms. One example would be the familism of non-national families who are marginalized in the citizenship order of the divided state. Their familism is a type of compensation ideology which appeared as a result of political, economic and moral functions imposed on families which should originally be the responsibility of modern states, and also connote characteristics as a resistant discourse (Kim, Myung-Hee 2009a).

Above mentioned study results raise an objection to the prevailing 'utilitarian-amoral-asocial familism' hypothesis focused on how familism functions (Cho, Hye-Jeong 1985; Kim, Dong-Choon 1998; Park, Tong-Hee 2004; Jeong, Jae-Young 2002). Normative criticism on utilitarian and egoistic aspect of the familism taking place in the phenomenal dimension and without specific context is an invalid circular argument that nullifies feedback of cause and functions and fixate the characteristics of familism, and causes take social relationship that forces division of labor by family units for granted. The feedback dynamics of familism, which was produced by anomic state-society relationship, reproducing amoral social relationship again can only be captured when analyzed in the level of historical time and experiences. In summary, the essence of reproduced familism is in the process of excluding 'family' and dividing in the realm of 'politics' and

16) It can be compared to habitus noted by Bourdieu (1995) as it means the tendency created based on historical experiences. According to him, those who share same position in the society have the tendency to have similar habitus. It was created in the collective history as well as in personal histories and reflects specific period in social history when the personal history occurred.

'publicness.'

Familism of divided Korea can be compared to the 'social disintegration' noted by Tarkowska and Tarkowski (1991) in some aspects. The history of occupation, division by foreign powers, revolution, war and martial law goes through the Polish familism which is closely tied to the strong distrust in the state and political culture of indifference, resignation and sarcasm.¹⁷⁾ It is similar to amoral familism conceptualized by Banfield (1958); yet, it is not all amoral and has ethical duplicity. Fundamental groups in the civil society are not closed family-oriented nuclear families like in the West, but rather are 'modified extended families', 'small group' or 'micro structure.' And these draw a clear line between public and non-public, or 'world of institution' and 'world of people' and continue to build counter public sphere. Under the martial law act, private and direct ties exclude public sphere and exist as an alternative area that produces social integration.

At this juncture, Saito Junichi (2009)'s discussions on the ambivalence of intimate sphere provides meaningful theoretical insight to shed new lights on multi-dimensionality and mechanism of families in the divided system and the direction for reorganization. He discusses the potential of both public sphere which exists on the interest in common problems that exist in 'between' people, and intimate sphere which is built and maintained by the concern and the interest for the concrete lives and existences of others. This is the political potential, which he notes, of intimate sphere, which is an expansion of the social that is not converted to family. On the other hand, as seen in domestic violence cases, families can be the space for the most heinous violence. From this perspective, family is a space of discourse as well as a space of emotions (Saito Junichi 2009). When complexity and multi-meanings of 'family' which is a space of reproduction where gender, generation, class and state come together, are applied to the level of historical experiences of cold war and post-cold war in the East Asia, 'family' in the war system plays the function of ambivalent medium in the sense that it becomes a compensating space of lost public space and that it is also a socialization

17) 'Distrust' toward the state and formal institutions goes back to the time Poland was divided by foreign powers. For 150 years, all public offices, courts and the military was occupied by foreigners. Distrust was reinforced by German occupation during the second World War and that distrust remained afterwards. Familism in Poland forms a belief system with this 'distrust' (Tarkowska & Tarkowski 1991, 108-109).

space in which traumas related to colony, war, division are transmitted and reproduced. In this context, as the agent of the division system, family can be considered as the social field for having the potential of intimate public sphere that is neither public nor private.

Therefore, as Kwon Heon-Ik (2013) insists, reconciliation among blood relatives who were divided by ideology is a very important issue not only to individuals but also to political communities. Relative identity takes a big part in the memory of past political conflicts and can be the origin of creative moral practices (Kim, Myung-Hee 2014, 344-345). To elaborate, in the modern social system which can be characterized by war, violence, strangers and indeterminacy, familial social solidarity that put informal above formal cannot be regarded as the historical peculiarity of only Poland and Korea. It is ever more complex in Korea as Korea is the only divided state, and careful comparative analysis should be subject to further studies.

In conclusion, this study shows that Korean familism should be understood comprehensively in connection to structural and institutional conditions surrounding families, the justness of the state and the historical experiences and political consciousness of family members interacting with such environment and agent dynamics and potential of familism as a historical component of colonized modern times need to be interpreted prospectively.

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