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# Protecting *the Weak*

Entangled Processes of Framing, Mobilization and Institutionalization in East Asia

**International Conference at Goethe University, Frankfurt/Main,  
January, 22 – 24, 2015**

**Funded by the Volkswagen Foundation  
Within its Initiative “Key Issues for Research and Society”**

**Organized by the Interdisciplinary Centre for East Asian Studies (IZO)  
In Collaboration with the Institute for Social Research (IfS)**

**Collection of Paper Abstracts**

**Friday, January 23, 2015, Campus Westend, IG Farben Building, Eisenhower Room**

## **Theoretical Approaches and Historical Backgrounds of Protecting the Weak**

### **PART I: The Weak across Societies**

**Shalini RANDERIA** (Institute for Human Sciences, Vienna)

**“Porous Legalities: Paradoxes of Protection for the Poor”**

**Sighard NECKEL** (Goethe University & Institute for Social Research, IfS, Frankfurt/M.)

**“Negative Classifications: The Symbolic Order of Social Inequality”**

In my talk I would like to explain a cultural sociological approach to the research on social inequality. “Cultural sociological” means that I do not regard social inequality as resulting only from a distributive order of goods, income and positions, but also from an evaluative order created and reproduced by the actions of social groups. Concerning the topic of this conference, this means that, from a sociological perspective, I see “weakness” not only as the social vulnerability of actors and groups resulting from a lack of material resources, education and power, but also as an attribution and assessment which can have a variety of social consequences. “Weakness” can compel others to help the weak and defend their interests. But if the weak are to be protected and empowered, they must be identified as “weak” in the first place, and this act of identification has quite paradoxical consequences. Particularly in today’s market society and in the age of neoliberalism, the social designation as “weak” can have many adverse effects for the weak groups themselves, because it gives them the blame for their own weakness and publicly condemns, disparages or stigmatizes them. In this case weakness represents a negative classification that signals disrespect to weak actors and limits their opportunities for action.

## **PART II: State and Civil Society as Key Actors**

**Hans-Jürgen PUHLE** (Goethe University, Frankfurt/M.)

### **“Rethinking the Role of the State – Different Trajectories, Similar Functions“**

After a brief summary of the multiplicity of qualities and functions of the state and of the making of the theory and typology of the ‘strong’ developmental state, the paper will analyze a number of recent challenges and changes the consequences of which have contributed to trigger various ‘transformations of the state’, and affected its quality and the way it fulfills its functions. Of particular interest are here, e.g., the increasing tendencies toward more fragmentation and weakness, populist democracy or autocracy, more ambiguity and less accountability. Along the lines of a more detailed list of the clusters of the state’s most relevant (guaranteeing, servicing, empowering and mediating) functions, it will then be tried to identify some areas of particular interest for future research on the role of the state that either could have impacts on sectoral policies like those for protecting the weak, or have been underresearched or could provide further spin-offs.

**Daniel ALDRICH** (Purdue University)

### **“Civil Society and the Protection of Weak in East Asia”**

Governments in East Asia have regularly taken a strong hand in economic growth since World War II, providing administrative guidance, state owned enterprise assistance, research and development funds, and guidance to firms and corporations. Against this top-down push to accelerate development, residents of Japan, China, and other nations have relied on the efforts of civil society to provide a safety net, watchdog, and advocate for their interests. This presentation will bring data on environmental movements in East Asia to show how bottom up forces - such as formal and informal networks and NGOs - have created the kind of "double push" envisioned by Karl Polanyi against the externalities of the often under-regulated free market. With recent natural-technological (natech) disasters such as the nuclear meltdowns at Fukushima, this kind of protection and social mobilization has become all the more important.

## **PART III: Normative Approaches to the Protection of Weak**

**Stefan GOSEPATH** (Free University, Berlin)

### **“Different normative, ideal-theoretical approaches to ‘Protecting the Weak’”**

Dealing with the question whom we might rightly regard as 'weak' I will distinguish two different types and causes of 'weakness', namely poverty, destitution, misery etc. on the one hand, and domination on the other. These two sets of causes for 'weakness' require different cures. Unjustified forms of deprivation justify a claim to support, unjustified forms of domination require freedom and equality of status to secure non-domination.

**Chunrong LIU** (Fudan University, Shanghai & University of Copenhagen)

### **“Community Institutions and the Protection of Weakness”**

Community institutions and networks have a normative capacity in governing and driving social interactions and thus constitute an essential force that defines the weakness in many societies. Homogenous relationship and congruent cleavages in a community pave ways for group or community separatism, while crosscutting networks are apt to empower an individual and lead to openness to others. This presentation explores the complex role of community institutions in causing and addressing human insecurity. In particular, I examine whether and how state-led revitalization of community institutions and norms in China, as can be found many spatial products such as urban gated communities and inner city neighborhoods, can facilitate social mobilization of the invisible people and help protect the weakness in a transitional context.

## **PART IV: Historical Trajectories of Protecting – Or Not – the Weak in East Asia**

**Ken'ichi MISHIMA** (Tokyo Keizai University & Institute for Social Research, Frankfurt/M.)

### **“Two Competing Principles: Welfare State versus Social Darwinism”**

In all advanced industrial countries, we observe a clash of two competing principles of social security systems: the classical principle of social welfare solidarity on the one hand, and the neoliberal principle of market competition based on individual performance on the other. While the first principle, which has served as role model for many decades following World War Two, has been increasingly impaired by shrinking public funding due to fierce global competition and demographic pressure, the latter principle of neoliberal policy, which comes at the cost of growing disparities between rich and poor has gained currency more recently. Many indicators hint at the emergence of a post-democratic era. Important decisions are made in international organizations under the pressure of “reality” and over the heads of citizens. At the same time, the political class still appears to perceive itself to pursue the common good, and large parts of the populace seem to grant their consent, even though sporadic outbreaks of protest attract international media attention.

In public discourse, the protection of socially weak groups is attached great importance and seems to be based on a broad consensus. Even the most radical proponents of neoliberalism would not dare to articulate arguments rooted in Social Darwinism, and no political leader appears not to care about the livelihood of the socially weak. Yet, little is achieved in practical politics.

What does this constellation imply for the protection of the weak in Japan? Thanks to the debates on “multiple modernities”, we have learned that approaches and “solutions” to similar problems vary from country to country, depending on different historical trajectories. In Japan, a historically shaped paternalism within the welfare state can be said to be compatible with measures reminiscent of Social Darwinism. Sometimes, even the definition of who belongs to the socially “weak” and thereby deserves collective protection appears to be publicly contested.

**Vladimir TIKHONOV** (University of Oslo)

### **“Social Darwinism as History and Reality: The Story of 'Competition' and 'The Weak' in Twentieth-Century Korea”**

By the time of Korea's forced integration into the Japanese Empire in 1910, Social Darwinism was established as the main reference frame for the modernising intellectual elite. The weak had only themselves to blame for their misfortune, and Korea, if it wished to succeed in collective survival in modern world's Darwinist jungles, had to strengthen itself.

This mode of thinking was inherited by the right-wing nationalists in the 1920s-30s.; their programs of “national reconstruction” (*minjok kaejo*) aimed at remaking weak Korea into a “fitter” nation, thus preparing for the eventual independence from the Japanese. At the same time, by the mid-1930s some nationalists appropriated the slogan of “mutual aid” from the Left against which they competed. The future independent Korea was seen by them as more of a social state, with due protection for the weak.

After the liberation from the Japanese colonialism in 1945, “competition” mostly referred to inter-state competition in South-Korean right-wing discourse. However, the neo-liberal age after the 1997 Asian financial crisis witnessed a new discursive shift, competition-driven society being now the core of the mainstream agenda. At the same time, lip service is continuously paid to the “protection of the weak,” to preclude the leftist opposition from effectively challenging the ideological hegemony of the dominant right-wing.

## **Framing, mobilization and institutionalization in Japan and China: Four case studies**

### **PART I: Disaster Victims**

**Gregory CLANCEY** (National University of Singapore)

#### **“The Changing Character of Victimhood in Four Japanese Earthquakes”**

Japan is periodically wracked by ‘Great Earthquakes’ – seismic events so destructive that they leave massive amounts of textual and graphic evidence, much of it produced by people who didn’t experience the events directly. Using this cache of information, it is possible to see how the idea of the ‘disaster victim’ has changed over time and circumstance. My paper will trace this phenomenon across from four ‘Great Earthquakes’ that spanned roughly 150 years (1855-2011), a period convergent with ‘modern’ Japan. I will argue that the sense of who and what has been victimized by the shaking of the earth – who has suffered, what weight to attach to their loss, what actions to take and emotions to feel in their presence – has changed regularly, and surprisingly, over this rather short period. I will also make some comparisons with evidence from other Asian sites, as a first contribution to an as-yet unexamined history and comparative study of the modern role of disaster victim.

**Bin XU** (Florida International University, Miami & Yale University, New Haven)

#### **“Efficacy and Dilemma of Moral Performance: The Chinese State’s Cultural Governance in Disaster Management”**

Drawing on a dramaturgical approach to symbolic politics, I examine necessity, methods, and effects of the state’s moral performance—the state’s efforts to construct a morally responsible and compassionate image—in five high-profile disasters in recent decades. I argue that the state’s moral performance is structurally and culturally necessary, but its methods and effects are shaped by different patterns of the state-civil society interactions. While after the Tangshan earthquake and during the 1998 floods the state used the Communist moral performance based on heroism and the Party’s leadership, the 2008 Sichuan earthquake started a new model, which demonstrated the state’s compassion for ordinary people’s suffering. Generally, I argue that compassionate moral performance is the Chinese state’s adaptive reaction to challenges in the new context. It helps relieve the tensions between the state and the society and strengthens the authoritarian state’s resilience in crises. On the other hand, it is an ad hoc and situation-based strategy and, thus, could be overridden by political interests. It focuses on response and recovery, two stages of disaster management with highest degree of performativity, but covers up long-term issues in mitigation and preparedness. It also may backfire on the state’s moral legitimacy because it accentuates the inconsistency between compassion for suffering and some unresolved moral issues, such as the school collapse issue after the Sichuan earthquake.

### **PART II: Employee Well-Being**

**Ryo KAMBAYASHI** (Hitotsubashi University, Tokyo)

#### **“Good Jobs, Bad Jobs, and the Great Recession: Lessons from Japan’s Lost Decade” (with Takao Kato)**

This presentation provides novel evidence on the replacement of “good jobs” (characterized by high wage/benefit, job security, and opportunity for training and development) with “bad jobs” (characterized by the lack of such attributes) during a quarter of century in Japan. First, we find no evidence for a shift of male employment toward “bad jobs” during the Lost Decade. Second, for women we find a compositional change from self-employment to nonstandard employment which is, however, found to be a shift from “bad jobs” to “bad jobs” rather than “good jobs” to “bad jobs”. As such, our findings cast doubt on the popular narrative of the long-term negative effect on job quality of the long recession. However, for one particular group of Japanese workers—youth, we find compelling evidence in support

of the popular narrative. Especially all progresses that young women made in enhancing their share of standard employment during Japan's high growth decade in the 1980s are found to be entirely undone during the Lost Decade.

**Xiangdong WEI** (Lingnan University, Hong Kong)

#### **“Labour Market Design and Employee Well-being in China“**

We investigate the Chinese workers' welfare from the perspective of their self-reported job satisfaction level. The determinants of worker job satisfaction are estimated using a representative survey of China carried out by the researchers from the Australia National University. We find that job satisfaction of Chinese workers is largely influenced by their job nature and labour market institutions, and individual characteristics play a much minor role. In particular, we find that without controlling for detailed job characteristics rural migrant workers appear to be less satisfied with their jobs. However, the pattern is reversed after controlling for various measures of job nature. We believe this is largely because rural migrant workers tend to use their rural counterparts as the target for comparison. This explanation is supported when we separate the rural migrant workers into different groups (old vs. young and less vs. more educated) who show different level of attachment to their countryside home. We also show that due to the limitation of labour market institution rural migrant workers are far more likely to end up in “bad” jobs and that explains why their overall job satisfaction is lower. (with Xun Chen, John S. Heywood and W. Stanley Siebert)

### **PART III: Animal Welfare**

**Hitoshi AOKI** (Hitotsubashi University, Tokyo)

#### **“Legal Culture and Animal Protection in Japan”**

“Legal culture” is an elusive concept which can be defined in various ways. In this presentation, I use the term to include two aspects, namely, (1) culture relating to law (people's awareness of, and attitudes toward, law and court actions) and (2) culture appearing in law (cultural characteristics emerging in specific legal rules). Over the last two decades, Japan has experienced a very rapid development in animal protection law, both quantitatively and qualitatively, through successive revisions of the Act on Welfare and Management of Animals in 1999, 2005, and 2012. As a result of these revisions, the number of legal rules regarding animal welfare increased remarkably and their level of strictness rose dramatically at the same time. After outlining (1) the recent changes in Japan's animal protection law, (2) who and what situations made such changes possible, and (3) the problems Japan's animal protection law can expect to face in the future, I will analyze the relationship between the changes and Japan's “legal culture” in the sense mentioned above.

**Wei SONG** (Univ. of Science and Technology of China, USTC, Hefei)

#### **“Changing Attitudes, Social and Legal Conditions for Animal Protection in China”**

Chinese animal protection began in the 1950s. The State Council issued the “Measures for Rare Animal's Protection” in 1950; it marked the Chinese animal protection into the national legislation level. In the following 30 years, Chinese animal protection only for wildlife and in order to better use. In the 1980s, the protection gradually strengthen on experimental animals and farm animals; In the 1990s, the concept of animal welfare came into China, discussions about welfare for working animals, entertainment animals, companion animals began to emerge. At the beginning of the 21st century, many shocking events happened, such as “live bear bile”, “pig overload dead by water injection”, “tiger death from overwork”, “strong sulfuric splashed at bear”, highlighting the poor condition of animal well-being and the helplessness of moral constraints, strengthening awareness for protection of animals in industry, entertainment and as companions. The outbreak of SARS and birds flu led people to rethink the relationship problem between humans and animals. In the process of China's animal protection legislation, the relevant Chinese university; animal protection organizations both domestic and overseas, and the media criticism of cruelty to animal behavior, these three kinds of social forces got together. One of the main ways is the leavening influence of animal welfare education, another one is the legislation and practice promotion for China's animal protection by legal experts and scholars in the multiple fields.

## **PART IV: Cultural Heritage**

**Natsuko AKAGAWA** (Royal Melbourne Institute of Technology, Melbourne)

### **“Local, National and International Factors in the Protection of Intangible Cultural Heritage in Japan”**

While the Idea of Intangible Heritage has now become generally accepted as an integral element in the global heritage discourse, when it comes to practice, clearly defining what is understood by this term and how the UNESCO protocols for safeguarding International Cultural Heritage (ICH) are to be implemented, debate continues. Adding to the definitional obfuscation is the diversity in terminology globally across different linguistic and cultural spheres. In this paper I argue, with reference to the tradition of heritage practice in Japan, that understanding “the intangible” not as a separate category of heritage that is “immaterial” or “non-tangible” but as the element embodied in all heritage that acts as a “communicative social practice”, takes contemporary heritage discourse back to its roots.

**Robert SHEPHERD** (George Washington University, Washington, DC)

### **“China, UNESCO, and Cultural Heritage Preservation: Is There Room for Civil Society in Spiritual Civilization Campaigns?”**

Property rights disputes, as well as labor grievances, have received widespread attention from scholars of China. However, there has been less focus on state-directed preservation and conservation projects that displace rural residents in and around designated heritage sites. In these cases, citizens are displaced not in the name of development but instead conservation and the preservation of what the Communist Party formerly described as the feudal material remnants of ‘old China’. This heritage-making process has unfolded within a national campaign to produce ‘civilized’ (*wenming*) citizens that targets those who are widely perceived to lack the personal quality (*suzhi*) required to be modern Chinese.

In my ethnographic study of heritage-making at Wutai Shan, Shanxi Province (Shepherd 2013), I described ways in which local residents, facing the loss of their livelihoods and property rights within a core heritage zone located in a recently constituted national park and UNESCO World Heritage site, engaged in various practices to not confront power inequities but maneuver around these. In more recent work (Shepherd 2013), I have equated these responses to the tactics described by Michel de Certeau in *The Practice of Everyday Life* (1984) as the tools deployed by the weak and powerless in the face of power. Yet I am increasingly pessimistic about the extent to which such tactics can bring about meaningful change in the relationship between either the state and its citizens or between citizens coded as ‘civilized’ and those who are not. In short, not only do the weak and the powerless lack protection in contemporary China, I do not see any way in the near term for such vulnerable populations to gain much relief.