

GW Institute for Korean Studies 2018 Signature Conference

The Evolution of Rights in Korea

Conference Day 1: Friday, April 20, 2018, 8:30 AM- 6:00 PM

Lindner Commons Room, Elliott School of International Affairs,
The George Washington University
1957 E Street NW, Room 602, Washington, DC 20052



Institute for
Korean Studies
THE GEORGE WASHINGTON UNIVERSITY

GW 한국학연구소

8:30 AM - 9:00 AM

Breakfast

9:00 AM - 9:30 AM

Welcoming Remarks & Introduction

Welcoming Remarks: Jisoo M. Kim

Introduction: Celeste Arrington and Patricia Goedde

9:30 AM - 11:30 AM

Panel I: Rights in Historical Perspective

Discussant: Li Chen (University of Toronto)

Legal Disputes and the Precursors of Rights (Kwöllli) in Chosŏn Korea

Jisoo M. Kim (George Washington University)

Precarious Inheritance: Women and the Rights over Separate Property in Colonial Korea

Sungyun Lim (University of Colorado, Boulder)

A Tale of Two Commissions: The Evolution of Rights Claims in the Jeju Commission and the Truth and Reconciliation Commission of Korea

Hun Joon Kim (Korea University)

11:30 AM - 1:30 PM

Lunch

1:30 PM - 3:30 PM

Panel II: Institutional Mechanisms for Rights Claiming

Discussants: Stephan Haggard (University of California, San Diego) and

Eric Feldman (University of Pennsylvania)

The State, the Constitutional Court, and I: Fundamental Rights and Judicial Review in Korea

Hannes Mosler (Freie Universität Berlin)

Evolving Legal Opportunity Structures in South Korea

Celeste Arrington (George Washington University)

The Institutional Development and Sustainability of Public Interest Lawyering in Korea

Patricia Goedde (Sungkyunkwan University)

3:30 PM - 4:00 PM

Coffee Break

4:00 PM - 6:00 PM

Panel III: Mobilizing Rights for the Marginalized

Discussants: Eric Feldman (University of Pennsylvania) and

Sida Liu (University of Toronto)

The Disability Rights Movement and Legal Practice in South Korea

Jae Won Kim (Sungkyunkwan University)

Now, Later, Never: On Shigisangjo and Prematurity

Ju Hui Judy Han (University of California, Los Angeles)

The Movement for an Anti-Discrimination Act

Jihye Kim (Gangneung-Wonju National University) and Sung Soo Hong (Sookmyung Women's University)

From "Humane Treatment" to "We Want to Work": The Changing Notion of Labor Rights in South Korea

Yoonkyung Lee (University of Toronto)

PRESENTERS

Panel I: Rights in Historical Perspective

Jisoo M. Kim, The George Washington University

Legal Disputes and the Precursors of Rights (Kwöllli) in Chosŏn Korea

Jisoo M. Kim is Korea Foundation Associate Professor of History, International Affairs, and East Asian Languages and Literatures at the George Washington University and Director of the GW Institute for Korean Studies. She received her Ph.D. in Korean History from Columbia University. She is a specialist in gender and legal history of early modern Korea. Her broader research interests include gender and sexuality, crime and justice, literary representations of the law, history of emotions, vernacular, and gender writing. She is the author of *The Emotions of Justice: Gender, Status, and Legal Performance in Chosŏn Korea* (University of Washington Press, 2015), which was awarded the 2017 James Palais Prize of the Association for Asian Studies. She is also the co-editor of *The Great East Asian War and the Birth of the Korean Nation* by JaHyun Kim Haboush (Columbia University Press, 2016). She is currently working on a new book project titled *Suspicious Deaths: Forensic Medicine, Dead Bodies, and Criminal Justice in Chosŏn Korea*.

Sungyun Lim, University of Colorado, Boulder

Precarious Inheritance: Women and the Rights over Separate Property in Colonial Korea

Sungyun Lim is Assistant Professor of History at the University of Colorado, Boulder. Her first book manuscript entitled, *Rules of the House: Family Law and Domestic Disputes in Colonial Korea* examines the emergence of the small patriarchal family as the legal unit of the family in Korea under the Japanese colonial rule, and how the process affected women's rights of inheritance and adoption. Her next book length project deals with the postcolonial legacy of the colonial family laws, particularly on the practice of adoption.

Hun Joon Kim, Korea University

A Tale of Two Commissions: The Evolution of Rights Claims in the Jeju Commission and the Truth and Reconciliation Commission of Korea

Hun Joon Kim is Associate Professor at the Department of Political Science in Korea University. He has research interests in human rights, transitional justice, and international norms and institutions. He is an author of *The Massacres at Mt Halla: Sixty Years of Truth-Seeking in South Korea* (Cornell University Press 2014) and a co-editor of *Transitional Justice in the Asia Pacific* (Cambridge University Press 2014).

Panel II: Institutional Mechanisms for Rights Claiming

Hannes Mosler, Freie Universität Berlin

The State, the Constitutional Court, and I: Fundamental Rights and Judicial Review in Korea

Hannes B. Mosler is Assistant Professor for Korean Studies at the Graduate School of East Asian Studies and the Institute of Korean Studies of Freie Universität Berlin. He received his Ph.D. from the Department of Political Science at Seoul National University. His major research interests are political parties, political systems, political remembrance, constitutional law, and policy decision processes in Korea and comparatively. Recent publications include co-edited volumes such as *The Quality of Democracy in Korea. Three Decades after Democratization* (Palgrave Macmillan, 2017) and *Facets of 130 Years German-Korean Relations* (Peter Lang, 2017) as well as journal articles such as "The Institution of Presidential Impeachment in South Korea, 1992-2017" (*VRÜ*, 2017) and "Decoding the 'Free Democratic Basic Order' for the Unification of Korea" (*Korea Journal*, 2017).

Celeste Arrington, The George Washington University

Evolving Legal Opportunity Structures in South Korea

Celeste L. Arrington is Korea Foundation Assistant Professor of Political Science and International Affairs at the George Washington University. She specializes in comparative politics, with a regional focus on the Koreas and Japan. Her research and teaching focus on law and social movements, social policy, the media, policy-making processes, historical justice, North Korean human rights, and qualitative methods. She is the author of *Accidental Activists: Victims and Government Accountability in South Korea and Japan* (2016) and has published in the *Comparative Political Studies*, *Law & Society Review*, *Journal of East Asian Studies*, *Asian Survey*, and the *Washington Post*, among others. She received a Ph.D. from the University of California, Berkeley, an M.Phil. from the University of Cambridge, and an A.B. from Princeton University. She is currently working on a book that analyzes the growing role of lawyers and litigation in policy-making related to persons with disabilities and tobacco Japan and especially Korea.

Patricia Goedde, Sungkyunkwan University

The Institutional Development and Sustainability of Public Interest Lawyering in Korea

Patricia Goedde is Associate Professor at Sungkyunkwan University, School of Law, and has been appointed Associate Dean of Academic Affairs. Dr. Goedde received her Ph.D. and J.D. from the University of Washington, School of Law. She is a licensed attorney of the Washington State Bar Association, and has worked with the law firm of Kwangjang (Lee & Ko) in Seoul. Dr. Goedde also serves on the board of directors for the Korea Human Rights Foundation.

Panel III: Mobilizing Rights for the Marginalized

Jaewon Kim, Sungkyunkwan University

The Disability Rights Movement and Legal Practice in South Korea

Jaewon Kim is Professor of Law at Sungkyunkwan University Law School in Seoul, Korea. His major areas of research and teaching are legal profession, comparative law and society, and disability law. Professor Kim is currently serving his university as Vice President for student affairs. As a regular contributor to *Korean Journal of Law & Society*, Professor Kim had served as President of the Korean Association of Law and Society. He also serves as a Director of the Korean Disability Law Association. Jaewon Kim's article, "Legal Profession and Legal Culture during Korea's Transition to Democracy and a Market Economy" appeared as a book chapter in *Raising the Bar* (William Alford, ed.) published by Harvard University Press in 2007. Jaewon Kim received his B.A. (Law) from Soongsil University in 1983, obtained his LL.M. in 1988, J.D. in 1991 from the American University Washington College of Law, and his J.S.D. in 2006 from Cornell Law School, where he was honored as a Clarke Fellow. Professor Kim is a member of the Pennsylvania State Bar and the District of Columbia Bar.

Ju Hui Judy Han, University of California, Los Angeles

Now, Later, Never: On Shigisangjo and Prematurity

Ju Hui Judy Han is an interdisciplinary cultural geographer and Assistant Professor in Gender Studies at UCLA. Her comics and writings about (im)mobilities, faith-based movements, and queer activism have been published in *Scholar & Feminist Online*, *East Asia Forum*, *Geoforum*, *Critical Asian Studies*, *positions: asia critique*, and *Journal of Korean Studies* as well as in several edited books including *Territories of Poverty: Rethinking North and South* (2015) and *Ethnographies of U.S. Empire* (forthcoming in 2018).

Jihye Kim, Gangneung-Wonju National University

The Movement for an Anti-Discrimination Act in Korea

Jihye Kim is Associate Professor of Multicultural Studies at Gangneung-Wonju National University. Her academic research focuses on law and human rights, with particular interests in LGBTI, migrants and children. She actively works with NGOs in advocating for minority rights and has published many articles in scholarly journals and books. She holds a Ph.D. in Social Welfare from Seoul National University and a J.D. from University of Washington School of Law.

Sungsoo Hong, Sookmyung Women's University

The Movement for an Anti-Discrimination Act in Korea

Sung Soo Hong is Associate Professor of Law at Sookmyung Women's University, Seoul, Korea. He received a Ph.D. degree at London School of Economics and has studied at Human rights Consortium University of London, Oxford Centre for Socio-Legal Studies and International Institute for the Sociology of Law. He published many articles and books addressing human rights and law and has worked as board member for academic associations such as Korean Association of Human Rights Studies, Korean Association of Human Rights Law, and Korean Association of Legal Philosophy.

Yoonkyung Lee, University of Toronto

From "Humane Treatment" to "We Want to Work": The Changing Notion of Labor Rights in South Korea

Yoonkyung Lee is a political sociologist specializing in labor politics, social movements, political representation, and the political economy of neoliberalism with a regional focus on East Asia. She earned her Ph.D. in Political Science from Duke University and was Associate Professor in Sociology and Asian and Asian-American Studies at SUNY-Binghamton before joining the Department of Sociology at the University of Toronto in 2016. She is also the Korea Foundation Endowed Chair of Korean Studies. Her publication includes *Militants or Partisans: Labor Unions and Democratic Politics in Korea and Taiwan* (Stanford University Press 2011) and numerous journal articles that appeared in *Globalizations*, *Studies in Comparative International Development*, *Asian Survey*, *Journal of Contemporary Asia*, *Critical Asian Studies*, *Global Asia*, and *Korea Observer*.

DISCUSSANTS

Li Chen, University of Toronto

Li Chen is Associate Professor of History and Global Asia Studies and Chair of the Department of Historical and Cultural Studies at the University of Toronto. He was the founding President of the International Society for Chinese Law and History (from 2013 to 2017) and one of its current directors. He is also a member of the Editorial Board of the *Law and History Review*. He holds a J.D. from the University of Illinois (Champaign) and a Ph.D. in Chinese history from Columbia University. Besides a number of articles, his recent publications include a monograph entitled *Chinese Law in Imperial Eyes: Sovereignty, Justice, and Transcultural Politics* (Columbia, 2016) and a coedited volume, *Chinese Law: Knowledge, Practice and Transformation, 1530s–1950s* (Brill, 2015). His book, *Chinese Law in Imperial Eyes*, won honorable mention for the 2017 Peter Gonville Stein Book Award of the American Society for Legal History and was awarded the 2018 Joseph Levenson Pre-1900 Book Prize of the Association for Asian Studies. His research focuses on the intersection of law, culture, and politics in Chinese and global history since the sixteenth century. He has been revising a book manuscript that studies the juridical field and politics in late imperial China.

Stephan Haggard, University of California, San Diego

Stephan Haggard is the Lawrence and Sallye Krause Professor of Korea-Pacific Studies, Director of the Korea-Pacific Program, and Distinguished Professor of Political Science at the School. He is a go-to expert on current developments in the Asia-Pacific region, particularly the Korean peninsula, and on the politics of economic reform and globalization. Haggard has written extensively on the political economy of North Korea with Marcus Noland, including *Famine in North Korea: Markets, Aid, and Reform* (2007) and *Witness to Transformation: Refugee Insights into North Korea* (2011), and co-authors the *North Korea: Witness to Transformation* blog at the Peterson Institute for International Economics. Haggard is the current editor of the *Journal of East Asian Studies* and a member of the Council on Foreign Relations.

Eric Feldman, University of Pennsylvania

Eric Feldman's expertise is in Japanese law, comparative public health law, torts, and law and society. His books and articles explore the comparative dimensions of rights, dispute resolution, and legal culture, often in the context of urgent policy issues including the regulation of smoking, HIV/AIDS, and natural and nuclear disasters. Feldman has twice been a Fulbright Scholar in Japan and has received grants and fellowships from the Robert Wood Johnson Foundation, the American Bar Association, the National Science Foundation, and the Social Science Research Council, among others. He is the author or editor of books published by Cambridge University Press, Oxford University Press, and Harvard University Press, and his articles have appeared in journals including the *California Law Review*, *Law in Japan*, *American Journal of Comparative Law*, *Los Angeles Times*, *Social and Legal Studies*, *Hastings Center Report*, *Lancet*, *Law and Society Review*, and the *Journal of General Internal Medicine*.

Sida Liu, University of Toronto

Sida Liu is Assistant Professor of Sociology at the University of Toronto and Faculty Fellow at the American Bar Foundation. Before joining the University of Toronto faculty in 2016, he taught sociology and law at the University of Wisconsin-Madison and directed its East Asian Legal Studies Center. Professor Liu received his LL.B. degree from Peking University Law School and his Ph.D. in sociology from the University of Chicago. He has conducted extensive empirical research on the legal profession in China, including the globalization of corporate law firms, the political mobilization of criminal defense lawyers, the feminization of judges, and the career mobility of law practitioners. He is the author of many academic articles and three books, most recently, *Criminal Defense in China: The Politics of Lawyers at Work* (with Terence C. Halliday, Cambridge University Press, 2016).

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