

Rules of The House: Family Law and Domestic Disputes in Colonial Korea: Book Review

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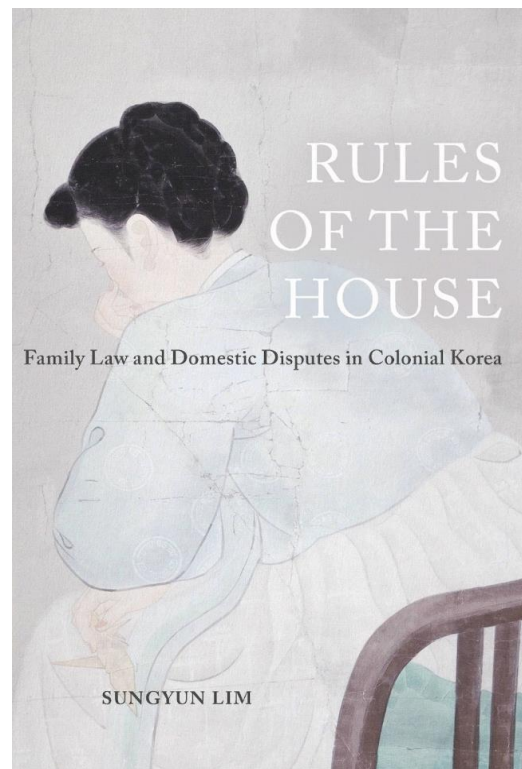
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Rules of the house: family law and domestic disputes in colonial Korea, By Sungyun Lim, University of California Press, 2018, ISBN. 9780520972506, link of the book: https://play.google.com/store/books/details/Sungyun_Lim_Rules_of_the_House?id=61T0DwAAQBAJ

INTRODUCTION

“Rules of the House: Family Law and Domestic Disputes in Colonial Korea” by Lim (2019), published by the University of California Press on November 13, 2018, provides a compelling examination of women's roles in civil courts during colonial Korea. The book focuses on the challenges women faced under Japanese family law, which was heavily influenced by patriarchal biases. Sungyun Lim, an Assistant Professor of Modern and Japanese History at the University of Colorado Boulder, argues that while Korean women struggled against patriarchal oppression, they were not passive victims. Instead, they proactively engaged with the Japanese colonial legal system to assert their rights. In turn, the Japanese used the rhetoric of progressive legal rights to further their colonial objectives. The book traces women's civil disputes from the precolonial Choson dynasty, through the colonial era, and into the post-colonial reforms, offering a fresh perspective on Korean women's legal struggles and their collaboration with the colonial state.



This book delves into how women navigated the civil court system under Japanese colonial rule and explores the impact of patriarchal norms within the legal framework. Patriarchy, as a social system, positioned men as the dominant authority in all aspects of social, cultural, and economic life, often marginalizing women. However, as the book reveals, despite these systemic challenges, women actively fought for their rights. They used the

colonial court system as a platform to challenge injustices, demonstrating resilience and resourcefulness even in a restrictive environment.

The book begins by providing a historical overview of Korea's culture, legal policies, and traditions, particularly focusing on the Japanese colonial legal system and its impact on women's rights. Colonialism, defined as a political and economic system where the sovereignty of one nation is subordinated to another, often destroys native customs to suit the colonial agenda. Lim examines how colonial policies shaped Korean society, with a particular focus on the intersection of local customs and colonial authority. This context sets the stage for understanding the legal and cultural transformations that affected women's lives, highlighting the long-lasting implications for modern Korean society.

In the first chapter, the author focuses on the patriarchal family structure during the late Choson dynasty. By the 17th and 18th centuries, inheritance practices began to favor firstborn sons, leaving widows in precarious positions. The book vividly portrays the struggles of widows, who often resorted to desperate measures, including suicide, to assert their dignity and rights. The societal and legal systems of the time offered little support, compelling widows to seek alternative ways to challenge the injustices they faced. The author also examines the virilocal marriage system, where widows were expected to return to their natal families and were often barred from remarrying. Upper-class widows faced additional restrictions, such as their sons being excluded from civil examinations if they remarried. Over time, however, widows began to gain more rights, such as retaining their deceased husbands' property.

The second chapter delves into the systemic mistreatment of widows, particularly their inability to hold the position of household head. This power vacuum often allowed in-laws to claim property that rightfully belonged to the widows. Despite these challenges, widows successfully used the colonial court system to fight for their rights. Lim explores how the introduction of modern courts disrupted traditional family structures, creating new legal frameworks that, while imperfect, provided some avenues for women to assert their claims. The chapter also discusses the Japanese colonial government's attempts to codify Korean customs through surveys, which often misrepresented local practices. Despite these flaws, the legal system began to acknowledge certain widow rights, marking a significant shift in family law.

In the third chapter, the book addresses the issue of daughters' inheritance rights. In colonial Korea, lineage was central to family organization, and inheritance was typically reserved for sons. However, economic pressures during the colonial period prompted some families to consider daughters as potential heirs. This shift, though met with resistance, reflected the broader tensions between tradition and modernity. The Japanese colonial government's reforms, including the 1922 Household Registration Law, further complicated these dynamics by restructuring family systems to align with Japanese administrative goals. The chapter highlights the gradual expansion of women's inheritance rights, despite persistent cultural opposition.

The fourth chapter focuses on the extension of Japanese civil codes to Korea, aiming to reform "backward" family customs such as early marriage and concubinage. These reforms sought to integrate Korean society into Japan's modern legal framework while consolidating colonial control. The Japanese reforms faced significant resistance, as many Koreans viewed them as an attack on their cultural identity. The chapter also explores debates around monogamy, concubinage, and the evolving concept of conjugal relationships. The selective application of divorce laws and the recognition of unregistered marriages further illustrate the complexities of the colonial legal system.

The fifth chapter examines the post-colonial period, focusing on the lasting impact of Japanese legal reforms on Korean family law. The Civil Ordinance Reform of 1940 introduced measures such as son-in-law adoption and the expansion of women's inheritance rights. These changes, while controversial, laid the groundwork for further legal transformations in Korea. The chapter also discusses the challenges of creating a new civil code in the post-colonial era, highlighting the tensions between traditional family structures and modern legal principles.

Lim concludes by reflecting on the broader implications of her study. The book underscores the resilience of Korean women who navigated a complex legal landscape to assert their rights. It also highlights the enduring influence of colonial legal reforms on modern Korean society, offering valuable insights into the intersection of gender, law, and colonialism. *Rules of the House* is a groundbreaking contribution to the study of gender and legal history, providing a nuanced understanding of women's struggles and agency in colonial Korea.

CONCLUSION

"*Rules of the House: Family Law and Domestic Disputes in Colonial Korea*" by Sungyun Lim highlights the immense struggles faced by widows and daughters in colonial Korea as they sought to claim their rightful inheritance and property. The book portrays the severe challenges widows encountered in maintaining their dignity and property rights, particularly when faced with exploitation by their in-laws. The patriarchal legal system of the time, coupled with Japanese colonial law, further marginalized these women. Daughters, too, were largely excluded from inheritance rights, with reforms only offering partial improvements in strengthening household structures and providing limited protections. Patriarchal family rights emerge as a recurring and central obstacle throughout the book, emphasizing how deeply rooted societal norms compounded the difficulties faced by women.

What makes this book particularly compelling is its detailed exploration of the disadvantages faced by women, especially widows, within the dual constraints of Japanese colonial law and traditional patriarchal family systems. Lim effectively reveals how women's rights were denied and showcases their resilience in fighting for justice. The book sheds light on the harsh realities of gender inequality during that era, prompting readers to reflect on the historical injustices that shaped women's lives and rights. However, the book has certain limitations. It lacks in-depth legal details about the trial processes of the time, such as the

proceedings in colonial courts or specific courtroom moments that might provide a clearer picture of how these women navigated the legal system. Including such details could have offered readers a more comprehensive understanding of how the colonial court system functioned and how women engaged with it.

Despite these shortcomings, *Rules of the House* is an essential contribution to the study of gender, law, and colonial history. It not only underscores the resilience of Korean women during a tumultuous period but also encourages readers to critically examine the enduring impacts of colonialism and patriarchy on modern legal and societal structures.

REFERENCES

Lim, S. (2019). *Rules of the house: family law and domestic disputes in colonial Korea*. University of California Press.