

## **Gendered Japan: Law, Empire and Modern Girls on the Go\***

*Gender and Law in the Japanese Imperium.* By SUSAN L. BURNS and BARBARA J. BROOKS. Honolulu: University of Hawai'i Press, 2014. ix, 301 pp.

*Modern Girls on the Go: gender, mobility, and labor in Japan.* By ALISA FREEDMAN, LAURA MILLER and CHRISTINE R. YANO. Stanford: Stanford University Press, 2013. xiv, 280 pp.

*Women Adrift: the literature of Japan's imperial body.* By NORIKO J. HORIGUCHI. Minneapolis: University of Minnesota Press, 2012. xxv, 242 pp.

The diversity of models for understanding power, and how power relates to rights and repression, has been one of the strengths of feminist research. The books under review build on this strength by coupling accounts of women's struggle for civil and social rights with the history of modernity. Both enterprises hold out the promise of new freedoms, unconventional ways of living, and liberation from the fetters of tradition.

Despite diversity in topic and approach, the three publications share a common vision of what constitutes the modern. First, "modern" is understood in epochal terms: a distinct rupture in time when rigid kinship obligations, feudal duties and inflexible hierarchical structures dissipate and are replaced by a modern state rooted in legalism that gives free play to individual interests and spontaneous horizontal associations. Second, the primacy of individual interest, rights guaranteed by the rule of law, and the emergence of civil society register simultaneously as a gauge of progress and as an index marker of how far Japan has followed or deviated from the trajectory of Western liberal democracies. Third, there is a shared anti-state attitude. Following the current dominant trend in academia, each of these publications emphasize how heavy-handed forms of government stifle the real forces of innovation and social and political change; namely agents, movements and cultures found outside the state.

Fourth, the forces of change appear primarily as uniform, global phenomena. When it comes to issues pertaining to the body, the subject of bio-politics is superimposed onto the development of the nation-state as a universal expression of new, modern regimes of control, which reinforces the claim that the modern signifies a distinct epoch

## **Gender, Law and Empire**

The nine essays of *Gender and Law in The Japanese Imperium* cover an array of topics: prostitution, adultery, abortion, Japanese experimentation with jury trials, child adoption policies in colonial Taiwan, and Japan's ill-famed colonial name-changing laws. At its heart, the edited volume deals with the relationship between law and politics shaped by the interaction of two historical moments. One is the historical role of administrative and judicial systems in framing the exercise of government by limiting sovereign authority. The other moment is the use of law as an instrument of rule and empire.

*Gender and Law* is also an agenda book that aims to push legal and gender history in new directions (p.7). The editors take a feminist legal perspective that sees women's rights as independent of their institutional expression and legal enactment. The volume's legal revisionist agenda then, can be said to crystallize around the following tacit assumptions: (i) the fundamental function of law is to provide legal remedies for the infringements and violence that target women's bodies; and (ii), the undertaking of critique ought to project an idea of what law should be and must become.

*Gender and Law* revises gender history by focusing on power relations through the lens of resistance. The research emphasis falls on the autonomy, agency and independence available to female subjects rather than subjugation and victimization. The essays in Parts I and II view law as a contested site of practices, articulations and negotiations to codify social life rather than primarily a tool of domination. Law is seen as operating in tandem with

institutional and cultural arrangements that foreground agency and plays a key role in the formulation and deployment of new gendered subjectivities (p. 7). It must be noted however, that in the final section when the focus turns on Japanese Empire, *Gender and Law* reserves the right to see law as a technology of control.

The opening chapters by Howland and Hastings deal with prostitution and rights. Howland's work revisits the *Maria Luz* incident. He sees the ruling introducing a "measure of personal right and justice" to the Japanese legal system (p.38), which echoes the conclusion reached by Botsman in an essay on the same topic published in 2013.<sup>1</sup> However, Howland is quick to note that the measure of personal right did not extend itself to the contracts that bound women to work as licenced prostitutes. The new regulations removed all parental rights, which had offered the young women a measure of protection from violence and excessive exploitation. The new licensed prostitution contracts under the "room rental" (*kashizashiki*) system left young women increasingly vulnerable to police action and legal injunctions (p. 38). At the same time, the new regulations strengthened the brothel owner's right to force women to perform the service of their contract.

These conclusions on personal right and justice, however are open to question. In 1991, Ramseyer published a seminal article on the legal debates and jurisprudence of Japanese licensed prostitution contracts.<sup>2</sup> Ramseyer understands that judges can only make rulings based on existing codes and statues, and that due legal process demands that a verdict is justified by juridical reasoning. He brilliantly shows that in 1900, the Supreme Court (*Daishin'in*) decreed that the agreement between the woman and the brothel owner was made up of two separate contracts; a service contract and a loan contract. A woman was free to nullify her service contract as long she could repay her loan. She was free to repay the loan by whatever means. Fulfilling her service contract as a licensed prostitute was one of the choices open to her. Ramseyer's essay makes two important points. First: The Japanese

judiciary did not see prostitutes as victims. Rather, the legal understanding was that a woman entered freely into a contractual relationship with the licensed brothel owner.<sup>3</sup> Second: What prevented judges from making prostitution contracts null and void was a concern to preserve the freedom of women to enter into contracts.<sup>4</sup> Whilst this juridical logic surely offends our moral reasoning in the twenty-first century, it does complicate the claim that a measure of personal right was not extended in the “room rental” (*kashizashiki*) system of licensed prostitution.

Hastings’ essay focuses on the 1956 Prostitution Prevention Act. Despite its name, the legislation did not live up to its name. At best the legislation outlawed solicitation and the practice of debt bondage associated with licensed prostitution. At worst, the Act criminalized women engaged in sex work while still allowing men to purchase sexual services with impunity.

Hastings interprets the bi-partisan efforts of female lawmakers to enact the legislation as introducing a concept of basic human rights into Japanese public consciousness (p. 73). She blames the failures of the legislation on male political expediency. It was in the political interest of Prime Minister Hatoyama to minimize the impact of the legislation on the substantial and varied business interests of brothel owners. Not all feminists concur with Hastings. Fujime, one of the prominent Japanese feminist academics for example, has argued that the legislation was driven by the desire of middle-class women to establish a punitive mechanism to deter working-class women from falling into prostitution.<sup>5</sup>

This divide between two feminist scholars deserves our attention. Hastings is correct in one respect. The 1956 Prostitution Prevention Act was a radical departure as it managed for the first time in Japan to legislatively frame prostitution as a violation of female dignity and rights. Yet, as Hastings herself notes, the Act was designed to do more than make prostitution illegal: it also aimed at mass moral reform. The bi-partisan female legislators saw

the proposed law as a means to change the consciousness and sexual mores of the general population (p.59). Hastings analysis is silent on this issue.

Hastings' silence can be traced to her working understanding of the relationship between law and power. She takes law to be the locus of power; it both limits and gives expression to the rights of the individual. Hastings' position is that the more rights a female has, the more power she possesses. Such a position however, fails to register how the Act made new forms of regulation that targeted the sexuality of a specific group or class of women tolerable and accepted. In contrast, Fujime's analysis indexes this fact. Her engagement with class as a category of analysis in gender politics makes discernible complex and diverse power relations embedded in relations of sex and law that have too often eluded attention.

Part II of *Gender and Law* deals with the problem of subjectivity. Exemplary of this approach are the contributions by Botsman, Burns and Flaherty, which scrutinise specific criminal laws to register new forms of agency that emerge when existing power structures are transformed with the adaptation of new judicial and penal systems from the West.

Following on from his earlier research,<sup>6</sup> Botsman treats punishment not just as a corollary of breaking the law, but also as a positive exercise of power. Botsman defines the first decade of Meiji as the "Great Confinement." Torture, floggings, crucifixion, burning, and banishment were replaced by a network of prisons (p.142). Furthermore, inmates in Meiji prisons were expected to work. Botsman argues that the coupling of female incarceration with prison work regimes introduced a new "political-economy of the body," the embryo of capitalist forms of labour (p.143-4). The population of female prison inmates declined progressively in the 1920s, however. Botsman suggests the decline in female internment was one of the positive effects of the "Great Confinement." With the opening of the female prison at Hachioji in 1903, female inmates become an object of knowledge for the new scientific

discourse of criminology. Over time, the weight of expert knowledge produced by the “medicalization” of female crimes called into question the value of imprisonment in rehabilitating fallen women (p.151).

Botsman uses categories such as the “Great Confinement” and “medicalization” as epochal markers of the modern. But the narrative that he constructs offers little material evidence that links changes in the function of juridical and punitive order to a new regime of work based on waged labour. The details of the new “political-economy of the body,” the interpenetration of the wage and prison form, remain foggy and out of reach. Does Botsman mean to imply that female inmates become workers by the fact that they were forced to become a living cog to a machine while in prison? Or were they the product of relations between new forms of technology, the division of labour, and disciplinary procedures as emphasised by Marx? Or is it due to the introduction of time into the system of penalty: the fine appearing as a substitute for a day’s labour?<sup>7</sup> The same absence in empirical details shrouds Botsman’s claim concerning the medicalization of female crimes. No material details are provided to show how the knowability of individual females becomes a technique of discipline/control in post Meiji Japan.

Burns’ chapter is interested in the correlation between new forms of subjectivity and a new power to judge. Using regional and appellate court records from the 1870s and 1880s, she convincingly challenges the orthodox view that law was used by the state to suppress women’s reproductive choices in pre-war Japan. Her claim that the 1873 Amended Criminal Regulations introduced new concern for individual agency “in reproductive decision making” (p. 83) however, is on less sound footing. Burns sees the 1873 amended code as a change in the juridical sign-system that classified reproductive issues. She claims the new code introduced a juridical language of individual agency based on motive and accountability. Burns’ evidential basis however, shows that punishment was based on the degree of

obligation directly proportionate to the degree of closeness in kinship between the perpetrators and the foetus/infant rather than what motivated people to turn to infanticide or abortion (p. 87). This strongly suggests judges continued to calculate punishment for reproductive crimes on how far family new juridical language of individual agency based on volition and accountability members had transgressed the core value of filial obligation rather than on the reasons behind their actions.

It is in Flaherty's contribution on Japan's first jury case – an arson-for-insurance litigation involving twenty-one-year-old Yamafuji Kanko – that we see the emergence of a new juridical language of individual agency based on volition and accountability. Flaherty brilliantly shows Yamafuji's legal team chose a jury trial in order to make her character the focus of judgment rather than the circumstantial evidence that suggested she started the blaze. This move was possible, argues Flaherty, because contemporary Japanese criminologists identified arson with female criminal personality (p.173). The intense public interest in the trial was fuelled by the ambiguity over Yamafuji's character: was she a loving mother and dutiful wife or a form of female criminality that transgressed all norms of womanhood?

It is productive to read Burns' essay in tandem with Flaherty's contribution. Together, the chapters by Burns and Flaherty point to the crucial, interweaving roles juridical procedures of truth - the inquiry and the examination - play in objectifying individuals as certain kinds of subjects. In the appellate court records investigated by Burns, the court cases took the form of an *inquiry*. Testimony was the procedure for ascertaining the truth. The court reached judgement via directly questioning those on trial: the focus fell on who did what, where, and when. Punishment was based how far the actions of the accused transgressed the values of filial piety. Motive was not a factor in making judgment. In the case of Yamafuji, the jury trial took form of an *examination*. Here, the focus of judgment was not Yamafuji's actions but her femininity and personality. That is to say, the court was

charged with reaching judgment on whether Yamafuji was a dangerous type of female personality capable of committing arson.

The final third of *Gender and Law* deals with the legal intricacies and incongruities of Japanese colonial rule. The essays by Brooks and Chen emphasise the breach in principles of universal justice found in Japanese law due to its political complicity in colonial and imperial projects. Cued by the work of Said, both authors subscribe to the view that culture plays a “privileged role” in “imperial experience.”<sup>8</sup> Hegemony over cultural representation gave Empire the licence to codify difference in ways that privileged the Japanese colonist over the colonized Other. Chen identifies the current legal discrimination against the *sim-pua* (the Taiwanese practice of adopting girls into a family as future brides) as a sign that the legal reform introduced by the Japanese was “an exercise of colonial domination” rather than a sign of respect for cultural difference. Japanese authorities saw Taiwanese culture as inferior and incorrigible, and thus not ready for new codes on family relations and succession that would eradicate the practice of *sim-pua* for fear it would prove too socially disruptive (pp.202-5). In a similar vein, Brooks identifies a domineering will to classify and quantify in Japanese colonial policies. Demographic census taking made the apparition of race calculatable and orderable. Brooks’ research shows how the Japanese registry law subdivided the Empire into racial subgroups. The marriage and reproductive details of Japanese women migrants in Korea and Taiwan to non-Japanese men were transformed into finely-honed classifications that reinforced the biological and cultural boundaries between coloniser and colonised (p. 226 &235).

## **Gender, Mobility and Labor**

*Modern Girls on the Go* offers a welcome contrast to the idea that women were docile transmitters of culture, embedded in the overused phrase *ryōsai kenbo* (good wife, wise



mother). At the heart of the book is a reworking of ideas about individual development widely circulated in popular culture: the necessary fulfilment of work in the development of the individual personality, the positivity of self-worth (p.14), and the assumption that the solution to women's repression is a change in social attitudes (p.7). The transgressive character of female career choices generated new modes self-actualisation and representation, thus opening the path to other possibilities beyond "marriage and motherhood" (p.15).

When it comes to analysing the relationship between gender, labour and capitalism however, *Modern Girls on the Go* reveals feminist scholarship standing at a crossroad. In Silverberg's ground-breaking essays on café waitresses and the modern girl, the focus fell on the formation of new subject positions at the historical moment when commodity exchange became the central organizing principle in Japanese society.<sup>9</sup> In identifying commodity fetishism as the specific characteristic of the modern-day, Silverberg's modern girl project revealed the double process of reification found in the project of modernity. That is to say, the simultaneous objectification of human social relations into things and the subjection of consciousness to the principles of capitalist rationalisation. Silverberg's research revealed how the modern girl was a "highly commodified cultural construct crafted by journalists," embedded in a broader debate about the proper place of sex within personal relations.<sup>10</sup> As females from middle-class backgrounds joined the workforce to fill service jobs such as bus conductors, shop clerks, switchboard operators and typists created by new technology, a fear simultaneously emerged in the middle-class family that daughters could no longer be kept in check as the streets of Tokyo were full of dangerous sexual desire and possibilities for casual sex.

The essays by Mackie, Frühstück and Tipton continue Silverberg's trajectory of inquiry into how the social meaning of gender is constituted by the objectification of women as things. Mackie analyses how the 1920s dancehall was seen as a space saturated by

sexuality where men and women moved freely, and became the target of moral hygiene movements and police control from 1927 (p.74). Frühstück's essay identifies how Japan's Self-Defense Force (SDF) appropriated the bodies of women soldiers for recruitment drives. The women's bodies become a "malleable surface ... onto which the SDF can inscribe its desire" to recruit more Japanese citizenry into its ranks (p. 142). Frühstück also notes that the bodies of female service personnel were also appropriated by the Japanese popular media, but for different effects. Combining the "erotic potential of women and guns," popular media peddled a heady cocktail of cute girls with big guns, comprehensively infantilising and sexualising the female servicewomen's body (pp.142-7). Tipton delves into the contradictions imbedded in the experience of the first wave of department store shop girls in the 1910-1920s. The shop girl was synonymous with the markers of a modern life-style: conspicuous consumption and leisure (p.29). Their beauty, cultured femininity and "style" showcased the modern commodities on offer in department stores (p. 31). However, the everyday reality of the shop girl was incongruent to the glamorous surface representation. Sexual harassment was endemic in the work place, while long hours, poor working conditions and lack of sunshine undermined the women's health (p.34).

The rest of the essays in this collection however, do not follow Silverberg's line of inquiry. There is a stark divergence in approach; analytical emphasis falls on social mobility via "cultural attainment." In this divergent project, the modern girl "actively changed the notion of work in Japan" by her "decisions" for "social mobility and self-improvement" (p. 8-9). The agency of the modern girl is found in the way she transformed individual abilities, attributes and qualities into an investment for a secure future. Analysis falls on the internal rationality of the modern girl and how she uses the means available to her. By investing in herself – through her decisions pertaining to education (Hastings), adopting stylised performance of middle class femininity (Miller), "triumphing over one's peers" in industry-

run competition (Freedman), beauty regimes and personal grooming (Bardsley) and fluency in English (Yano) – the modern girl enlarges the choices she can exercise. While Silverberg’s project focused on situating the modern girl between capital and production, the divergent project seeks to identify the subjective choices or investments, skill sets and temporary alliances that produce the modern girl’s self-fulfilment and satisfaction.

This divergence in analysis is due to competing understandings of labour. Silverberg’s modern girl project is founded on the shared assumptions of classical liberalism and Marxism; the division of labour and its specification both create society and gives womankind a history. The multiple new forms of female life unleashed by the forces of industrial technology and urbanization transformed subjective experience as leisure time, family relations, intimacy and sexuality became encoded by the logic of the commodity form.<sup>11</sup>

The divergent approach writes the history of the modern girl from the perspective of an entrepreneurial strategic pursuit of advantage otherwise known as Human Capital theory.<sup>12</sup> In Human Capital analysis, labour is an economic activity that is rationalised and calculated by the individual investing in herself to enlarge the choices she can exercise.<sup>13</sup> The focus of analysis falls not on the activity of human labour, but on subjective choice. The success or failure of the modern girl’s position in society is not due to mechanisms of production and exchange, but on the nature and consequences of “substitutable choices.”<sup>14</sup> Work is no longer defined by the price paid for a unit of labour time from the point of view of exchange. Rather, it involves a cost-benefit analysis of self-fashioning with an eye for “improvement in earning which includes cultural and other non-monetary gains along with improved earnings and occupations.”<sup>15</sup>

The politics of the two approaches also diverge radically. For Silverberg’s modern girl project, the key to self-actualisation is for female labour to gain control of the process of

exchange of labour time. For the divergent modern girl project, the key issue is framed in the current neoliberal paradigm of how to manage one's life; the program of turning individual abilities, attributes and qualities into personal investment for a secure future.

## **Women Adrift**

In *Women Adrift*, Horiguchi argues that the category of woman – the starting point of feminist analysis – is fragmented. Women are represented either as victims, rebels or willing protagonists of Japanese imperial adventures (x). To counter this fracturing of female subjectivity, Horiguchi takes three influential writers –Yosano Akiko (1878-1942), Tamura Toshiko (1884-1942), and Hayashi Fumiko (1904-1951) – as case studies in how women were “the victims and aggressors of the Japanese empire” (xiii). In one bold step, Horiguchi adeptly exposes the politics of textuality. There is no innocence in any act of writing. Nor is there any personal absolution. Imperialism is a relationship: power resides in the disempowerment of others.

When it comes to explaining how the three writers encountered and internalized the cultural values of Empire however, Horiguchi's account runs into difficulties due to her tendency to estrange textuality from its material circumstances. A pivotal argument of *Woman Adrift* is that discourses emphasising the “purity” of Japanese blood reinforced Japanese attitudes of superiority in interactions with the other Asian peoples (pp.14-17). But can the complex history of Japanese race discourse be reduced to the politics of blood? I fear not. Unlike the Nazis, Japanese race war discourse was not based on eugenics, mass sanguinity, and the fantasy of blood and ideal purity. Nor was the destruction of other races central to Japanese visions of a new world order. In addition, the historically dominant “race war” discourse circulating in Japan pre-1945 came in the form of Japanese visions of pan-Asianism that had little to do with eugenics.<sup>16</sup> This reductionism is surprising for someone

who is interested in the history of writing as a political act. Scholarship has long revealed how the historical narrative of Japanese pan-Asianism, a form of historiography that stressed the 300 years of injustices the European *cum* White races had inflicted on the people of Asia while simultaneously lionising Japanese leadership and superiority as the means for righting these long-inflicted wrongs, was simultaneously a tool of the Empire and a subversive weapon that attacked the constitutional workings of the Japanese state established by its Meiji founders.<sup>17</sup>

Horiguchi follows the established convention of Japanese literary criticism by identifying Yosano, Tamura and Hayashi as outsiders who escaped indoctrination because they lived at the extreme edges of state power, free of nationalist and imperialist confines. Yet, once the women travel to Japanese colonies, they lost their resistance in consciousness. They are no longer able to evade the emotional, self-indulgent celebration of the uniqueness of Japanese identity prescribed by the Japanese state because they are transformed from “outsiders” to “privileged colonialists” (p. 17), a subjective position fully entrapped in the meshes of state power.

The tangible limits of understanding politics as the representation of the marginalised is highlighted in the way Horiguchi frames her analysis of Japanese socialist feminists. Horiguchi sees Yosano’s assertions that women needed to be economically independent from men and that birth and child rearing was a private matter as signs of resistance and autonomy. On other hand, Horiguchi identifies the calls by socialist leaning feminists, such as Hiratsuko Raichō, Yamada Waka and Yamakawa Kikue, for the Japanese state to provide mothers with protection in the form of family allowances, motherhood insurance, or maternity benefits as instances where women were co-opted into mechanisms of control and became collaborators in creating Empire (p. x).<sup>18</sup> The result of this stance is that Horiguchi dismisses an important strand of twentieth century Japanese feminist struggle as false state ideology. Her explicit

state-phobia equates any political investment and identification with a collective identity as an effect of domination demanding sacrifice from the individual. There is no accompanying historical inquiry into the political understanding of the collective envisaged by Japanese socialist feminists as a necessary support for individual self-affirmation and empowerment. Nor is there any historical sensitivity to the fact that the institutional arrangements in Japan were not calibrated for feminist struggles to pursue equality via public opinion and constitutional reform. Existing administrative and legal institutions not only barred females from voting and holding office, they precluded them from any form of representation in public life. As a consequence, many Japanese feminists saw social insurance programs as the most strategically effective means of advancing women's rights, especially for females who bore the double burden of being a fulltime labourer and mother. If anything, the socialist feminists' struggle to get Japanese authorities to recognise specific gender rights points to a complex interplay of competing political strategies beyond the public-vs-private/state-vs-civil society paradigm that defines Hiroguchi's study.

In summary, the three publications show how far questions pertaining to gender have evolved over time. The work of pioneering feminists such as Sharon Sievers focussed on the fact that political authority was only truly legitimate and democratic when it recognised the rights of women.<sup>19</sup> The criterion of authority in these three publications is radically different, however. The focus of critique is linked to a will not to be governed, or at least not to be governed in a certain way. The research agenda too has changed, with a new emphasis on agency over objectification and the identification of new feminine subject positions as an index of the modern and as sites of resistance rather than victimization.

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<sup>1</sup> Daniel V. Botsman, “Freedom without Slavery? ‘Coolies,’ Prostitutes, and Outcastes in Meiji Japan’s ‘Emancipation Moment,’” *The American Historical Review* 116, no. 5 (December 2011): 1323–47.

<sup>2</sup> J. Mark Ramseyer, “Indentured Prostitution in Imperial Japan: Credible Commitments in the Commercial Sex Industry,” *Journal of Law, Economics, & Organization* 7, no. 1 (Spring 1991): 89-116.

<sup>3</sup> Tsunekatsu Kurimoto to Basom Johnson, “Observation of the Imperial Government of Japan on the Report concerning Japan and the League of Nations Commission of Enquiry into the Traffic in Women and Children in the East,” 15 Nov. 1932, S. Sawada to E. Ekstrand, 11B/39491/38154, League of Nations Archive, Geneva.

<sup>4</sup> My thanks to Marie Seong-Hak Kim for highlighting this issue for me.

<sup>5</sup> Fujime Yuki, “Japanese Feminism and Commercialized Sex: The Union of Militarism and Prohibitionism,” *Social Science Japan Journal* 9, no. 2 (2006): 33-50; “The Prostitution Union and the Impact of the 1956 Anti-Prostitution Law in Japan,” *U.S.-Japan women’s journal*, no. 5 (1993): 3-27; *Sei no Rekishishigaku: Kōshō seido daitazai taisei kara baishun bōshihō yūsei hogohō e* [The History of Sex: From the System of Legal Prostitution and Criminalized Abortion to the System of the Prevention of Prostitution Law and the Eugenics Protection Law] (Tokyo: Fuji Shuppan, 1997).

<sup>6</sup> Daniel V. Botsman, *Punishment and power in the making of modern Japan* (Princeton: Princeton University Press, 2005).

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<sup>7</sup> Vice-foreign minister Yoshida Kyōnari to Inch'on consul Kobayashi Tanichi, Dispatch no. 59, 4 Sept. 1883, *Honpōjin fuseigyō torishimari kankei hōki zassan*, vol 1, The Diplomatic Archives of the Ministry of Foreign Affairs of Japan.

<sup>8</sup> Edward W. Said, *Culture and Imperialism* (London: Chatto and Windus, 1993), 3-6.

<sup>9</sup> Miriam Silverberg, "The Modern Girl as Militant," in *Recreating Japanese Women, 1600-1945*, ed. Gail Lee Bernstein (Berkeley: University of California Press, 1991), 239-66; Miriam Silverberg, "The Café Waitress Serving Modern Japan," in *Mirror of Modernity: Invented Traditions of Modern Japan*, ed. Stephen Vlastos (Berkeley: University of California Press, 1998), 208-25.

<sup>10</sup> Silverberg, "The Modern Girl as Militant," 240.

<sup>11</sup> Harry Harootunian, *Overcome by Modernity: History, Culture, and Community in Interwar Japan*, (Princeton: Princeton University Press, 2001), 1-31.

<sup>12</sup> American neo-liberal analysis crystallised around the theory of human capital advocated by University of Chicago economists Theodore Schultz and Gary Becker.

<sup>13</sup> Theodore W. Schultz, "Invest in Man: An Economist's View," *The Social Service Review* 33, no.2 (1959): 110.

<sup>14</sup> Michel Foucault, *The birth of biopolitics: lectures at the Collège de France, 1978-79*, ed. Michel Senellart, trans. by Graham Burchell (Basingstoke; New York: Palgrave Macmillan, 2008), 222.

<sup>15</sup> Gary S. Becker, "Prize Lecture: The Economic Way of Looking at Life": 43.

*Nobelprize.org*. Nobel Media AB 2014. Accessed 26 Aug 2015.

<[http://www.nobelprize.org/nobel\\_prizes/economic-sciences/laureates/1992/becker-lecture.html](http://www.nobelprize.org/nobel_prizes/economic-sciences/laureates/1992/becker-lecture.html)>

<sup>16</sup> John Dower, *War without Mercy: Race and Power in the Pacific War* (New York: Pantheon Books, 1986).



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<sup>17</sup> Eri Hotta, *Pan-Asianism and Japan's war 1931-1945* (New York: Palgrave Macmillan, 2007); Sven Saaler and Christopher W.A. Szpilman eds., *Pan-Asianism: a documentary history – Volume 1* (Lanham, Md.: Rowman & Littlefield, 2011).

<sup>18</sup> Hiroko Tomida, “The Controversy over the Protection of Motherhood and its Impact upon the Japanese Women’s Movement,” *European Journal of East Asian Studies* 3, no. 2 (2003): 243-271.

<sup>19</sup> Sharon L. Sievers, *Flowers in salt: the beginnings of feminist consciousness in modern Japan* (Stanford: Stanford University Press, 1983).