GUILTY BY ASSOCIATION

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The Korean War (1950–1953) was not a single war, but rather a combination of several different kinds of war. It was a civil war, of course, waged between two mutually negating post-colonial political forces, each of which, through the negation, aspired to build a common, larger, singular, and united modern nation-state. It was an international war fought between, among others, two of the most powerful states of the contemporary world: the United States and China. It was a global war— waged between two bifurcating international political, moral, and economic forces, each having a different vision of modernity—which we, for want of a better term, commonly call the Cold War.

However, hidden beneath these well-known characteristics of the Korean War, there was another kind of war going on in the Korean peninsula from 1950 to 1953, or even earlier. The Canadian historian Steven Hugh Lee calls this war the Korean War's war against the civilian population.[1] The South Korean sociologist Kim Dong-Choon calls it "the other Korean War," emphasizing the fact that the reality of this war is not well known in existing history or to the outside world or even, for that matter, to Koreans themselves.[2] The historian Park Chan-Sung calls it "the war that went into the village," highlighting the disparity between Korean War history as national narrative and as local historical experience.[3]

What these scholars commonly try to draw to our attention is the fact that the Korean War was not primarily a violent struggle between contending armed forces. Instead, they show that the war's main struggle was the struggle for survival by unarmed civilians against the generalized, indiscriminate violence perpetrated by the armed political forces of all sides. The South Korean state committed pre-emptive violence in the early days of the war against hypothetical collaborators with the enemy. This set in motion a vicious cycle of violence against civilians in the ensuing chaos of war: it radicalized the punitive actions perpetrated under the North Korean occupation against the individuals and families who were classified as supporters of the southern regime, which in turn escalated the intensity of retaliatory violence directed against the so-called collaborators with the communist occupiers when the tide of war changed. When the North Korean forces left their briefly-occupied territory in the South, they acted as the South had done before, committing

numerous atrocities of pre-emptive violence against people whom they considered to be potential collaborators with the southern regime.

These tragic events arose out of the specific conditions of the Korean War, which was, being part of the broader, turbulent state-building process in post-colonial Korea, based on the negation of the other's existence between the two state systems that emerged in the era, revolutionary North Korea and anti-communist South Korea. The radicalization of this mutual negation in the form of civil war drove the civilian population caught in the middle into an extremely precarious situation.

In the South, the war generated not only a host of outlawed individuals but also politically non-normative consanguine relations and ideologically impure and undesirable families. For the individuals that had fallen victim to the state's anti-communist terror, their historical traces became an ominous threat to their surviving families during and after the war, that of being deemed enemies of the state on account of their relation to the victim. For those who had gone missing in the chaos of the war, their absence ran the risk of being construed as a result of defection to the communist-controlled territory. Their remaining families became "families whose members crossed to the north", a highly stigmatizing status in post-war times. After the war, many of these families had to endure intimidating surveillance by the state security apparatus and systematic discrimination in public life.

Life was hard for many of the post-war Korean families who failed to demonstrate that they had maintained a clear, untainted identity throughout the chaotic war and that they stayed within the circle of political and ideological purity that the state enforced on the national society. For numerous families, it was practically impossible to meet this demand amidst the war's changing tides and chaotic frontiers of violence. The lived reality of the Korean War, for many families and communities, was principally about confronting the radical simplicity of the war's zero sum rule imposed on them amidst the complexity of actual communal experience of the conflict, in which people were forced to accommodate both sides of the mutually negating forces of war. In popular discourse, the historical situation is often expressed with the poignant traditional idiom that depicts an extreme state of confusion: "Move to the right and then to the left [and then again to the opposite direction without knowing where to go and what to do]."

Korea was not the only place where family and other intimate communal relations became the object of political control and punitive actions during the era of the global Cold War. Speaking of the impact of the anti-communist terror unleashed in Java and Bali in 1965–1966, the historian Geoffrey Robinson describes how the terror campaign distorted the moral fabric of Balinese communities. He observes that the widespread practice of punishing the chosen victims together with their families and close relatives left deep scars in the affected communities. In a broadly similar light, Greg Grandin investigates the alleged "susceptibility of Mayans to communism" during

the 1981–1983 terror campaigns in Guatemala against indigenous communities.[4] The anthropologist Stephan Feuchtwang investigates the incidents of state terror in Taiwan in the early 1950s (which were, in fact, closely related to the outbreak of war in the Korean peninsula), focusing on how the experience of state violence is transmitted across generations.

During the Greek civil war (1946–1949), according to Polymeris Voglis, "the line between legality and illegality was drawn along the lines of nationalism versus communism. Ideas, intentions, and even family relations during the Civil War were labelled as "anti-national" and thus became new forms of illegality and new objects of punitive practices".[5] Voglis describes how family relations became "new objects of punitive practices" and how the terrifying label "anti-national" exerted enormous pressure on the prisoners and their families. He reconstructs the intimate experiences of these people, drawing upon their diaries and memoirs and situating their experience in the broad historical context of the post-World War II Europe. In doing so, he raises objections to Michel Foucault's seminal thesis on the birth of the modern prison.[6]

Voglis's objections to Foucault are broadly based on two grounds. One of them concerns Foucault's differentiation of the modern from the pre-modern penal practices in the context of European history. Under this distinction, pre-modern practices consist primarily of introducing physical pains to the prisoner's body in a spectacular way, while modern penal technology is focused on disciplining the body within a system of surveillance, as Foucault illustrates with Bentham's panoptical structure.[7] According to Foucault: "In a society in which the principal elements are no longer the community and public life, but, on the one hand, private individuals and, on the other, the state, relations can be regulated only in a form that is the exact reverse of the spectacle … Our society is one not of spectacle, but of surveillance".[8] Voglis argues that this sharp contrast between the pre-modern spectacle of physical punishment and the modern disciplinary surveillance regime does not fit with the actual history of penal practice in modern Europe, especially in the persecution of political crimes, in which torture and surveillance were both liberally used. Voglis highlights measures such as the forced removal of children from female inmates who refused to make a confession, widely practised against the Greek political prisoners during and after the civil war. He questions whether such measures should be considered a corporeal or non-corporeal punishment, considering that the inmates who underwent the harrowing experience regarded the coerced separation from their children as something akin to an experience of torture. Voglis questions whether Foucault's idea of the modern prison system and modern individual human subject can apply to the condition and subjectivity of Greek political prisoners, which were, according to him, fundamentally social and political.

The disciplinary power of the Greek penal camps was concentrated on punishing the anti-national ideas and ideals believed to be held by the inmates, which was

crystallized in the extraction of confessions from the inmates in the form of them renouncing these ideals. The pains that these inmates experienced with the system of confession were not merely corporeal (bodily pains inflicted for refusing to make confessions) but were ultimately social and relational. The form of punishment was inseparable from the contradictions existing between the inmates' obligations to their families outside the prison on the one hand and, on the other, their loyalties to other inmates and comrades—contradictions that the politics of conversion and confession systematically exploited.

This essay supports Voglis's observation that the body as the object of punitive actions can be a social body located in a web of social and moral ties, rather than the docile body of an isolated individual located within a "minute web of panoptic techniques", as appears in Foucault's work.[9] In an ideologically charged conflict such as the Greek civil war or the Korean War, the weight of political punishment often falls on people who are suspected of harbouring subversive ideas rather than those who actually commit a political crime. If the object of disciplinary penal actions is a body of ideas and ideals that the state hopes to eradicate from the space under its rule, where would it find the targets to discipline and punish in the first place? What are the ways to materialize the condemned body of ideas so that political and administrative resources can be invested against the condemned? The history of punishment can take a radically different route from that described by Foucault in places where the technology of power had to first invent the materiality of the condemned body before it could set out to punish and discipline it.

Collective culpability

One of the most distinctive penal systems in post-war Korea was a set of rules and practices classed as the *yŏnjwaje*. The broad purpose of this system is, according to the definition provided in the 1980 Basic Laws of the Republic of Korea that banned the practices, that a person experiences disadvantages due to the actions committed not by him or her but by someone else related to the person. In a narrower definition, which is how the term has been used in post-war Korea, the rule of *yŏnjwaje* refers to the specific domain of civic life in which the culpability for an individual's criminal actions, if these are judged to threaten national security, may be shared by the culpable individual's close relations. In the literature of law and ethics, similar institutional or customary practices appear under the rubric of collective responsibility, contrasting with the principle of individual rights and responsibility sanctified in modern society and law.[10] They also appear in the idiom of being "guilty by association"; "a deplorable ethical concept, a carry-over from our barbaric, tribal past," according to legal historian, Larry May.[11]

Yŏnjwaje has been a familiar term for Koreans—in particular, to people of the

war generation—until recently. It is associated most prominently with the prevailing wartime and post-war conditions in which the punishment against an individual whom the state defined as an enemy of the political community might fall onto the individual's family and kindred. The presence of this individual within the family could be a post-mortem condition, or it could take on other forms of physical absence, such as someone who went missing during the war or one who is believed to have joined the opposite side of the war.

The criminalization of the family was nominally against the law: the practice of collective responsibility was unconstitutional, and was banned as early as 1894 when the first modern constitutional rule was established in Korea. Nevertheless, it was an integral element of the state's penal practice throughout much of the twentieth century and until very recently. Although there have been several attempts to eradicate the practice of collective culpability, which include the 1980 Basic Law mentioned above, the draconian practice actually lasted until the end of 1980s.[12]

The existence of *yŏnjwaje* goes a long way back in the history of Korea. In pre-modern times, collective culpability was an explicit, legitimate element of the penal institution of the feudal dynastic rule, in which those who are judged to have challenged the authority of the sovereign were punished not only with their death but also with the death (or enslavement or banishment to remote areas) of their entire families. The name *yŏnjwa*, meaning literally, "relations seated together", refers to the structure of the feudal court where the judgment against the accused was pronounced in the presence of his dependents and descendants gathered in his back.

Although the *yŏnjwa* system has a long history in Korea, its modern ramifications in the forms briefly described above, however, are not to be considered merely in terms of historical continuity or deplorable cultural survival as the legal historian cited earlier argues. The "barbaric" institution of collective punishment existed in twentieth century Korea not merely as a remnant of the backward past but, as I will argue shortly, primarily because the institution was a highly effective instrument of social control in a particular condition of political modernity and crisis. Moreover, the institutional practice of collective culpability proliferated in Cold War-era Korean politics and society despite the clear public awareness that the practice was unwarranted in modern life.

The persistence of this practice is evident in the continual attempts made by the South Korean lawmakers to annihilate the *yŏnjwa* system. The leader of the 1961 military coup made the promise to abolish the system during his presidential campaign in 1963, and this was followed by the announcement from the South Korean interior ministry in 1966 that the system no longer existed. However, when a new group of military-political elite took over the political power in the subsequent era, a new promise was made to abolish the *yŏnjwa* system. This happened in 1980 and again in 1987, and each time, the decision was supposed to be a real and final abolition.

The *yŏnjwa* system was, therefore, in Korea's post-war Cold War modernity, both a conceptually defunct penal institution in modern society and, in practice, a useful and indispensable instrument in modern politics.

The important point about the *yŏnjwa* system is that this punitive system existed both outside the rule of law and inside the legal order in practice. It was in part a feudal legacy outlawed in Korea's modern constitutional history; nevertheless, the system has had a powerful shadowy presence in the country's modern political and legal history. Its existence in modern life became a source of suffering and bitterness for numerous families and individuals, and it continued to exist until the geopolitical structures of the cold war began to crumble in the late 1980s. Therefore, it is possible to imagine that the system of collective culpability has both pre-modern and modern origins. The fact that the institution was in practice in modern Korea in spite of the general public awareness of its unlawful status within modern politics shows the limits and distortion of political modernity at the outposts of the global Cold War.

The "survival" of the feudal penal system in modern political life can be thus seen as an invention of tradition, relating to the critical questions of sovereignty and citizenship arising from the particularly volatile condition of the global Cold War that Korea faced in the second half of the twentieth century. The system of collective responsibility bespeaks the predicament of state sovereignty and the limit of citizenship in radical bipolar politics. What was this institution that shaped modern politics outside modern law? Why did kinship become the principal site of contradiction between law and politics in Korea's Cold War?

Two-coloured family genealogy

In November 1978, the eldest descendant of the Anh lineage group, in a village north of Andong, northern Kyungsang Province, had an unforgettable encounter with the history of his lineage. Arrested at home the previous evening, Anh was brought to the basement interrogation room of what he later found out was the office of the province's state security agency. In the room, the then forty-five-year-old rice farmer was brought to face a large wall-mounted drawing. Trembling in extreme fear, Anh recognized that the drawing depicted a family genealogical chart.

The drawing listed a number of names branching out from left to right, connected by a gradually expanding set of horizontal and vertical lines. Being the eldest descendant of his lineage group, Anh kept at his home a collection of records that had similar genealogical drawings. It took time, however, before Ahn came to discover that the two dozen names written on the wall-mounted paper were those of his family. It was much later that he noticed also that the names were written in two different colours; most in black and a few in scarlet red. Eventually, Anh recognized the red-coloured names introduced at the centre of the genealogical chart as those of his two

paternal uncles, who had been leading members of Korea's communist movement during the colonial era.

During the next five days, Anh was supposed to assist his interrogators in putting his family's genealogical history in order. What the investigators wanted from him was not clear to Anh at the outset. Anh was repeatedly told that he had to say, truthfully and without concealing anything, everything he knew about his family's past and present in all details. However, he was confused as to what he could do to meet this request since the interrogators did not tell him what they were looking for in his family history. He received beatings, sometimes severe ones, each time he failed to relate "everything". After each beating, he was commanded to look again and examine the drawing on the wall.

This went on, and as the hours passed in that dreadful basement room, Anh said that things started to become clearer to him. He slowly began to understand what his interrogators expected from him, what the drawing on the wall meant to him, and why he had been brought to the room in the first place: his job was to explain the relationship between the two coloured names and the genealogical lines presented on the drawing.

The objective of the interrogation was to superimpose a structure of political and ideological ties onto the structure of blood relations depicted on the wall-mounted drawing. It aimed to establish a web of collaborative political relations between the red-coloured names on the chart, on the one hand, and, on the other, the rest of the names, which were connected to the red-coloured names in lines that indicated descent and collateral ties. Ahn's duty was to provide detailed information about the extent to which his descent group harboured the "red ideology" (i.e., communism) beyond the two red-coloured individuals, his two paternal uncles. The interrogators also wanted from him detailed biographical and historical information on the way in which the commitment to red ideology was allegedly diffused from his paternal uncles to those in other collateral lines within his lineage.

Each time an interrogation session was over and Anh was given some moments to gather his thoughts, he noticed that more red lines had been added to the genealogical diagram. And each time Anh protested the spread of the red-coloured lines to his close and distant relatives, he experienced another round of physical abuse. By the time the interrogation was over, the genealogical chart had changed in colour. The red-coloured elements on the chart had grown from a small to a large proportion, and many new red lines had been added on to the black-coloured lines. Looking at it, Anh said that he felt that nearly the entirety of his lineage group was drenched in the scarlet-red colour of communism.

Ahn's experience speaks of the broadly-held understanding in post-war South Korean society that the family genealogical record, being an important symbol of

communal integrity and continuity, could turn into a weapon against the community's welfare and survival.

The cultural and moral importance of the genealogical record is well illustrated in an episode featured in a biographical account of the Korean War: a family's grandfather, when the family's home was set on fire in the midst of a counterinsurgency action, tried to rescue family treasures from the burning thatched-roofed house. When the old man narrowly escaped a collapsing beam and was carried out to safety by his neighbours, people were surprised to see that the treasure for which the family's grandfather had risked his life was an old faded book—the family's *jŏkbo* or book of genealogy.

The significance of the book of genealogy has another dimension, however. In the above story, the counterinsurgency group set the family's home on fire as a punishment in relation to the old man's eldest son, whom they suspected to be a left-wing intellectual. After the son was later arrested and executed, the book, which the grandfather treated as the family's most treasured object, became the source of a nightmare for the family, especially the grandfather's eldest and only grandson, who was the narrator of this story. The grandson, in his childhood, endured the stigmatizing experience of hearing the villagers' whispers about him and his family as "a family that has red lines in the genealogical record."

"Red lines in the genealogical record" (*hojŏke pp'alganjul*) was a powerful idiom in post-war South Korea. The lines indicated, in popular understanding, that there was a person in the family whose loyalty to the current political society was in doubt. Having these lines in the family record meant that the family as a whole had a politically dubious background. The family record in this context does not refer to the privately possessed documents of genealogical history, such as that which appears in the above story, but the family genealogical registers (*hojŏk*) kept in the public office.

The latter was invented in the 1920s by the Japanese colonial administration, and has since been a primary public source of personal and collective identification in Korea. Recorded information included the person's name and place and date of birth in the context of his or her family relations, as well as the identity of the family group as a whole in terms of its place of origin. "Place of origin" typically refers to the family's "root"; the place where the family's original patrilineal group is believed to be based. In this system, a person may be considered to be rooted in a place that is other than the person's place of birth and where he or she never lived. In today's Korean context, therefore, someone's "root" identity signifies more a place of the dead rather than that of the living: it is where the graves of family and ancestors are located and where individual families, while living separately from each other and mostly in urban areas, gather periodically to visit these ancestral graves and thereby to renew a sense of being together among them through ancestor worship. The public

genealogical documents are associated with this "root" identity and usually kept in the registry office of the district where the place of root identity belongs. It is then intelligible why the thought of a "red line" introduced to this document provokes such strong fear and indignation in the popular imagination. The red line is not merely an element of personal identification, but an indicator of collective identity—such that the family as a whole may have a questionable public and political identity.

In actuality, lines of this kind were not often applied to the public family records in physical terms and, although the fear of them was real for many post-war families, they mostly referred to more implicit indicators of politically non-normative identity. These traces could take the form of a simple handwritten comment on the record— for instance, a note saying "The aforementioned has been missing since July 1950," as was the case with one of my interviewees. This apparently innocent information turned into a powerful threat to my interviewee's personal safety when the information was relegated, through a chain of command, to the security department of the army unit in which he was serving. One of his superior officers later told him that on his family record that the officer had seen, someone had written, next to the above note and in red-coloured pen, that the "aforementioned person", the soldier's father, who disappeared from home during the Korean War, was a "security suspect demanding attention".

The "red lines" in the public genealogical record have may have been less materially real than popular imagination had it, but this does not mean that the fear of them was unwarranted. With reference to the post-war experience of separated families who had relatives in North Korea, it is observed:

> The surveillance against these families, apart from occasions of direct control by the police's security personnel, was on an everyday basis. Most other people encounter the state power when they have broken the law, whereas these families encountered the state's power of exclusion in their everyday life and in a diffused way, on occasions as diverse as when applying for jobs or schools, choosing a spouse, or obtaining a permit to travel overseas. Since their experience of exclusion and discrimination took place in the space of everyday life, such as at school, rather than necessarily in the appropriate designated public space, such as in the police station or in the court, these families tend to speak of these experiences as private affairs [rather than a public, systemic phenomenon].[13]

Indeed, the recent testimonial histories of the Korean War compiled by South Korean historians and anthropologists amply show that the *yŏnjwaje* was a widely applied punitive and disciplinary technique. It applied to diverse aspects of post-war civic life, but was nevertheless without clearly specified rules. One broadly held view understood the rule of collective responsibility in terms of a concentric circle. In this view, illustrated by many stories told by people who claim to have been victimized by the rule, the *yŏnjwaje* draws a circle around the vital public institutions that constitute

the state power, excluding the social groups, whose political loyalty the state doubts, the right to join the space within the concentric circle. The many episodes of failing to enter the civil service, legal profession, national police, or the military officer corps for children from families with "red lines" illustrate the existence of the *yŏnjwaje* rule in this political concentric form.

A number of instances have been also reported in which these children were forced to choose alternative careers in the so-called outer circle of public service, such as in the teaching profession within the national educational system, where the imposition of security rules was relatively less severe. Some of these episodes also feature differences between public schools (state-directed schools) and private schools (i.e., run by Christian or Buddhist religious groups or by other private sectors) for the career prospect of people who have politically non-normative family backgrounds. It is suggested that this aspect of the *yŏnjwaje* rule explains the relatively high proportion of such people in South Korea's literary world, who in turn played a pivotal role, in the late 1980s and 1990s, in exposing the hitherto unseen history of the Korean War in fictional and semi-fictional forms, departing radically from the existing dominant national narrative.

The predicament of Anh was mainly related to the historical fact that his paternal uncles had been active in the region's communist movement during the colonial time in the 1930s. His father was the eldest son and, after the death of their father, supported his younger brothers while the latter were in hiding, and later in the colonial prison. Following the death of his father, the responsibility to keep the ancestral farmland, family tombs, and the genealogical record of the lineage fell onto Anh's shoulders. As the eldest descendant of his lineage, he is nominally in charge of the lineage affairs and regarded as such by his kin. The gruesome experience he endured at the security office was mainly because of his status as the eldest descendant, who is supposed to have a broad knowledge of the lineage's genealogical history and family affairs.

However, after he was released, Ahn discovered that he was not the only one from the family who had been arrested. While he was held in a room at the basement of the security agency, his cousin, who was the descendant of one of Anh's paternal uncles, was undergoing a similar experience in another room. Although Anh still does not understand what the interrogators wanted from him and why they were interested in his family's genealogical order and history, he said that he understood at least why he had been brought to them: "For my cousin, it is obvious. He is a man with a communist father. That makes him a red. For me, it is equally obvious. I am the eldest descendant of what they see as a red [Communist] bloodline. That makes me a red who carries on his back the heritage of a red family."

The docile collective body

Foucault's account of the origin of modern prison draws upon Bentham's panoptic techniques. These techniques are emblematic of Bentham's general utilitarian approach to modern society and governance, which is focused on the economic efficacy of institutional forms. Foucault allocates to the techniques another dimension of efficacy—namely, that in the system of surveillance, the object of the disciplinary action (the isolated docile body) participates in the system quasi-willingly (rather than necessarily being forced into it) on the basis of its adaptation to the system's "mechanics of power" (thereby becoming what Foucault calls "the practised body").[14] The panoptic techniques are portable to other institutional contexts, such as schools, army, and hospitals, according to Foucault, and therefore generate a higher efficacy (the body trained in one specific institutional disciplinary context is already made ready for adjusting to another, thus becoming "useful individuals" for society).[15] The portability (or what Foucault calls "the art of distributions"), in turn, generates the benefit of an economy of knowledge, in that the knowledge of control obtained and cumulated in one institutional setting can apply to controlling activities in another setting since, according to Foucault, "each provides a model for the other."[16]

The above depiction of the origin of modern penal practice is so widely known and cited that I will not get into more details here. Instead, I will limit the discussion to two specific issues concerning the relational human body mentioned at the start of this essay.

Firstly, the premise of the docile body is predicated on the modality of the individual subject and the related assumption that in modern societies the relationship between the person and the community is replaced by that between the individual and the state. Before being docile within the structure of power, the human subjects need to be isolated from one another, and, for this, it is required that the subject becomes a modern self, freed from traditional communal bonds. Only this radically autonomous self, such as that which appears in French existentialist thought, may join the modern disciplinary regime as a meaningful participant in the way described by Foucault.[17] In other words, the docile body is the body of a fully autonomous individual in action, and not that of a human actor who is yet unacquainted with the modern ontology of individualism.

Secondly, the human body that inhabits a modern disciplinary regime is primarily a physical body. Thomas Flynn argues: "Although a history of the modern 'soul', *Discipline and Punish* is primarily about the *body*. First of all, it is about that physical body which can be trained, whipped into shape, rendered a docile, productive tool of society. But it is about the 'body politic' as well, a term which gains new meaning at Foucault's hands, namely, 'a set of material elements and techniques which serve as weapons, relays, communication routes and supports for the *power and knowledge*

relations that invest human bodies and subjugate them by turning them into objects of knowledge."[18] If the regime controls the body, it can control the individual (and therefore the society) through it, for, by controlling the body, the regime can control the person's soul.

In this way, Foucault shares one of the central tenets in the early French sociological school: that "the soul is the prison of the body."[19] This idiom represents the break of modern knowledge practices from the previous theology-dominated era. In the pre-modern era, the focus of knowledge was on the question of soul because the idea that a soul brings man to existence prevailed in this era; modern knowledge turns away from this tradition, shifting its focus to observable facts and phenomena, such as the body. Thus, the human subject as the object of knowledge is not what it thinks and feels but rather what it does and how it does it. Likewise, according to Foucault, it is this "very materiality as an instrument and vector of power" on which the political investments of modern times focus.[20]

Foucault's erudition is, therefore, based on the idea that a radical rupture took place in European penal practices in the transition to modernity. In his work on the history of prison, Foucault associates the rupture with the rise of the panoptical surveillance system as the dominant technology of control in place of the spectacle of punishment. The change in penal system is closely related, in his understanding, to the rise of the autonomous, isolated individual in place of the community-bound moral person as the new object of social control. Thus, in his account, the invention of the modern prison corresponds closely to the invention of modern society and modern individuality—that is, the transition from *Gemeinschaft* to *Gesellschaft*. Foucault illustrates this historical rupture in a plague-stricken French town in the late seventeenth century, from which he derives the idea that the origin of modern disciplinary society is a mechanism of disease control—the invention of "the seeing machine," as he calls it:[21]

> The town was a quarantined space against the spread of the plague that it was suffering from. The residents were locked up inside their houses, allowed to communicate with the outside world only through the syndic who keeps the street under surveillance, and they were forbidden from leaving the street, the violation of which constituted a condemnation to death. The syndic kept an eye on the houses of the street he was in charge of and was to report to the intendant responsible for quarantining the wider residential area. At the end of each street was a sentinel where guards stood on alert, and all the gates to the town were also guarded by the militia and at each of them stood a tall observation tower. Each household was compelled to report everything about its activity to the chain of the quarantine authority—"to speak the truth under pain of death"; the authority was to observe all actions and events taking place within the regimented city's space through its agents of surveillance entrenched in the regimented spatial order.

Foucault presents the structure of the quarantined city as a "political dream" of the

modern disciplinary society—"the utopia of the perfectly governed city"—an ideal exemplar of Bentham's panoptical technology of control, in which "each actor is alone, perfectly individualized and constantly visible," and "he is seen, but he does not see; he is the object of information, never a subject in communication" (p. 200). As such, he contrasts the city's spatial structure to what he sees as the quintessential modality of disease control in pre-modern times: the exile community of the leper. He writes (p.198):

> The leper was caught up in a practice of rejection, of exile-enclosure; he was left to his doom in a mass among which it was useless to differentiate; those sick with the plague were caught up in a meticulous tactical partitioning in which individual differentiations were the constricting effects of a power that multiplied, articulated and subdivided itself; the great confinement on the one hand; the correct training on the other. The leper and his separation; the plague and its segmentations. The first is marked; the second analyzed and distributed. The exile of the leper and the arrest of the plague do not bring with them the same political dream. The first is that of a pure community, the second that of a disciplined society. Two ways of exercising power over men, of controlling their relations, of separating out their dangerous mixtures."

An epidemiological model of society as a vulnerable organism was familiar to the anti-communist politics of the early Cold War.[22] Edgar Hoover saw communism as "a condition akin to disease that spreads like an epidemic, and like an epidemic, a quarantine is necessary to keep it from infecting the nation."[23] In 1950, an important report, known as *NSC-68*, from the U.S. National Security Council, describes the Soviet Union as aimed to "contaminate" the Western world with their preferred technique of infiltrating "labor unions, civic enterprises, schools, churches, and all media for influencing opinion." In parallel with the urgency to stop domestic contagion, the document argues that, internationally, there is a need "to quarantine a growing number of infected [by the disease of communism] states".[24] *NSC-68* asserts that the enemies of the liberal world are shadowy and entrenched within society as well as embodied by radical political movements and states out there on the distant geographical horizons. These assertions became materialized in the public policy initiatives of the mid-century United States, as seen in Harry S. Truman's 1947 speech, "Disloyal and Subversive Elements Must Be Removed from the Employ of the Government," concerning the establishment of the Disloyalty Review Board—measures, as is well known, that were to take on a more radical tone and form with the outbreak of the Korean War.[25] Considering this development, Ron Robin writes: "American society of the 1950s was increasingly fascinated by the threat of a foreign presence within the American body politic. The political, social, and intellectual atmosphere of the period reflected concern for, and fascination with, the enemy within".[26]

The anti-communist politics of post-war South Korea was at the frontline of the global "quarantining," and it also advanced an epidemiological view to social and political relations.[27] It aimed to build an ideologically pure, morally disciplined society that stood meaningfully on the global frontline, and it sought to deal with "the threat of a foreign presence" within the body politic accordingly. The enemy within and the carrier of infectious foreign ideology that was given concrete forms in this political process was not an individual but a person in relationship. The object of discipline and punishment was not necessarily the individual's isolated body, but the rich web of relationship that makes the individual a moral person. Because the focus of punishment was on relation and body in relation, the body of the accused was never isolated in the first place and the accused was not able to prove his or her innocence unless able to pull his or herself out of the condemned relational body or make the relational body as a whole innocent.

The disciplinary society invented in the age of the Cold War and at the frontline of the global ideological struggle was neither merely in the image of the pure community of lepers nor solely according to the segmentary structure of the plague control. Rather, the political dream of this society was close to a creative combination of these two modalities of control, thereby making a polity of docile subjects based on the isolation from society of contaminated relations. The structure of this disciplinary society is unintelligible if we take for granted what Foucault says about these docile subjects as being "alone, perfectly individualized and constantly visible." On the contrary, the ideal subjects, in the political dream of the frontline anti-communist society, were those who are never alone and never free from the liabilities of communal relations and who are constantly vigilant against the contamination of these relations by alien thoughts and beliefs.

Notes

1   Steven Hugh Lee, *The Korean War* (New York: Longman, 2001).

2   Kim, Dong-Choon, *The Unending Korean War: A Social History*, trans. Sung-Ok Kim (Larkspur, CA: Tamal Vista Publications, 2009), pp. 3–38.

3   Park, Chan-Sung, *The Korean War That Went into the Village: The Korean War's Small Village Wars* (Paju, Kyunggi-do: Dolbege, 2010, in Korean).

4   Greg Grandin, *The Last Colonial Massacre: Latin America in the Cold War* (Chicago: University of Chicago Press, 2004), p. 14.

5   Polymeris Voglis, *Becoming a Subject: Political Prisoners during the Greek Civil War* (Oxford: Berghahn, 2002), pp. 7–8.

6   Ibid., pp. 6–10.

7   Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Penguin, 1991), p. 224.

8   Ibid., pp. 216–7.

9   Ibid., p. 224.

10 Elazar Barkan, "Individual versus Group Rights in Western Philosophy and the Law," in Nyla R Branscombe and Bertjan Doosje (eds.) *Collective Guilt: International Perspectives* (Cambridge: Cambridge University Press, 2004), p. 309.

11 Quoted from Larry May, *The Morality of Groups: Collective Responsibility, Group-Based Harm, and Corporate Rights* (Notre Dame, IN: University of Notre Dame Press, 1987), p. 8. See also Elazar Barkan, "Individual versus Group Rights," p. 311.

12 *Yŏnjwaje* ended in South Korea in 1988. The outlawing of this institutional practice was one of the first legal reforms undertaken by the democratically elected legislative body after the fall of the military rule in 1987. Commentators in Korea hailed the reform as a historic progress in the country's legal history. However the reform was a profoundly paradoxical initiative. Formally *yŏnjwaje* had always been an unconstitutional practice in post-colonial Korea. The 1948 constitution of the Republic of Korea includes an article that specifically declares the abolition of the system. In subsequent decades, various political leaders promised again the abolition of *jŏnjwaje*.

13 Cho, Sung-Mi Cho and Kim, Gui-Ok, "Wŏlbukin yugajokŭi bangongjŏk ŏkapgwa 'wŏlbuk'ŭi ŭimich'egye" (Anti-communist repressions against the families of individuals who moved to North Korea and the meanings of 'moving to North'), in Gui-Ok Kim (ed.) *Isangajok, 'bangongjŏnsa'do 'ppalgaeni'do anin: isangajok munjerŭl bonŭn saeroun sigak* (Divided families, neither anti-communist warriors nor 'red' individuals: new perspectives to the problems of divided families), (Seoul: Historical Criticism Press, 2004), p. 178.

14 Foucault, *Discipline and Punish*, p. 138.

15 Ibid., p. 141.

16 Ibid, p. 221

17 This choice to highlight the autonomous, displaced "modern" self in historical inquiry is also methodological choice. That "what Foucault calls his "[historical] nominalism" is per force of a kind of methodological individualism. It treats collectives such as the State of abstractions like "man" or "power" as reducible, for purposes of explanation, to the individuals that comprise them." Thomas R. Flynn, "Foucault and Historical Nominalism," Harold A. Durfee and David F. T. Rodier (eds.), *Phenomenology and Beyond: The Self and Its Language* (Dordrecht, The Netherlands: Kluwer Academic Publishers, 1989), p. 134.

18 Ibid., p. 138

19 Foucault, *Discipline and Punish*, p. 30.

20 Ibid., p. 31.

21 Ibid., p. 207.

22 Ibid., p. 7.

23 Quoted from Cynthia Hendershot, *Anti-Communism and Popular Culture in Mid-Century America* (Jefferson, NC: McFarland, 2003), p. 13.

24 Douglas Field, "Introduction," in D. Field (ed.) *American Cold War Culture* (Edinburgh: Edinburgh University Press), pp. 3–4.

25 Walter LaFeber, ed., *The Origins of the Cold War 1941–1947: A Historical Problem with Interpretations and Documents* (New York: John Wiley, 1971, pp. 165–167.

26 Ron Robin, *The Making of the Cold War Enemy: Culture and Politics in the Military-Intellectual Complex* (Princeton: Princeton University Press, 2001), p. 168.

27 Syngman Rhee said, "Communism is like cholera. Once cannot make compromise with cholera [virus]." Quoted from Yu Young-il, "Unam Rhee Syngman's Thoughts about Reform and State-building," *Aseahakbo* (Asian Studies Journal) 20 (1997), p. 40.