

Secrets, Sex, and Spectacle: The Rule of Scandal in Japan and the United States. By Mark D. West. Chicago: Univ. of Chicago Press, 2006. Pp. viii+368. \$45.00 cloth.

Reviewed by Ari Adut, University of Texas at Austin

West offers a colorful as well as penetrating account of the making of Japanese scandals. Using the United States as a baseline for comparison and analyzing cases from all realms of public life (business, entertainment, politics, sports, religion, and education), he argues compellingly that law, social organization, and culture combine to determine the logic of scandal in Japan.

The book does an excellent job of showing how Japanese law affects the social and legal dynamics of high-profile cases. Significant factors at work here are the organization of Japanese prosecutors, lack of whistle-blowing protection, lax white-collar crime enforcement, underdeveloped (by Western standards) sexual harassment laws, and ambiguities in sex norms. Strict defamation laws are particularly important. Truth does not constitute a defense in Japan, and there is no requirement of malice or economic harm. Damage to honor suffices. As a result, public officials are fairly protected against moral attacks. But since damages awarded by courts are low, the press does not always mince its words; thus many scandals are played out in the form of defamation cases.

The bifurcated structure of the Japanese media also has a bearing on scandal activity. Elite media constitute a closed world operating through exclusive press clubs, whose members tend to shy away from scandal both because of high-mindedness and because of their dependence on the elite of the nation. The weeklies and the television wide-shows, in contrast, revel in raunchy and irreverent coverage. For instance, the sex story about the adulterous relationship between Japanese Prime Minister Uno and a geisha was rebuffed by the elite press in 1989, but it was made public by a weekly.

A particularly perspicuous chapter compares the pragmatics of public apology in Japan and United States. Among other things, West finds that individual apologies in Japan are often made for the benefit of groups and that they rarely adopt the trope of religious redemption, as is often the case in America. What is more, the apologizers are often chosen by the organization or group that the scandal implicates.

The book takes on a good deal of common wisdom about Japan. We find, for instance, that the Japanese are fairly litigious. Japanese politicians and celebrities routinely have recourse to law to defend their honor. West reports that 741 defamation complaints were filed in Japan during 2004. This is all the more striking when we find that only 64 defamation cases were

prosecuted during the last four decades in the United States (p. 82). Nevertheless, the familiar contrast between Japanese collectivism and American individualism does a good deal of the comparative work in this book. As West points out, self-regulating (and mostly private) groups in business, religion, sports, politics, and entertainment structure Japanese society. These groups demand a considerable amount of loyalty from the Japanese and resemble secret societies in terms of their functioning and accountability. Their predominance accounts for the low use of law, and “[the] preference for private ordering over public as the variable with the most explanatory power to understanding scandal” (p. 328). A good deal of scandal activity in Japan involves activities that individuals undertake for the benefit of these collectivities, whose internal rules also have a bearing on how transgressions and transgressors are dealt with.

West makes a good point about the importance of civil society groups in understanding scandal activity in Japan, but he may be understating their counterparts in the American context. The United States is in effect more individualistic than Japan, but most serious scandals, wherever they break, have collectivist dynamics. They exert negative externalities on the groups and institutions associated with the alleged offender, and reactions to these effects govern the scandal process. Another issue is definitional. West defines scandal as “an event in which the public revelation of an alleged private breach of a law or a norm results in significant social disapproval or debate and, usually, reputational damage” (p. 6). This definition is unduly restrictive: many scandals break as a result of provocative transgressions committed in public. Consider, for instance, transgressive art, public heresy, or civil disobedience. If such acts generate sufficient public attention, the scandals they create may well transform norms.

Secret, Sex, and Spectacle stands out by its lively style, lucidity, and erudition. It should appeal to anyone interested in scandal, Japan, or the interaction of society, culture, and law in norm enforcement. In West’s engaging book, scandal both reveals the inner logic of Japanese society and plays a central role in its public life.

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The Purchase of Intimacy. By Viviana Zelizer. Princeton, NJ: Princeton Univ. Press, 2005. Pp. xi+356. \$29.95 cloth; \$19.95 paper.

Reviewed by Brooke Harrington, Brown University

Among the many things to enjoy about Zelizer’s new book is its review of the wide range of colorful anecdotes and terms that have