CONSOLIDATION OF DEMOCRACY IN SOUTH KOREA?

Gabriel Jonsson
Acknowledgements

Firstly, I wish to extend my gratitude to those who have been kind enough to offer their assistance during the preparation of this book. This stimulating project would never have reached completion without two research visits to South Korea in 2010 and 2012. I therefore would like to acknowledge Torsten Söderbergs stiftelse [foundation] for providing research grants in 2010 and Magnus Bergvalls stiftelse [foundation] for providing research grants from 2011-2012. A grant from Stiftelsen Lars Hiertas minne [The Lars Hierta Foundation] in 2013 is also greatly appreciated.

In South Korea I wish to thank two former presidents of the Korea Institute for National Unification, PhD Suh Jae Jean and Kim Tae Woo, for allowing me to study at the institute. As a guest researcher, I benefited greatly from my affiliation with the institute in terms of collation of relevant material and in establishing valuable contacts. The National Archive kindly provided the author photos of the five presidents who were in power from 1988-2013 and whose terms in office are the focus of this study. In addition, I wish to express my gratitude to anonymous readers of the manuscript. I also wish to thank my wife, Lee Hee-Sook, and my daughter, Rebecka Ye-mi, for their extraordinary patience towards me during the preparation of this book. Maria Hedman has my thanks for proofreading the whole text. Roberto Menkes has my thanks for his assistance concerning technical matters related to the project. Thank you one and all.

Stockholm, February 10, 2014

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Acronyms
ANSP Agency for National Security Planning (formerly KCIA)
BBC British Broadcasting Corporation
DJP Democratic Justice Party
DLP Democratic Labor Party, Democratic Liberal Party
DP Democratic Party
DSC Defense Security Command
FTA Free Trade Agreement
GNP Grand National Party
IMF International Monetary Fund
KCIA Korean Central Intelligence Agency
LFP Liberal Forward Party
MDP Millennium Democratic Party
NCNP National Congress for New Politics
NDRP New Democratic Republican Party
NEC National Election Commission
NIS National Intelligence Service (formerly KCIA, ANSP)
NKP New Korea Party
NSL National Security Law
NPP New Party by the People
NTA National Tax Administration
OECD Organization for Economic Cooperation and Development
PK Pusan-South Kyongsang province
PPD Party for Peace and Democracy
RDP Reunification and Democracy Party
TK Taegu-North Kyongsang province
UDP United Democratic Party
ULD United Liberal Democrats
UN United Nations
UNCHR United Nations Commission on Human Rights
UNP Unification National Party
UPP United Progressive Party
U.S. United States
1. Introduction

1.1 Purpose

Since 1987 South Korea has been regarded worldwide as a democracy.1 There is no doubt that the introduction of democracy has created a better image of the country around the world, but it is another matter how democracy in Korea has actually worked. Consequently, the purpose of this work is to investigate whether democratic consolidation has been achieved or not during the past 25 years. In other words, did the quality of democracy improve or not?

Korea adopted its present constitution on October 29, 1987. The president is elected by the people through a universal, equal, direct, and secret ballot. The term of office is five years and re-election is impossible. Following the opposition’s wish for a four-year term for the president with the option to run for a second term and the government’s wish for a single six-year term, they agreed on a one five-year term. The reason was that the First Republic (1948-1960) and Third Republic (1963-1972) which had begun with two four-year periods for the president had become dictatorial systems due to constitutional amendments.

According to the Korean scholar Lee Jung Bock (2008), since the main wish of the people in 1987 was to prevent long-term rule of the president and to accomplish a democratic power transfer, there was hardly anyone who raised objections to the five-year limit. Lee (2009) also asserts that a one five-year term for the president was not the will of the Korean people but a consequence of the wishes of Kim Dae Jung and Kim Young Sam who both wanted to become president even if one of them failed to become elected. If a two-term mandate had been implemented, only one of them would have been elected president. Both wished to have a chance to get elected.

Since the Constitution may be regarded as a guideline for how the Korean political system should ideally work and no one, to the author’s knowledge, has analyzed the relationship between the Constitution and subsequent political developments, except for the impact on the president’s power, three articles are relevant to assess the degree of democratic consolidation. Firstly, Article 1:1 states: “The Republic of Korea is a democratic republic.” Secondly, Article 8:2 says: “Political parties must be democratic in their objectives, organization, and activities, and have the necessary organizational arrangements for the people to participate in the formation of the political will.” Thirdly, Article 21:1 prescribes: “All citizens enjoy the freedom of speech and the press, and of assembly and association.”

With this background, the purpose of this study is to investigate whether post-1987 political developments fulfill the requirements of democratic consolidation or not from three points of view. Firstly, the issue is analyzed on the basis of definitions of democratic consolidation presented in section 1.2: How do political developments correspond with them? In relevant cases, the definitions will be applied on the empirical account but otherwise in conclusions or in both. Since the president is the center of Korea’s political system and

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1 South Korea is hereafter labelled Korea with the exception of quotations and contexts in which North Korea is mentioned. For a map of provinces and cities see Appendix I.
much of the literature focuses on how the presidents have exerted their power, this study investigates presidents’ policies. There are numerous evaluations of each president’s policies. However, it is more difficult to find works that assess the degree of democratic consolidation during more than one president’s term in office throughout the past 25 years. Consequently, this study has an important task to fulfill by critically assessing existing evaluations of this period one year after the retirement of President Lee Myung-bak.

Secondly, what the last five presidents declared that they would do when assuming office in their inauguration addresses regarding democratic consolidation and what they subsequently did during their terms in office is analyzed on the basis of concrete examples.

Thirdly, whether Articles 1:1, 8:2 and 21:1 correspond with democratic consolidation or not is investigated on the basis of each president’s policies. The study focuses on domestic politics but includes foreign policy, inter-Korean relations and economic policy if relevant. The work includes pre-1987 developments only if necessary for the context.

1.2 Theoretical Framework

The most influential definition of democracy during the past three decades was made by the American scholar Robert Dahl who in his work Polyarchie from 1971 defined polyarchie as the realistic form of democracy. Polyarchie refers to contestation open to participation and is defined by the two interdependent dimensions of political participation and political competition.

More specifically, Dahl refers to the key institutional requirements of democracy: a) the election of government officials, b) free and fair elections, c) inclusive suffrage, d) the right to stand for election, e) freedom of expression, f) free access to alternative sources of information and g) associational freedom. The German scholar Aurel Croissant (2002) objects to Dahl’s definition since it only catches the vertical dimension of legitimacy and control between the people and democratically elected officials. He suggests the inclusion of two more dimensions: the extent of effective monopoly on government by democratically legitimated representatives and the degree of liberal constitutionalism and rule of law. The rule of law and democracy complement each other and merge to form the synthesis of the democratic, liberal, and constitutional state.3

On democratic consolidation the Polish scholar Adam Przeworski (1991) writes:

“Democracy is consolidated when under given political and economic conditions a particular system of institutions becomes the only game in town, when no one can imagine acting outside of the democratic institutions, when all the losers want to do is to try again within the same institutions under which they have just lost.”4

The Korean scholar Hyug Baeg Im (2000) objects to Przeworski’s minimalist conception that emphasizes a spontaneous and self-enforcing compliance with democratic norms and institutions: “Compliance constitutes the equilibrium of the decentralized strategies of all relevant political forces.” Instead, he regards the institutionalization of competition as a too narrow definition of democratic consolidation since it rests on the Austrian scholar Joseph Schumpeter’s definition “Democracy means only that the people have the opportunity of


accepting or refusing the men who are to rule them”, that is equating democracy with elections. Democracy is a far more complex concept than regular electoral competition.

Im claims that in addition to regularly contested elections, “…a consolidated democracy needs guarantees of basic civil rights for citizens, accountability and responsiveness from its leaders, civilian control over the military, and Tocquevillian social democratization (that is the absence of extreme forms of social relations and the protection of citizens by law in social and economic relationships.”) Also, “In sum, one cannot consolidate democracy by simply institutionalizing electoral competition; one needs, more broadly, to stabilize, institutionalize, routinize, internalize, habituate, and legitimize democratic procedures and norms in political, social, economic, cultural, and legal arenas at both the elite and mass levels.”

The American scholar Larry Diamond and his Korean co-author Doh Chull Shin (1999) write that democracy to become consolidated must achieve deep, broad and lasting legitimacy among political elites, politically significant parties and organizations and the general public. At each level, actors must show a normative commitment to democracy as the best form of government and a behavioural commitment to follow the specific rules and procedures of the constitutional system. At its base, democratic consolidation involves political leadership and institution building. Together with the Taiwanese scholar Yun-han Chu (2001), they argue that consolidation of a democracy requires “broad and deep legitimation, such that all significant political actors, at both the elite and mass levels, believe that the democratic regime is the most right and appropriate for their society, better than any other realistic alternative they can imagine.”

The British scholar Jean Grugel (2002) views democratic consolidation “…as the routinization and widespread acceptance of his [Przeworski’s] definition of the democratic political system…”. According to Samuel Huntington (1991), “a democracy can be considered consolidated if it can survive two changes in ruling parties through post-transition elections”, that is “the two turnover test.” It is an often cited definition and is the best measured criteria for consolidation.6

According to the American scholar Juan Linz (1990), a consolidated democratic government is one “in which none of the major political actors, parties, or organized interests, forces, or institutions consider that there is any alternative to democratic processes to gain power, and that no political institution or a group has claim to veto the action of democratically elected decision makers.” Hyug Baeg Im (2004) calls his definition “standard criteria for negative consolidation.” In contrast, a positive concept of democratic consolidation assesses the degree of democratic consolidation by measuring how close the new liberal democracies come toward the achievement of full democratic rule. The question is the following: How much or to what extent did the country accomplish the second transition from a democratic government to a democratic regime?

The positive concept of democratic consolidation investigates whether a new democracy moves forward by deepening democratic institutions, settling democratic governance, and ensuring quality democracy. In other words, the concept focuses more on the quality of democracy than its survival. To call a new democracy a consolidated democracy, on the institutional level democratic governance in terms of high degrees of accountability, transparency, the rule of law, participation, representation and stateness should be instituted in

5 First two quotations have original quotation marks.
constitutional and representational systems and function as public governance of the administration, political parties, elections, the parliament, the judiciary, and civil society. On the behavioural and normative level, positive consolidation of a new democracy means, by quoting Larry Diamond, “…broad and deep legitimation, such that all significant political actors, at both elite and mass levels, believe that the democratic regime is the best and most appropriate for their society, better than any other realistic alternative they can imagine.”

While agreeing with the above definition of a consolidated democratic government by Linz, the American, German and Greek scholars Richard Gunther, Hans-Jürgen Puhle and P. Nikiforos Diamandorous (1995) note “the absence of politically significant anti-system party or social movements” as the key indicator of democratic consolidation. In a more comprehensive definition, Linz and the Hungarian scholar Alfred Stepan (1996) point out three conditions that have to be fulfilled to consolidate democracy:

“Behaviorally, no significant political group seriously attempts to overthrow the democratic regime; attitudinally, the overwhelming majority of people believe that any further political change must emerge within the parameters of democratic procedures; and constitutionally, all actors become habituated to the fact that political conflicts will be resolved according to established norms and that violations of these norms are likely to be both ineffective and costly.”

Linz and Stepan (1996) also write that unless a state exists, free and authoritative elections cannot be held, winners cannot exercise their power and citizens cannot have their rights effectively protected by a rule of law. They assert that “…democracy cannot be thought of as consolidated until a democratic transition has been brought to completion.” The completion of a democratic transition requires the holding of free and contested elections that meet the seven key institutional requirements raised by Dahl referred to on p. 5.

However, holding elections is not a sufficient condition for completion if the government subsequently formed is constrained in exerting power due to remaining authoritarian legacies. Additionally, “…no regime should be called a democracy unless its rulers govern democratically.” If elected governments violate the constitution and the rights of individuals and minorities, impinge upon the legislature’s legitimate functions and thereby fail to rule within the bounds of a state of law, then they are not democracies. A “consolidated democracy “refers to a state in which democracy with its complex system of institutions, rules and patterned incentives and disincentives has become “the only game in town.” To the author’s knowledge, this definition is the most widely accepted one. With consolidation, democracy becomes routinized and deeply internalized socially and institutionally as well as in political calculations to achieve success. They point out that there is not only one type of consolidated democracy but many different types.

In addition to a functioning state, five other interrelated and mutually reinforcing conditions, of which the first three - civil society, political society and rule of law - are relevant for this study and must be present in order for a democracy to be consolidated. In other words, democracy is an interacting system. First, there must be space for the development of a free and active civil society, that is, self-organized and relatively autonomous groups, movements and individuals who attempt to articulate values, create associations and promote their interests. Civil groups can include women’s organizations, neighbourhood associations, religious groupings, intellectual organizations, trade unions, entrepreneurial groups and professional associations.

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7 Im, op. cit, 2000, pp. 22, 47: fn. 3; Im, Hyug Baek, “Faltering Democratic Consolidation in South Korea: Democracy at the End of the ‘three Kims’ Era,” Democratization, vol. 11, no. 5 (December 2004), pp. 181, 182, 197: fn. 13. Original quotation marks with the exception of “standard criteria for negative consolidation.”

8 Im, ibid., 2000, pp. 22, 47: fn. 4; Im, ibid., 2004, pp. 181, 196: fn. 7. Original quotation marks.
Secondly, there should be a relatively autonomous political society. Political society refers to the space where political actors compete for the legitimate right to exercise control over public power and the state apparatus. Citizens have to develop an appreciation of the core institutions of a democratic society, that is, political parties, legislatures, elections, electoral rules, political leadership and interparty alliances.

Thirdly, all major political actors must nationwide be effectively subjected to a rule of law that protects individual and associational freedoms. There should be a strong consensus regarding the constitution and in particular a commitment to compelling procedures of governance that can be changed only by exceptional majorities. There must be a clear hierarchy of laws that are interpreted by an independent judicial system and supported by a strong legal culture in civil society. A state of law is particularly crucial to consolidate democracy since it is the most important and routine way in which the elected government and the state administration operate under a network of laws, courts, semi-autonomous review, control agencies and civil society norms that both check the state’s illegal tendencies and embed the state in an interconnected web of mechanisms that require transparency and accountability.

Fourthly, there must be a state bureaucracy that can be used by a democratic government to protect citizens’ rights and deliver other basic services citizens demand by effectively exercising its claim to a monopoly of the legitimate use of force.

Fifthly, there must be an institutionalized economic society to establish accepted norms, institutions and regulations that mediate between the state and the market. The state also has to provide public goods in education, health and transportation as well as implement such tasks as narrowing the scope of public ownership, that is, privatization.

Since political parties form a central part of the political system, it is to be noted that the British scholar Alan Ware (2001) defines a political party as “… an institution that (1) seeks influence in a state, often by attempting to occupy positions in government and (2) usually consists of more than a single interest in society and to some degree attempts to “aggregate interests.” The British scholars Rod Hague and Martin Harrop (2001) offer a similar definition that has been applied on the study on parties in Taiwan during the democratic era since 1986-87 but to the author’s knowledge not on Korea: “Political parties are permanent organizations which contest elections, usually because they seek to occupy the decisive positions of authority within the state. Unlike interest groups, which seek merely to influence the government, serious parties aim to secure the levers of power.”

Croissant (2002) uses the concept “consolidation” also with regard to the party system. Consolidation on a macro level “… is achieved when the fragmentation and the degree of volatility between the parties are stable, and when the level of ideological polarization of the party system is low.” On a micro level, “consolidation is achieved when stable party structures have developed.” Indicators are the parties’ age, their degree of internal cohesion and their degree of organizational stability and professionalism. Similarly, the American scholar John Peeley (2004) argues that, along with an active civil society and stable governing institutions, the institutionalization of a stable political party system is one of the critical elements of democratic consolidation. Finally, it is worth pointing out that the Korean scholar Manwoo Lee (1990) writes with regard to the implementation in Korea of procedural rules of democracy at the time of the 1987 presidential elections and the 1988 parliamentary elections: “Nevertheless, democracy is a learning process.”

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1.3 Method

The study follows a chronological account owing to the organization of the empirical material. The presidents’ terms in office were: Roh Tae Woo (1988-1993), Kim Young Sam (1993-1998), Kim Dae Jung (1998-2003), Roh Moo-hyun (2003-2008) and Lee Myung-bak (2008-2013). Such an approach gives an overview of what the major issues were during each president’s term and allows comparisons of whether the presidents contributed to democratic consolidation or not. Recurring issues of importance to assess the presidents’ role include the following: a) what it meant to be president versus presidential candidate, b) approval rates of the president, c) presidential, parliamentary and local elections, d) the relationship between the one five-year mandate period and presidents’ rule, e) the time aspect to achieve democratic consolidation and f) the impact of Confucian culture on politics. Since gender equality is an important aspect of social justice which the author believes scholars have given too little attention to, the number of female candidates and women elected to the National Assembly is recorded after each parliamentary election to briefly assess the role of women in politics.

Consequently, the approach is both chronological and thematic. Whether there have been any deviations from patterns identified is investigated. The data presented refer mainly to what actually has happened or been discussed but, if relevant, also to considerations behind actions taken and predictions of their consequences. Assessments of the presidents’ rule in the literature are evaluated. The author applies a qualitative method to discover the main characteristics of each president’s term in office and to judge the many assessments of democratic consolidation that have been made of each president. Cross references are made to find out whether the opinions presented are representative or not and whether developments differ over time or not. The greatest possible effort has been made to present a balanced view of developments by including both positive and negative assessments of democratic consolidation as well as other relevant issues to make evaluations.

1.4 Sources

Most of the works are written by Korean scholars, including some of the most well-known political scientists such as Choi Jang Jip, Hyug Baeg Im and Lee Jung Bock, followed by studies by American scholars such as Juan Linz and Larry Diamond. The study by Choong Nam Kim (2007) on the Korean presidents has been the most important source of information. The books by Choi Jang Jip (2007, 2009) have been useful, as have the articles by Hyug Baeg Im (2000, 2004, 2011) and works by Lee Jung Bock (2008, 2009). Their works have been supplemented by numerous other books and articles. Many of the articles have been published in well-known journals such as Asian Survey, Journal of Democracy, Korea Focus and Korea Observer. Articles from The Korea Herald and The Korea Times have also been used. All of the presidents’ inauguration addresses in Korean from 1988, 1993, 1998, 2003 and 2008 were consulted, as were books written by Kim Dae Jung (1998), Roh Moo-hyun (2009, 2010) and 2012 presidential candidate Moon Jae In (2011). The utmost effort has been made to be as up-to-date as possible with materials.

1990 (New York: Praeger Publishers, 1990), p. 16. Original quotation marks. Lee’s writing is the only text that the author has found by a scholar on the well-known fact that it always takes time to make democracy work.
1.5 Organization and Scope

The starting point is to analyze such political developments under each president’s five-year term in office that are relevant concerning several matters: a) in assessing how definitions of democracy and democratic consolidation match with political realities, b) in finding out whether presidents’ declarations in their inauguration addresses regarding democratic consolidation have been fulfilled or not and c) in investigating whether the Constitution’s Articles 1:1, 8:2 and 21:1 have been accomplished or not. Since Korea is regarded as a democracy, far more emphasis is put on testing definitions of democratic consolidation than democracy.

In Chapter 2 on President Roh Tae Woo, the main events investigated are the June 29, 1987 declaration, the new constitution, the December 16, 1987 presidential elections, the April 26, 1988 parliamentary elections and, finally, the 1990 three party merger through which a new ruling party was founded. For the sake of convenience, important dates and election results throughout President Roh’s rule as well as his successors are recorded in Appendix II and Appendix III, respectively. For the same reason, the position and nationality of the names of persons are additionally recorded throughout the study.

Chapter 3 on President Kim Young Sam focuses on the December 18, 1992 presidential elections, the president’s leadership and reform policies, the 1995-96 trials of former presidents Chun Doo Hwan and Roh Tae Woo, the April 11, 1996 parliamentary elections, and the introduction of controversial labor and security laws in 1996. The chapter ends by presenting and contrasting different evaluations of Korean politics.

In Chapter 4 on President Kim Dae Jung, the December 18, 1997 presidential elections, the president’s post-election challenges, the April 13, 2000 parliamentary elections and the president’s increasing difficulties towards the end of his term in office are the main issues. Finally, different evaluations of Korean politics are presented and assessed.

Chapter 5 on President Roh Moo-hyun deals with the December 18, 2002 presidential elections, the 2004 impeachment case, the April 15, 2004 parliamentary elections and the increasing impopularity of Roh’s administration. An assessment of different evaluations of Korean politics concludes the chapter.

Chapter 6 on President Lee Myung-bak focuses on the December 19, 2007 presidential elections, the April 9, 2008 and the April 11, 2012 parliamentary elections, the 2008 candlelight demonstrations and the democratic setbacks in 2008, 2009 and 2011. Finally, evaluations of Korean politics are presented and assessed.

Chapter 7 presents the general conclusions by assessing the degree of democratic consolidation from the point of conceptual definitions, the presidents’ inauguration addresses, and the constitution. An evaluation of the impact of the one five-year term mandate on the president’s rule that includes a brief assessment of the potential outcome of a revision of the constitution concludes the chapter.

1.6 Korean Names and Terminology

Transcriptions of Korean names and terms follow the standard McCune-Reischauer system with the exception of names of presidents for which the standard spelling in the press is followed. If scholars have written their names in another way than the McCune-Reischauer system, their own preferred spelling is followed. The same is the case with the name order that in Korea puts the surname first. In the bibliography and in footnotes, all Korean names (and one Chinese name) appear with the surname first for the sake of consistency.

If translations of texts, laws and statements in Korean were not available, the translations are the author’s. The southeast and southwest parts of Korea are referred to both by
their geographical locations and “Kyôngsang province/region” and “Chôlla province/region” or “Yôngnam/region” versus “Honam/region” since all terms are used interchangeably. The author is aware that many Koreans refer to the May 1980 demonstrations in Kwangju as “The Kwangju Democratization Movement” but will, due to the vocabulary in the literature, usually write the “Kwangju uprising” to denote the demonstrations against the military takeover and use the term “Kwangju massacre” for the suppression. For the sake of consistency, all monetary values are recorded in American dollars.11

11 Figures recorded only in wôn from 1998, 2003 and 2009 were converted into dollars on the basis of exchange rates from December 31 each year. From Won, Hyunah, “Yôkdae hwanyul,” e-mail, June 11, 2013.
2. Democratization during President Roh Tae Woo 1988-1993

2.1 Introduction

The June 29, 1987 declaration by presidential candidate Roh Tae Woo on introducing democracy, including the direct election of the president, is the starting point of this chapter. The account investigates the contents of the declaration, the subsequent introduction of a new constitution in October and the holding of presidential elections on December 16 with a focus on the candidates and their policies. The candidates’ regional support is also one major issue here and in other elections held from 1988 onwards. Since elections comprise a crucial part of a democratic political system, the voter turnout rate is recorded here and in following chapters in order to assess the voters’ opinions of how democracy worked. Voter turnout rates are also recorded for parliamentary and local elections throughout the study.

In order to find out whether the constitution was a break with the past or not, how it was established, whether it contained any restrictions on political participation and what groups came into power after the election are investigated. Since President Roh’s inauguration address on February 25, 1988 would be an indication of what policies he would pursue, those parts that concerned the implementation of democracy are recorded and then applied on the analysis of subsequent developments. In this way, what it meant to be president versus presidential candidate is analyzed. For contextual reasons, a few references are made here and elsewhere to political developments prior to 1987.

In the second section, attention is turned to the April 26, 1988 parliamentary election that was the first occasion for voters to assess the Roh administration. Data are recorded on electoral districts and rules. Since the ruling party lost the election, three opposition parties came to dominate the National Assembly. Explanations of the defeat are recorded. Since a divided government became the political context in which President Roh would implement his policies, how this new situation affected post-election policies is investigated. The role of the National Assembly versus the president is analyzed. A complicated issue that arose following the two elections was how to handle the legacy from the previous Chun Doo Hwan administration with which President Roh was associated. In order to make the picture more complete, the impact of a few visits to North Korea in 1988 and 1989 in violation of the National Security Law is included here.

The third section focuses on the three party merger of January 22, 1990 that drastically changed the political power from a divided government into a large ruling coalition. This most significant event is investigated in some detail to find out its impact on political developments, not least how it affected President Roh’s power. More specifically, how the merger took place, what the motives behind it were and what assessments were then made of the new large ruling party’s ability to govern onwards are analyzed. The impact of the party merger on this early stage of democratization is also assessed. Additionally, a few other events are included in this section, of which an important one is the introduction of local elections that were held twice in 1991. Some data about the background of the elections are recorded, but the main issue is to assess their importance from the view of both local and national politics by investigating what power local authorities actually had.

The last important date in this chapter is the March 24, 1992 parliamentary election that was the final chance of voters to express their opinions regarding the three-party coalition which formed the Roh administration that would end in 1993. In order to make an assessment of President Roh’s term in office, a few data of his approval rates are recorded. The significance of the June 29, 1987 declaration is also assessed. Post-election developments are analyzed followed by a review of the process of nominating a successor to President
Roh in preparation for the December 1992 presidential election that is investigated in Chapter 3.

2.2 The June 29, 1987 declaration and the December presidential elections

On June 29, 1987 the ruling Democratic Justice Party’s (DJP) presidential candidate Roh Tae Woo made a declaration accepting the opposition’s demands for democratic reform. The declaration included the following: a) amendment of the constitution for direct presidential elections, b) revision of the presidential election law to ensure fair elections, c) the granting of amnesty to Kim Dae Jung and other political prisoners and allowing them to resume political activities, d) guaranteeing all citizens basic rights, e) restoring press freedom by abolishing the repressive Basic Press Law, f) ensuring local self-government through the popular election of local assemblies and executive heads of local governments, g) the creation of a new political climate for dialogue and compromise as well as h) carrying out bold social reforms to build a clean, honest society.

The June 29 declaration was a turning point in Korea’s political history that ended 17 consecutive days of street demonstrations in Seoul and other major cities. It was fully accepted on July 1 by President Chun Doo Hwan (1981-88). The fact that the United States in June had requested the Chun administration to exercise self-restraint and that the Olympic Games were to be held in Seoul in 1988 contributed to the government meeting popular demands for democracy. In the author’s opinion the impact of American policies and the Olympic Games indicates that Roh Tae Woo was well aware that democracy has a positive connotation worldwide which contributed to his launch of the June 29 declaration.

On the other hand, the Korean scholar Chu Don-shik (2004) points out that the government made the calculation that if Kim Dae Jung would be granted amnesty, he would compete for the presidency and split the opposition between himself and Kim Young Sam. The split would enable the ruling party represented by Roh Tae Woo to win the presidential election. Such a calculation undermines the significance of the June 29 declaration.

On October 12 the National Assembly drafted and approved the new constitutional framework. Although the June 29 declaration had proposed “guaranteeing all citizens basic rights” and the “creation of a new political climate for dialogue and compromise,” both participants in the struggle for constitutional reform and ordinary citizens were excluded from the decision process on the new constitution. The process was led by eight lawmakers from the government and the opposition who held 19 rounds of closed door talks. The new democratic constitution was confirmed by 93.1 percent of voters in a referendum held on October 27 in which the voter turnout rate was 78.2 percent. On October 29 President Chun proclaimed the new constitution that is based on the principles of presidential democracy, that is, the separation of powers as well as checks and balances among the various branches of government, and provides for the direct election of the president for one non-renewable five-year term. The president can no longer dissolve the National Assembly which is empowered to oversee the government’s work. Neither can the president appoint all members of the Constitutional Court, which by the constitution is authorized to pass the ultimate judgment regarding impeachment and dissolution of political parties. The voting age was set at 20. Later, on November 11, the Basic Press Law was abolished.

The contents of the constitution appear promising in terms of accomplishing democracy, but the limitations become clear from the following writing by the Korean scholar Park Myung-lim (2005):

“The 1987 Constitution was less the product of efforts to create a stable democratic constitutional system than an attempt to replace the former constitutional system in order to prevent any one party from maintaining a prolonged grip on power, and to promote the interests of the three main negotiating parties, led by Roh Tae-Woo, Kim Young-sam, and Kim Dae-jung.”

In the presidential election campaign, the three main negotiating parties Park refers to were the main contestants. The government’s calculation realized: Kim Young Sam and Kim Dae Jung failed to agree on single candidacy. They were severely criticized by the public for losing the chance to shift power from the authoritarian government to a civilian one due to their personal rivalry that, however, was nothing new. Both Kims advocated populist policies such as welfare spending. In addition, Kim Jong-pil, chief architect of the 1961 military coup d’état and prime minister under the former general President Park Chung Hee (1963-1979), joined the race. When Roh Tae Woo (55) won the December 16 presidential election with 36.6 percent of the vote, followed by Kim Young Sam with 28 percent and Kim Dae Jung with 27 percent, respectively, the democratic transition ended (Kim Jong-pil received 8.1 percent). Roh had presented himself as the only candidate who could guarantee stability and prosperity, along with having pledged democratic reform, economic growth, social and political stability as well as social welfare. The “three Kims” did not accept their defeat in violation of Przeworski’s definition of democratic consolidation but raised the possibility that the vote count had been rigged by Roh Tae Woo and Chun Doo Hwan. Supporters of the three Kims poured into the streets to protest, but within a few weeks they accepted their defeat.

According to the Korean scholars Hahm Chai-bong and Rhyu Sang-young (1997), the continuity from General Chun Doo Hwan to another one in Roh Tae Woo had the advantage of guaranteeing a peaceful and stable transition towards democracy by minimizing the ruling elite’s resistance to more abrupt change. Indeed, since Roh as president removed officers loyal to President Chun and replaced them with officers loyal to himself, there was no strong reason to oppose the transition. The voter turnout rate was 89.2 percent, in comparison to 85 percent in 1963, 83.6 percent in 1967 and 79.8 percent in 1971. The Korean scholars Chi Pyông-mun et al. (2010) explain the high figure with the election being the first direct presidential election since 1971 and the high interest in democratization. Since the candidates deliberately sought to benefit from regionalism, all of the main candidates received a majority of the support in their home regions: Roh in Taegu and the North Kyŏngsang province (68.1 percent), Kim Young Sam in Pusan and the South Kyŏngsang province (53.7 percent) and Kim Dae Jung in Kwangju and the Chŏlla Provinces (88.4 percent).14


14 Various reasons are given for the conflicting relationships between the southeast Yŏngnam and the southwest Honam region. Some see it as a legacy from the Three Kingdoms period (57 B.C.-668 A.D.), while others find the roots in the traditional clan system, that is, personal bonds originally confined to blood relatives and later extended to people from the same village and school, etc. Korea is a family-oriented and clan-oriented society, and people with roots in a region will always feel attached to that part of the country. There is prejudice against people from the Chŏlla region. Regionalism is also explained by 35 years of Japanese colonialism and the distortions created by lopsided development. Finally, regionalism is regarded as a result of the authoritarian rule from President Park Chung Hee who seized power in 1961 until a civilian govern-
In contrast, no candidate received broad nationwide support, but the comparatively even support to Roh Tae Woo contributed to his victory. Since Roh was popularly elected, he could claim full political legitimacy although he originally was a general. However, his legitimacy was questioned since he had, together with General Chun Doo Hwan, staged the military coups in 1979 and 1980 and had seized power after the bloody suppression of pro-democracy demonstrations in Kwangju. Additionally, he won the election with only 36 percent of the popular vote. This was the lowest figure ever, but his margin of victory was the largest. During the 1980s he had accumulated administrative experience as minister of state for national security and foreign affairs, minister of sports, minister of home affairs, and chairman of the Seoul Olympic Organizing Committee from 1983. In 1985, he became a member of the National Assembly and was elected as the chairman of the government party. The Korean scholar Choong Nam Kim (2007) writes that on February 25, 1988 “…the first peaceful and orderly transition of power in the Republic’s forty-year history took place between Chun Doo Hwan and Roh Tae Woo. If the basic criterion of democracy is free and fair elections leading to a peaceful change of government, South Korea had finally passed this test.”

Article 1:1 of the 1987 Constitution stating that “The Republic of Korea is a democratic republic” had been accomplished on at least the most basic level. However, as we have seen, the basic criterion of democracy being free and fair elections to change government peacefully is questionable. Kim also makes a factual error. In fact, the transition of power in the summer of 1960 from the interim government led by Prime Minister Huh Chong, established after student demonstrations with wide public sympathy, had led to the fall of the Syngman Rhee government in April 1960 to Prime Minister Chang Myon, which took place legally and peacefully. Expressing a similar view as that of Kim above, the Korean scholar Doh Chull Shin (1999) writes that Korea with the inauguration of President Roh Tae Woo in office in 1988 became an electoral democracy. On the other hand, the fact that the election did not change Korean politics is clear from the Korean scholar Young Jo Lee (2000) who writes:

“The most salient feature of Korean democratization in 1987-88 was its continuity with the authoritarian past. Except for the electoral regime becoming more open and competitive, the political system remained virtually the same. Although democratization usually involves some degree of redistribution of power, in the Korean case there was little noticeable change. The state apparatuses, the personnel that filled them, and state-society relations remained virtually intact from the authoritarian years.”

From Geir Helgesen, Democracy and Authority in Korea: The Cultural Dimension in Korean Politics (Surrey: Curzon Press, 1998), pp. 198-9, 201. Regionalism was apparent already in the 1971 presidential election, when presidential candidate Kim Dae Jung received 64.1 percent of the votes in the Cholla area but only 28.2 percent in the Kyongsang region. In contrast, President Park Chung Hee received overwhelming support in the Kyongsang region but only 35 percent of the votes in the Cholla region. From Roh, Jeong-Ho, "Crafting and Consolidating Constitutional Democracy in Korea," in Kim, Samuel S. (ed.), Korea’s Democratization (Cambridge: Cambridge University Press, 2003), p. 195.


The writing of the Korean scholar Pak Ch’an-p’yo (2007) that a characteristic of democratization in Korea is that it is “a democratization based on agreement” makes the opinion of Lee even more relevant. The vested interests of the old order were preserved, and the principle of minimal competition in politics was introduced. Consequently, strict conditions for establishing political parties, restrictions in the Law on Political Funds, prohibition against multiple trade unions and political participation by trade unions hindering new forces to enter politics were maintained. Maintenance of the single member electorate system raised the threshold for political participation.

Anti-communism and the National Security Law (NSL) that was promulgated on December 1, 1948 to suppress the leftist threat to the Syngman Rhee government (1948-1960) were preserved. The stated purpose of the law is to prevent anti-state acts from threatening the country’s security. The law defines “Anti-State groups” as “domestic or foreign organizations or groups whose intentions are to conduct or assist infiltration of the Government or to cause national disturbances.” The rationale of the law has always been the threat of subversion from North Korea. From 1964-1998 altogether more than 12,000 people had been indicted under the law or the Anti-Communist Law that was enacted in 1961 but was merged with the NSL in 1980.

The maintenance of obstacles to new forces, such as labor to enter politics and the existence of fissures of class and ideology that could not be expressed, made regionalism a new distorted characteristic of party politics. Regionalism was a consequence of the authoritarian political system whose legacy included economic gaps between regions, discriminatory elite recruitment, exclusion of the Honam region and, finally, the division of leadership between Kim Young Sam and Kim Dae Jung (cf. p. 15).

The Korean scholar Myungssoon Shin (1996) points out that the radicals who had played an important role in the anti-authoritarian campaign during the transition period lost power as an organized political force due to their internal division over ideologies, goals and strategies. In accordance with the writing of Lee (2000) above, seven ministers from the previous administration led by the Democratic Justice Party (DJP) were appointed in the first Roh cabinet formed as a measure to ensure continuity in policies. According to Kim (2007), the appointments significantly damaged “…his legitimacy as a democratically elected president.” The political elite came from military officials of the Fifth Republic (1981-88) and personnel from Taegu and the North Kyōngsang province (“TK”). Among government ministers and people in important positions during the Roh administration, 16.7 percent were from the Military Academy compared to 28.7 percent from 1981-88. The fact that many people at high posts had the same background similar to before shows that not much had changed. Such people having no reason to challenge the new political order is clear from Croissant (2002): “With a core member of the old regime in the top position of the new democratic regime, the military forces were rapidly integrated into the democratic system.”

In President Roh’s inaugural address, he presented democratic reform and national conciliation as the two guidelines of his administration. He promised to push forward for full democracy and appealed for popular support in order to realize national reconciliation. A few parts of the speech are worthy to quote: a) “It is certainly a time for change, renovation

Huh’s government was “interim” is of minor relevance. It controlled the police and the army and could have used them to influence the political outcome if the Huh government had wished to do so.

and quantum leaps – a time for dynamic progress. Accordingly, the time has come to put an end to excessive internal squabbling.” b) “Let us here and now bury all regional antagonism, factional egoism and personal resentment.” c) “The day when freedom and human rights could be slighted in the name of economic growth and national security have ended.” d) “We will have an era of mature democracy, when human rights are inviolable and freedom with responsibility prevails, so that both economic development and national security are assured.” He also declared that he would resolutely reject any kind of privileges as well as corruption and irregularities that prevent the realization of social justice and deepen tension.

In brief, he wished to form a government with a high level of morality that would become trusted by the people. However, with regard to the regional distribution of political posts, during President Roh’s term in office 40.6 percent of high officials were from the Kyŏngsang Provinces but only 13.4 percent from the Chŏlla Provinces. According to the Korean scholar Sung Deuk Hahm (2000), the appointment of high officials from Kyŏngsang whose share of the population in 1990 was 28.9 percent in comparison to Chŏlla with a share of 13.2 percent the same year rather aggravated regional tensions. The striking contrast between President Roh’s declaration to “…bury all regional antagonism…” and reality supports this opinion.

2.3 The ruling party loses the April 26, 1988 parliamentary elections

In an effort to set an example for other government officials, President Roh disclosed that his personal assets were $760,000. During the election campaign, the president had pledged that his property would be the same when he leaves his office as when he was elected. He also vowed to control his relatives and family members and told them not to expect any favors. Consequently, his brother-in-law and Minister of Trade and Industry Kum Jin-ho was prevented from seeking the Democratic Justice Party (DJP) nomination as a parliamentary candidate. In addition, brother-in-law Kim Bok Dong was forced not to seek a parliamentary seat even as an independent. The measures were well received by the public because they came at a time when corruption involving Chun Kyung-hwan, the youngest brother of former president Chun Doo Hwan, was exposed.

On the other hand, the Roh government faced an unexpected setback in the April 26, 1988 general elections that undermined the president’s ability to govern at a time when the opposition parties regarded his government as an extension of the Fifth Republic. Prior to the election two-thirds of the 276 members of the National Assembly were elected from 92 two member districts. The other 92 were elected through a proportional representation scheme that gave the party winning the largest number of seats two-thirds of the remaining ones. One-third was allocated in proportion to the seats won by the other parties. The first two quotations from President Roh’s inaugural address are from Lee, ibid., 1990, p. 149 and the two last ones from Kim, ibid., 2007, p. 221. The author has checked the quotations against the Korean original. The last two quotations have original quotation marks.
opposition parties regarded the system to be undemocratic, and it was also unpopular among voters. Since the parties failed to negotiate a compromise, on March 8 the DJP rammed a bill through the National Assembly to amend the election law. In this way, democratic principles in terms of political participation and political competition were violated. Single member districts were introduced since the government party calculated that the opposition parties would split the vote and knew that there was strong popular support for such a system.19

The National Assembly would consist of 299 seats, of which 224 would be filled through the single member district system and the other 75 at large seats to be allocated by a proportional representation scheme. Although, according to Manwoo Lee (1990), the average DJP candidate had spent nearly $1.5 million, the party with 41.8 percent of the votes won only 125 (87+38) seats. For the first time since 1950, the government party failed to win a majority in the National Assembly. The election outcome became another reason to question President Roh’s legitimacy (cf. p. 16).

Although the opposition parties did not have that kind of money, Kim Dae Jung’s Party for Peace and Democracy (PPD), Kim Young Sam’s Reunification and Democracy Party (RDP) and Kim Jong-pil’s New Democratic Republican Party (NDRP) won 70 (54+16), 59 (46+13) and 35 (27+8) seats, respectively (there were ten independents). The PPD received 23.4 percent and the RDP 19.7 percent, respectively (NDRP 11.7 percent). The three Kims were all elected to the National Assembly after long absences. In line with established patterns, the DJP won in the villages while the opposition gained a majority in the cities. The voter turnout rate was 75.8 percent.20 Among the 1,040 candidates, there were 1,012 men (97.3 percent) and 28 women (2.7 percent). Six women were elected (two percent). Such a low share reflects the traditional Confucian culture that does not favor promoting equality for women who are supposed to take care of the family. In particular, politics is considered a man’s realm.

In spite of the president’s declaration on February 25 to bury regional antagonism, since all political parties deliberately sought to benefit from regionalism, the same patterns as in the presidential elections were repeated; however, almost everyone deplored the regional antagonism. Notably, Kim Dae Jung won 36 of 37 seats in Cholla, and a member of a minor opposition party who won one seat soon joined in. Similarly, Kim Young Sam won 14 of 15 seats in Pusan. The DJP won all eight seats in President Roh’s home city Taegu (Kim Jong-pil won 13 of 18 seats in his native South Ch’ungch’ong Province). Due to the corruption involved in the elections, the former President Chun Doo Hwan in April had to resign from the Advisory Council of Elder Statesmen and from the honorary chairmanship of the DJP, but his resignations did not satisfy the public.21


20 The voter turnout rate in parliamentary elections exceeded 90 percent in 1948, 1950, 1954 and 1958 but fell to 84.3 percent in 1960. The figure fluctuated between 72 and 78 percent from 1963 to 1992 with the exception of 1985 when it was 84.6 percent. From Park, Kie-Duck, “Political Parties and Democratic Consolidation in Korea,” in Hsiao, Hsin-Huang Michael (ed.), ASIAN NEW DEMOCRACIES. The PHILIPPINES, SOUTH KOREA AND TAIWAN COMPARED (Taipei: Taiwan Foundation for Democracy, 2006), p. 138: table 1.

According to Kim (2007), the backlash was partly due to the ruling party’s miscalculation. The elections were held just two months after the president’s inauguration at a time when the victory in the presidential election had made him and his advisers too optimistic and unable to foresee the opposition parties’ counterattacks. After negotiations between the ruling party and the opposition parties, elections were held in April due to the latter’s wish to delay the elections until April to get more time to regroup and organize candidates and a campaign, as well as an unexpected delay in revising the election law. Instead of preparing for the opposition’s attacks, the ruling party sought rather to reduce the influence of former President Chun and his associates within the ruling party. The party believed it could win easily but had underestimated the resilient opposition leaders’ political potential. The opposition parties also benefited from students’ commemorations of the April 1960 student uprising and press reports on wrongdoings by the previous administration.

The Korean scholar Hong Nack Kim (1993) writes that some observers asserted that the DJP lost because of the introduction of the single member district system. However, on the contrary the party benefited from the system since it won 34 percent of votes but gained 41.8 percent of seats in the National Assembly. Voters wished to strengthen the opposition in the legislature that, as noted above, retained seven holdovers from the discredited Chun government. The exposure about several major scandals and widespread corruption in the Fifth Republic that all implicated President Chun and his family alienated voters from the DJP and fueled rising popular concern about the need to investigate corruption and irregularities during his administration. Also, the DJP failed to draw support from young and well-educated urban voters and committed candidate blunders such as attempting to pay $28 in over 3,700 envelopes to constituents in Andong in North Kyong-sang and claiming in a local broadcast on Cheju Island on the eve of the election that the DJP candidate had won in a local district. Finally, regionalism affected the outcome particularly in the Cholla region. Voters were generally believed to be resentful of discriminatory treatment of them in regional development and government personnel recruitment under the governments of Park Chung Hee and Chun Doo Hwan that both favored the Kyong-sang region. Such a situation was aggravated by the victory of President Roh Tae Woo as a native of that region.

In an attempt to defuse rising discontent, in March 1988 the government arrested President Chun’s brother Chun Kyung-hwan on charges of embezzlement of millions of dollars and influence peddling while he was chairman of the New Village Movement that was launched in October 1972 and aimed to develop rural areas. However, the arrest only reminded the public that there were yet more scandals involving corruption and abuse of power that could not be separated from the president and his party. Notably, before the polls opened, all opposition parties were outraged over a television broadcast shown 14 hours in advance of the opening on the supposed results of a local race which declared that the DJP would win with 39.2 percent of the vote. The opposition threatened to nullify the election result but later affirmed it. The election outcome enabled the opposition to dominate the Roh administration in a political culture where a zero-sum notion of politics prevailed making it difficult to achieve compromises between the government and the opposition. Through its majority of seats in the National Assembly, the opposition helped democratization. Following the Seoul Olympics held from September 17-October 2, 1988, the opposition challenged the Roh administration by initiating a parliamentary investigation of the Chun administration’s wrong-

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doings that the nation had demanded. In fact, an opinion survey involving 1,600 people published by the daily Dong-A Ilbo on October 8 showed that 48.2 percent regarded this issue as a top priority. Chun Kyung-hwan was sentenced to seven years in prison but served only three. He was fined more than $5 million for his influence peddling, bribery and kickbacks during Chun Doo Hwan’s presidency 1981-88.

In November 1988 the Roh government established “The Special Committee for Investigation of the May 18th Kwangju Democratic Movement” to review the May 1980 Kwangju uprising that had contributed to trigger strong regionalism in the Honam region and “The Special Committee for the Investigation of Irregularities, Abuse of Power and Graft in the Fifth Republic.” From October to December, the National Assembly held televised hearings on the previous government’s wrongdoings. The hearings, which attracted better ratings than the Olympic Games, became a means for the opposition parties to exercise unprecedented power at a time when most of the movements that had led the June 1987 uprising regarded the Roh administration as a mere extension of the authoritarian Chun government. Notably, Shin (1996) writes that the hearings of irregularities under the Fifth Republic decisively boosted the authority of the National Assembly. The hearings showed that the December 12, 1979 incident was a mutiny within the military hierarchy.23

The New Military Group created by General Chun Doo Hwan and other high-ranking generals had through the mutiny ignored the constitutional power of the president. The decision to declare martial law on May 17, 1980 was made to remove President Choi Kyuhwa and bring Chun Doo Hwan to power. Because of the indiscriminate use of violence in suppressing demonstrators in the Kwangju uprising, the New Military Group had no way to escape reprisal but to take power. Although no one admitted any responsibility for ordering the Kwangju massacre, on April 1, 1988 President Roh had publicly expressed regret over the Kwangju uprising in what was the government’s first admission of any wrongdoing. His statement redefined the uprising as “part of the efforts by students and citizens of Kwangju to democratize the nation.” An apology was expressed, and a promise of compensation for the victims was made. However, the statement did not calm resentment but only encouraged anti-government forces to intensify their protests.24

The legislative investigation led to the arrest of 14 of President Chun’s relatives and forced him and his wife into self-imposed exile. On November 23, 1988, he took full responsibility for what he acknowledged was a period of authoritarian irregularities. He said he would leave Seoul “for a quiet period of repentence” at Paekdam temple near Mt. Sôrak in northeast Korea and that he would surrender all of his private property to the state. The former president was forced to return $20 million worth of assets to the government, yet the hearings had failed to get to the bottom of investigating the wrongdoings, largely because President Chun was a potential threat to the Roh administration by implicating many senior

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23 The December 12 incident refers to the mutiny within the military by General Chun Doo Hwan in 1979 following the assassination of President Park Chung Hee on October 26 by Korean Central Intelligence (KCIA) director Kim Jae-kyu. On December 12, Chun and several influential generals of the Defense Security Command (DSC) led by Chun decided to arrest General Chung Seung Hwa, army chief of staff and martial law commander. At a secret meeting Chun told that Chung planned to retire or reassign a few generals, indicating that he wished to seize power. The generals accused Chung to be a suspect behind the murder. At General Chung’s residence fire was exchanged between DSC troops and Chung’s bodyguards, and one man was killed. General Chung was arrested. During further clashes between troops, there were more casualties. Subsequently, General Chun obtained the president’s and the defence minister’s approval for the arrest. Consequently, Chun and his followers took control of the military. From Kim, ibid., 2007(a), pp. 145, 159-160.

government and military officers, including President Roh himself, but for the first time the past was dug up.

Meanwhile, the Roh administration experienced continued legislative deadlock and political stalemate. The challenges of the opposition and dissident groups made the president so distracted that he lost momentum in ruling the country. Rapid liberalization of the political system undermined the state’s ability to get specific policies implemented and the ability to mobilize a national consensus around government goals. President Roh turned out to be passive and indecisive and lacked political and economic direction. His decision to cancel a national referendum on his leadership in March 1989 made the anti-government forces criticize him for breaking the election campaign promise to hold a referendum after the Seoul Olympics. Again, his legitimacy was questioned (cf. pp. 16, 19). At this time the president had already become a lame duck.

The political situation further deteriorated due to three controversial visits to North Korea without government permission. Firstly, anti-government Reverend Moon Ik-hwan visited North Korea via Japan from March 25-April 13, 1989, invited by the Committee for the Peaceful Unification of Korea and met with Heo Dam, Chairman of the Committee, to agree upon nine principles on reunification. At a press conference held on April 2, they jointly announced the principles. The principal content was that unification would be based on the three principles of self-determination, peace and grand national unity. Through political and military talks, political and military confrontation between the two Koreas would be eased. Simultaneously, divided family reunions and different [non-exemplified] exchanges would take place and unification would be based on a confederation. Finally, they opposed the “Team Spirit” exercise. Reverend Moon also met twice with leader Kim Il Sung (1912-1994). That pictures from the meeting were shown on television caused a big sensation in society. Reverend Moon was immediately arrested when he returned and received a seven year prison sentence but was released on March 6, 1993.

Secondly, National Assembly member Sô Kyông-wôn from the Party for Peace and Democracy was arrested on June 27 for having visited North Korea illegally via Czechoslovakia from July 19-21, 1988. During the meeting he had met both Heo Dam and Kim Il Sung to discuss the unification issue but had also received $5,000 for espionage activities. He received a ten year sentence. Thirdly, the National Council of College Students representative dispatched Im Soo-kyung to North Korea via Japan and West Germany in June 1989 to participate in the 13th World Youth and Students Festival held in P’yôngyang in July invited by the North Korean Students’ Committee. On July 7, she declared along with the Head of the North Korean Students’ Committee Kim Ch’ang-nyong “The North-South Young Students’ Joint Declaration on the Independent and Peaceful Unification of Korea.” After she had returned on August 15 through P’anmunjôm along with Reverend Mun Kyuhyon, Im received a five year long prison sentence on December 18 but was released on parole in December 1992. Her rights were restored in 1999. Additionally, Reverend Mun received a five year long sentence, but he was released on parole in December 1992. The

25 According to Kim (ibid., 2007(a), p. 391), President Roh was an office holder or an operational leader who had some administrative skills but was passive. Rather than being a strong leader, he allowed himself to be pushed and manipulated by his political opponents and activist groups. Kim (ibid., 2007(a), p. 390: table 18) evaluates President Roh, in terms of vision, agenda setting, appointments, managerial skill, crisis management, commitment, integrity and achievement, lower than President Park Chung Hee and lower than President Chun Doo Hwan in the same areas except vision, managerial skill and integrity where they receive the same evaluation. The presidents’ military background cannot explain their different performances but different personalities and differences in the level of socio-economic development are other probable explanations.

visits were made in violation of the National Security Law (NSL), although President Roh
in his inaugural address had claimed “The days when freedoms and human rights could be
slighted in the name of economic growth and national security have ended” (cf. p. 18).27

As said on p. 17, the National Security Law was enacted in 1948 to suppress the leftist
threat to the Syngman Rhee government. The law provides for long prison sentences and
even the death penalty for “anti-state” and “espionage activities,” referring to activities by
South Koreans who support or help North Korea. Article 7 provides for up to seven years
of imprisonment on the vaguely defined charges of “praising” and “benefiting” the enemy,
that is, North Korea. The Article was the basis for arresting Reverend Mun. In fact, it was
the most abused article of the law and hindered the implementation of democracy by in-
fringing on the freedom of conscience and expression in speech, publications, science and
the arts. In addition, students were arrested during 1989 when the government arrested an
average of 3.3 dissidents per day under the NSL. Obviously, Article 1:1 of the 1987 Con-
stitution “The Republic of Korea is a democratic republic” was not implemented with re-
gard to inter-Korean relations (cf. p. 16). The same was the case with Article 21:1 “All citi-
zens enjoy the freedom of speech and the press, and of assembly and association.”

In an effort to break the political stalemate, on December 15, 1989, following a seven
hour meeting at the Blue House (Ch’ôngwadae), President Roh Tae Woo and opposition
leaders Kim Young Sam, Kim Jae Jung and Kim Jong-pil declared in a joint statement,
“We agreed to render joint efforts to completely settle the Fifth Republic’s problems
within the year.” In what was called a “grand compromise,” they agreed that the former
president Chun Doo Hwan should testify before the National Assembly while implicitly
assuring that his responsibility for the irregularities of the Fifth Republic would no longer
be the subject of political inquest. The agreement included a compromise on compensation
for the victims of the Kwangju massacre and the expulsion of lawmaker Chong Ho-yong
who was held responsible for the suppression of the Kwangju uprising from politics. It was
the first time in Korean history that a former head of state was asked to publicly account
for his administration’s actions.

On December 31, Chun read his prepared testimony before the National Assembly and a
nationwide television audience but did not apologize for anything he did while in office.
Instead, he denied most of the charges and admitted nothing as well as defended what he
did on his rise to power and during his term in office undermining the significance of the
event. On January 3, 1990 President Roh declared an end to inquiries concerning issues
during the Fifth Republic.28

2.4 The 1990 three party merger

Eventually, on January 22, 1990, President Roh Tae Woo and opposition leaders Kim
Young Sam and Kim Jong-pil from the RDP and the NDRP, respectively, jointly announ-
ced the creation of the Democratic Liberal Party (DLP) that controlled 217 of 299 seats in
the National Assembly. Such a majority enabled President Roh to stop special committees
in the National Assembly in making investigations into authoritarian abuses and to preser-
ve the strengths of the conservative bloc, that is, averting pressure for further democratization. The joint declaration on the party’s formation stated: “In particular, the present four-party setup has been found to be incapable of effectively meeting domestic and international challenges confronting the nation or of furthering the goal of shaping a bright future for the country.” The four-party system was considered to “… deepen divisions among the people by carving up the electorate by region, rather than organizing public opinion and harnessing national capabilities.”

Notably, seven members of the RDP such as Lee Ki-taek did not agree with Kim Young Sam on the party merger and founded the Democratic Party. This marginalization of dissent points to the lack of democracy in Korean party politics at this time. Such a situation stands in sharp contrast to the constitution’s Article 8.2 “Political parties must be democratic in their objectives, organization, and activities, and have the necessary organizational arrangements for the people to participate in the formation of the political will.”

The formation of the DLP was widely regarded as a backward step from the democratization under way in 1987-88. This was particularly the case with the postponement of the election of local heads of government that was scheduled to be held in 1992. It was a great chock to the entire nation that Kim Young Sam, who had fought against former dictators Park Chung Hee and Chun Doo Hwan, had decided to join his past enemies, but only such a move would break his powerless status. In 1983, he had even made a hunger strike for 23 days demanding political reforms. The goal of the party merger was to create a party similar to Japan’s Liberal Democratic Party which, while sharing power among its internal factions, had secured decades of political stability and economic growth (but also had been entangled in endless corrupt money scandals). Party members followed their leaders when the new party was formed (except those mentioned above).29

According to Manwoo Lee (1990), Korean democracy was at this time immature and inexperienced confirming his evaluation that it takes time to develop democracy. He forecasted “When the real haggling and bargaining take place over the details of sharing power, the merger is bound to cause severe strain.” He points out that political institutions and particularly parties lacked the institutional autonomy and complexity to shape its leaders. Similarly, Kim (2007) and Lee Jung Bock (2008) record the expressions “Three parties/families under one roof,” among which the latter was used to describe the DLP since it was not a happy union but consisted of three heterogeneous forces with different perspectives, goals and policy lines. That the three party leaders monopolised power in terms of the control of funding, financial aid and candidate appointments can only have aggravated the political problems.

Consequently, President Roh was also challenged from within the ruling party further undermining his ability to govern: he was unable to consolidate his power while in office. The American and Korean scholars David I. Steinberg and Myung Shin (2006) write that the merger “…illustrates most graphically an underlying manipulative ethos of the South Korean political culture. The merger was an example of political form and power over intellectual or programmatic substance, of Machiavellian maneuvering over ideology, of entourage politics over party structure.”

Consequently, it is hardly surprising that Kim Dae Jung called the new alignment “a kind of coup d’état against democracy” and a kind of “second yushin,” referring to the Yushin Constitution President Park Chung Hee had proclaimed in 1972 to prolong his rule. According to President Roh Moo-hyun (2010), the merger was a shock by concentrating all conservative political power in the Yongnam region while isolating the Honam area perpe-

tuating regionalism. Also, politics had become entirely a question of opportunism. The merger was an act of division of the nation as well as of the democratic forces. None of the editorialists in the major Korean newspapers praised the merger, but most of them questioned the motives behind it. They were extremely critical of the way in which the merger had been made and charged that it had been done in complete secrecy disregarding the people’s opinion. Most of the newspapers charged that it was just a way to prolong power. Dissidents and radical students denounced the merger as a conspiracy to prolong a pro-American military dictatorship, and there were clashes with riot police in the streets of Seoul as well as provincial cities.

The three leaders wished “to save the nation” by ending the problematic four party system in what was then termed “an honorable political revolution.” President Roh promised that the merger would bring political stability and economic growth to the nation. The new political alignment would create a “new political order for the sake of national development and to cope with the eventual national reunification.” Kim Young Sam, who had fought bitterly against the other two leaders, described his political maneuver as a decision made “to save the nation” from governmental paralysis. The merger ended the political stalemate that neither President Roh nor the country could afford: the DLP could manage the pace of democratic transition. Another argument is that Kim Young Sam needed the president’s solid power base to help seal his victory in the following presidential election.

On February 9, the DLP was officially established with President Roh as party president, Kim Young Sam chairman and Kim Jong-pil vice chairman. According to its official inaugural statement, the party will “strive to implement democratization, attain national prosperity and achieve national reunification.” One way to achieve this goal was to strive to foster mature democracy by helping to build a democratic society that guarantees freedoms, autonomy and the rights of individuals as well as those from different sectors of society, encourages creativity and provides equal opportunities. The party would also reform undemocratic systems and practices and continue to implement other measures of democratization. When the first party convention was held on May 9, the biggest anti-government demonstrations since 1987 took place indicating that post-1987 developments had only made people disappointed. Previously, in the parliamentary by-elections held on April 3, the ruling party suffered a defeat in one safe district and a poor showing in another sign that the voters did not receive the three party merger well.

On the other hand, the party merger radicalized the People’s Party for Democracy (PPD) led by Kim Dae Jung who boycotted the National Assembly. The party started a national campaign to gather signatures from 10 million people by March 26, to be followed by outdoor rallies, but the opposition groups failed to mobilize sufficient support for their spring drive. In August, the PPD and the Democratic Party failed to agree on the nomination of a leader for a unified opposition party or on sharing party posts. On July 17, after weeks of fruitless negotiations with the opposition, the ruling DLP unilaterally pushed through 26 bills in the National Assembly in only 30 seconds without any formal hearings, debates or votes on such issues as the government’s supplementary budget bill, laws on the reorganization of the armed forces, the revamping of electronic media and measures covering...
ring the controversial Kwangju compensation question. For the second time the ruling par-
ty had entirely ignored democratic principles in the National Assembly (cf. p. 19).

In protest 76 of the opposition’s lawmakers immediately tendered their resignations en
masse and refused to return until November after the DLP and the PPD had agreed to im-
plement local autonomy by holding local council elections in 1991 and gubernatorial and
mayoral elections in 1992. Since the speaker of the National Assembly, who was a member
of the ruling party, refused to accept the letters of resignation, the outcome was a legis-
islative impasse. Thus, the National Assembly was run by only the DLP for 70 days of a total
of 100 days of the Assembly’s term. When the opposition party returned, meetings were
held during only 20 days to complete the work. In the case of local autonomy, parties
would be allowed to nominate candidates but only in large districts such as cities and pro-
vinces. Meanwhile, the DLP turned out to be unable to solve the country’s widespread pro-
blems. The president’s rate of approval fell from 60 percent at the time of the party merger
in January to 14 percent in mid-May 1990. The political situation stands in sharp contrast
to President Roh Tae Woo’s declaration of “mature democracy” in his inauguration ad-
dress and implies that power politics mattered more than anything else. That politics was
personalized rather than institutionalized had contributed to create political quarrels.

Another blow to President Roh’s commitment to democratic reform, including the pled-
ge to keep the armed forces out of civilian politics, came in early October 1990. An army
deserter held a news conference at the Korean National Council of Churches and claimed
that the army counterintelligence corps, the Defense Security Command (DSC), was enga-
ged in the illegal surveillance of about 1,300 civilians. Included in the secret file were
index cards and floppy disks recording the personal data that proved the allegations and
showed that the DSC kept records of 140 politicians, 550 political “dissidents”, 160 lea-
ding student activists, 120 religious leaders, 60 professors and ten journalists whose loyalty
to the government would be questioned in a state of emergency. On the list were Kim
Young Sam because of having been a dissident, Kim Dae Jung as one of the “subversive
elements” together with all but one of the opposition’s lawmakers and Roman Catholic
Cardinal Kim Sou-hwan. The file on Kim Dae Jung described him as “a dangerous figure
who has been inconsistent in his words and deeds throughout his 30-year political career.”

In order to control damage from the scandal, the president fired and replaced the defense
minister and the army intelligence chief.

Also in October 1990, Kim Dae Jung initiated a 13 day hunger strike. He was joined by
30 other opposition lawmakers and politicians who all demanded political concessions by
the DLP. Two of the demands were a pledge not to amend the constitution by replacing the
presidential system with a parliamentary form of government and a speedy implementation
of local level elections. Subsequently, in order to lure the parliamentarians back to the Na-
tional Assembly, the DLP agreed to expedite the schedule for conducting local elections
and not to press on the constitutional amendment unless the measures received broad popu-
lar support. However, this assurance by Kim Young Sam to Kim Dae Jung backfired by
causing dissent between the former DJP and RDP factions within the DLP.

In fact, after the three party merger, the president was never able to maintain a firm grip
on the DLP. Instead of providing the promised political stability, the party was characteri-
ized by internal struggles over who would succeed President Roh in 1993, entirely in accor-
dance with the prediction made by Manwoo Lee in 1990. While political stability had been
the motivation for President Roh behind the merger, it was the presidency for Kim Young
Sam and constitutional revision to a cabinet system for Kim Jong-pil. Kim Young Sam saw
the opposition’s failure to unite as the reason for his loss in the 1987 presidential election

and declared that one had to “enter a tiger’s lair to capture the tiger” referring to the presidency. He also claimed that he only wanted an end of military rule, and President Roh Tae Woo’s administration therefore had to end. “If I merge with the military government, I firmly believed I can become presidential candidate.” The struggles undermined the president’s leadership, and the government became very ineffective in promoting its policy agenda, as was the case after the 1988 parliamentary elections. He could not control his previous opponent Kim Young Sam whose influence rose. Actually, Kim (2007) writes: “Kim Young Sam played the succession game brilliantly.” Without any doubt, the party’s struggles contributed to the ruling party loosing another by-election in November 1990.

In early 1991, the Roh administration was shaken by the “Susuh [Susô] scandal.” On February 15, the Hanbo Construction Company was accused of paying off politicians and officials to rezone land in Seoul’s green belt for commercial use. The scandal led to the arrest and imprisonment of a presidential aide and five lawmakers. It was considered to be the largest corruption scandal of the Roh administration and dealt a severe blow to its moral authority. The opposition and anti-government forces wished to use the scandal to their own advantage. Massive and violent political protests followed throughout the spring with some demonstrators even committing self-immolation. In order to prevent further escalation of the scandal, President Roh replaced his Economic Planning Board minister, construction minister, Seoul’s mayor and the presidential secretary for administrative affairs.

In the midst of the Susuh scandal, the first round of local elections for council members of small cities, counties and wards in large cities was held on March 25. The voter turnout rate was 55 percent. President Roh thus fulfilled the promise in the June 29, 1987 declaration to implement local autonomy and local elections. During the past decades, the central government had appointed provincial governors and city mayors. The government party won in 190 of 260 local assemblies (73 percent), whereas the opposition party won only 19 percent. Clearly, the balance between the parties had changed markedly after the 1990 three party merger. On June 20, the second round of local elections for provincial council members was held. The voter turnout rate was 58.9 percent, which was lower than expected. The DLP declared victory in the first local elections held since 1961 when the military junta had abolished local autonomy as it had been identified with democracy, but the National Assembly had decided to restore it in late December 1989. The party won 564 of 866 seats, including all seats in Pusan. It won in eleven of 15 districts, the exceptions being Kwangju, the Chôlla provinces and Cheju Island. The Democratic Party won a mere 21 seats. Women won only eight seats (0.9 percent). The election outcome was due to the split of the opposition parties and the wishes of the middle class for social stability over social justice.

According to the Korean scholar Hwang Ah-ran (2006), the re-emergence of local democracy was “…a touchstone…” in the democratization process. People had wanted local autonomy since it would have the potential to ensure decentralized democratic policies. However, contrary to expectations voter turnout rate has been “…noticeably low…” due to a lack of interest in local politics. In fact, local governments have possessed limited power disabling them to meet the interests of local residents. Many local residents have lacked the knowledge of how local governments have affected their lives since local

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autonomy has been a new experience for most local residents, although local autonomy was implemented from April 1952 to May 1961.\footnote{Bedeski, op. cit., 1994, p. 49; Chi et al., op. cit., p. 294; Chin, op. cit., p. 301; Hwang, Ah-ran, “Voters and Parties in Local Elections: 1995-2006,” Korea Journal, vol. 46, no. 4 (Winter 2006), pp. 34-5; Kim, ibid., 2007(a), p. 248.}

To make matters worse, local elections did not focus on local affairs but were overshadowed by national politics since political parties were heavily involved in the local election campaigns. Consequently, regionalism also became an issue in local elections and the major factor in mobilizing party support. Later, in the March 24, 1992 parliamentary elections, the DLP that prior to the elections held 218 of 299 seats won only 149 seats. For the second time in a row, the ruling party had failed to secure the majority in the National Assembly. Kim Dae Jung’s Democratic Party (DP) won 97. The Unification National Party (UNP) formed by the founder and former chairman of the Hyundai Group, Chung Ju-yung, won 31 seats. The figures were 49.8, 32.4 and 10.4 percent, respectively. As in the 1987 presidential elections, Kim Young Sam received strong support in Pusan, whereas Kim Dae Jung drew his support from the Chôlla provinces. Only eight women were elected (2.7 percent). Among 1,082 candidates, there were 1,031 men (98 percent) versus 21 women (two percent). The voter turnout rate fell from 75.8 percent in 1988 to 71.9 percent.

Notably, Chi et al. (2010) record that one of the reasons for the ruling party’s bad performance was internal faction strife, reconfirming the accuracy of Manwoo Lee’s prediction from 1990. Although the ruling party had failed to gain the majority when an easy victory had been anticipated, since the DLP later absorbed nine of 21 independent winners it succeeded to gain a majority of seats. After the election, the president was forced to fire the Head of the Agency for National Security Planning (ANSP), Suh Dong-won, because it became clear that several ANSP agents had been illegally campaigning against the opposition.\footnote{Bedeski, ibid., 1994, pp. 52-3; Chi et al., ibid., pp. 296: table 11-3, 297; Hwang, ibid., p. 35; Kim, ibid., 2007(a), p. 248; Kim, op. cit., 2011(b), pp. 119: table 1, 120: table 2; Saxer, op. cit., p. 390; Shin, op. cit., 1999, p. 6.} As the second case of illegal activities by intelligence authorities since 1987 after the revelation in 1990 of the surveillance of civilians by the military, it was clear that democratic reforms were far from complete.

Following the election setback, Kim Young Sam blamed the incompetence of President Roh and his staff for the backlash whereas the anti-Kim Young Sam factions blamed him for the defeat. However, when Kim on March 28, 1992 declared his presidential candidacy without having consulted President Roh, public attention was shifted from who should be blamed for the defeat to the upcoming presidential election. While Kim wanted the president to designate the DLP presidential candidate, his opponents wanted an open competitive nomination at a party convention. Intraparty democracy was subsequently enhanced on May 19, 1992 when the DLP at its national convention chose Kim as its presidential candidate through an openly contested nomination process against his rival the former military and long-time lawmaker Lee Jong-chan. However, Lee withdrew from the election in the last minute due to his opinion that his candidacy was a sham that was designed to make the selection process appear competitive. Previously, the current party president had nominated his successor.

Kim’s nomination was not easily achieved. Prior to the nomination, he had to resist the president’s proposal to change the constitution and create a parliamentary system as well as yield to his insistence that the party’s presidential candidate should be selected by open competition and request that the nomination would take place after the general election. President Roh’s position was weak at this time. In June 1988, his approval rate had reached 57.1 percent, but it fell to just 7.8 percent in June 1992. With the exception of June 1988...
and April 1989, disapprovals always exceeded approvals. According to Kim (2007), he had “… failed to establish a stable ruling party and to change the political system into a parliamentary one.” Instead, the three party merger led to “… intra-party squabbles over presidential succession” weakening the government and the president’s leadership, in sharp contrast to Roh declaring “… the time has come to put an end to excessive internal squabbling” in his inaugural address. It had been more difficult to be president than a presidential candidate. The significance of the June 29, 1987 declaration should not be overvaluated.

2.5 Conclusions

The June 29, 1987 declaration by Roh Tae Woo on introducing democracy, not least the direct election of the president, was a turning point in Korea’s political history. Following the establishment of a new constitution in October, presidential elections were held on December 16. In accordance with the government’s calculation, the opposition was split between Kim Young Sam and Kim Dae Jung. Eventually, former General Roh won the election in which the voter turnout rate was 89.2 percent. The main characteristic of the election was regionalization of candidates’ support. Considering that the forces which had dominated politics prior to the revision of the constitution were still in power and that such authoritarian legacies as the National Security Law remained in force, the significance of the June 29 declaration should not be overvalued.

In President Roh’s inauguration address on February 25, 1988, he promised that democracy would be deepened, but it turned out to be more difficult to be president than a presidential candidate. One reason was the ruling party’s loss of the majority in the April 26, 1988 parliamentary elections due to miscalculations and overoptimism. The voter turnout rate was 75.8 percent. Regionalism reappeared as the main characteristic. Due to the election outcome, President Roh’s power was greatly reduced, and he failed to retake it by being a weak leader. Since the three opposition parties now gained a majority of seats in the National Assembly, their power to handle the legacy from the authoritarian Chun Doo Hwan administration that had helped bring Roh into power was significantly enhanced.

Previously, President Roh had made a public apology on the 1980 Kwangju uprising. Hearings in the National Assembly held in the fall of 1988 made Chun return substantial assets to the state and go into self-enforced internal exile. However, in 1989 Chun denied all allegations directed towards him and defended what he had done, implying that the significance of his actions the previous year should not be overestimated. A few visits to North Korea in 1988 and 1989 by anti-government activists in violation of the National Security Law made the political situation worse. Political liberalization showed obvious limits.

In order to overcome the political stalemate, President Roh along with Kim Young Sam and Kim Jong-pil formed a new, large ruling party on January 22, 1990. The formation of the Democratic Liberal Party (DLP) was a setback in democratization, confirming that it takes time to achieve democracy. The merger took place in secret ostensibly to create political stability but in reality to raise Kim Young Sam’s chances to get elected in the 1992 presidential election. The merger greatly weakened Kim Dae Jung’s political influence. Critical evaluations pointing out the potential dangers from the alliance of heterogeneous political forces later turned out to be correct. Instead of providing promised political stability, factional strifes over who would be nominated as the presidential candidate in 1992

weakened President Roh’s rule. The revelation in 1990 of the Defense Security Command’s conduct of illegal surveillance of civilians and in 1992 of the Agency for National Security Planning’s illegal campaign against the opposition showed that democratic reforms had limits. On the other hand, democracy was somewhat strengthened by the introduction of local elections in 1991 after a 30 year hiatus. In the March 25, 1991 and June 20, 1991 local elections, the DLP won. Voter turnout rates were 55 and 58.9 percent, respectively. Regionalism was apparent in voting.

However, the DLP failed again to gain the majority in the National Assembly in the March 24, 1992 parliamentary election in which voting was regionalized. One reason was that the DLP had been weakened by internal power strifes that strengthened Kim Young Sam at the expense of President Roh. The president’s approval rate had fallen dramatically. Not only had he failed to be a strong president, but he was also largely unsuccessful in implementing his promises on democracy to a large extent because of unforeseeable political developments. The voter turnout rate fell to 71.9 percent.
3. Democratization during President Kim Young Sam 1993-98

3.1 Introduction

As we saw in Chapter 2, the major political event that affected the position of Kim Young Sam during Roh Tae Woo’s presidency was the 1990 three party merger that contributed to the nomination of Kim as the ruling party’s candidate in the December 18, 1992 presidential election. This chapter begins with a review of the election campaign with a few comparisons made to the 1987 presidential election as well as the local and parliamentary elections held in 1991 and 1992, respectively. In this section and in the following on President Kim’s leadership style and reform policies, a few evaluations of President Roh’s rule and the significance of the second consecutive election of the president in a country where there had been only one peaceful transfer of power from 1948-1987 are recorded. The evaluations are partly based on the definitions of democratic consolidation that were presented in Chapter 1.2.

In the second section, some emphasis is put on the impact of Confucianism on leadership since it was the cultural context in which President Kim worked. The role of political parties is included. An outline of the president’s reform policies that aimed to create a “new Korea” and eradicate corruption is presented. Since his inauguration address on February 25, 1993 provided a guideline of what policies he would pursue, those parts that dealt with democratic consolidation are recorded. It is followed with a review of President Kim’s reform policies which also aimed to secure civilian control over the military and to eradicate the sources of corruption. A few evaluations of the policies are recorded. The two rounds of local elections held in 1995 are included. The section ends by investigating assessments of obstacles to democratic consolidation that refer to the whole post-1987 period. The impact of the five year single term of the president on politics is included here.

The third section focuses on the arrest in 1995 of former presidents Chun Doo Hwan and Roh Tae Woo for corruption which was a major event during President Kim’s term in office. How the issue appeared and how it was pursued is explained in some detail. The role of civil society in the process and the different motives of President Kim to pursue the issue are investigated. Legal aspects are included. Evaluations of the significance of the arrests and the sentences passed are recorded and assessed, including the impact on the ruling party. Although the trials of the former presidents were the major corruption issue during Kim’s presidency, the impact of a few corruption cases that erupted in 1996 on his government is also analyzed. Another issue included in this section is the April 11, 1996 parliamentary election that was the last chance for voters to express their views of the Kim administration prior to the 1997 presidential election.

The fourth section first investigates the ruling party’s unilateral voting in the National Assembly on December 26, 1996 on new controversial labor and security laws which is another important issue in assessing President Kim’s rule. Attention is then switched to the eruption of more corruption scandals in early 1997. How the scandals were related to the president’s leadership style and what their consequences were on his position is analyzed. President Kim’s approval rates are recorded.

The fifth section focuses on a few assessments of democratic consolidation during President Kim both from the view of comparing his words and deeds and from the context of Confucianism. Also here definitions of democratic consolidation recorded in Chapter 1.2 are applied. The degree of continuity with past governments is included in the analysis, as is the impact of the National Security Law due to inter-Korean tensions. Whenever relevant, the relationship between the president’s personality and the shape of the political system is analyzed in this chapter.
3.2 Kim Young Sam wins the December 1992 presidential elections

On September 7, 1992, as the campaign for the presidential election heated up, Kim Nak-chung, a leader of the defunct Minjung (Masses) Party, was arrested along with three others. All were charged with having been spies for almost 30 years. The timing of the arrests raised suspicions and the opposition accused the government of trying to involve Kim Dae Jung in the affairs as the Agency for National Security Planning (ANSP) claimed that North Korea had ordered Kim Nak-chung to support Kim Dae Jung in the presidential election. Due to public uproar over the revelations, the ANSP announced that it would maintain neutrality in future elections and did so in the presidential election.

In order to not taint the election campaign with charges of presidential interference, President Roh announced on September 18 that he was resigning as president of the DLP before the campaign would begin (on November 20) so as to create a neutral presidency and Cabinet to oversee the elections. He then appointed a new prime minister and a neutral cabinet, as Kim Young Sam had demanded on September 16. The president maintained a neutral position during the election. According to Kim (2007), President Roh appears in retrospect to have been the most democratic Korean president ever and was the only president who did not intimidate or threaten the opposition with governmental power.

In the election campaign the sluggish economy was the most salient issue. All three candidates criticized the president’s economic legacy, and all called for economic reforms. Kim Young Sam attempted to distance himself from President Roh. He relied more on the strength of his record as a democracy activist rather than being the ruling party’s candidate and advocated clean politics, national reconciliation through amnesties for political prisoners, no retaliation against former rivals and international accommodation. Economic plans called for stable growth and lower inflation. He also campaigned on the themes of “creating a new Korea” and “reform amidst stability.” The latter concept was intended to appeal to both those who expected reform and change and those who preferred stability and continuous economic growth. Kim asserted that the country suffered from the “Korea disease” characterized by rampant corruption, a withering work ethic and weakening authority.

Meanwhile, Kim Dae Jung presented himself as the only alternative to Democratic Liberal Party (DLP) rule, but his platform was not easy to distinguish from that of the other parties. The two rivals were popularly said to be infected with the “presidential disease”, that is, an overwhelming greed to become president. Kim Dae Jung advocated Korean reunification, in particular for divided families, arms control and the development of the Demilitarized Zone as a tourist zone. He blamed the DLP for the economic slowdown which was especially hurting small businesses and called for expansive economic policies. The Unification National Party (UNP) presented itself as the only party that was solely concerned with economic issues with the hope that Chung Ju-yung’s business success would translate into nationwide prosperity.

In the December 18 presidential election, Kim Young Sam (65) won after having consistently led in major polls and benefited from the politics of coalition-building. He received 41.4 percent of the votes compared to 33.4 percent for Kim Dae Jung and 16.1 percent for Chung Ju-yung. In sharp contrast to the 1987 election, there were no protests against the result, and Kim Dae Jung made a concession speech to congratulate his rival on the victory. Following what was his third defeat in a presidential election, Kim Dae Jung resigned his legislative seat and decided to leave politics without explicitly naming a successor. The voter turnout rate was 81.9 percent compared to 89.2 percent in 1987, indicating somewhat falling interest in democratization and disappointment with the government. Yet

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since expectations of the president as a leader capable of resolving national tasks and economic difficulties were high, the voter turnout rate was higher than in the 1991 local elections and the 1992 parliamentary elections. Only 44.5 percent of Kim’s supporters from 1987 voted for him, whereas 66 percent of Roh’s supporters from the same year supported him reflecting a wish for stability and continuity. Since all of the political parties deliberately sought to benefit from regionalism, it remained the most important factor in the election. Kim Young Sam received 60.4 percent of votes in Busan and 71.4 percent in the South Kyōngsang province, whereas Kim Dae Jung received 95 percent in Kwangju and 88 percent in the Chŏlla provinces. The democratic transition that had begun with the December 1987 presidential election reached a climax with the election completing the full electoral cycle of an orderly and peaceful transfer of power. According to Kim (2007), the election strengthened the process of democratic consolidation. On the other hand, from 1988-1992 the number of people prosecuted for violating the National Security Law reached 1,529, of which 306 were arrested. The degree of democratic progress should not be overvaluated.

3.3 One man leadership and reform policies

On February 25, 1993, Kim Young Sam was inaugurated as the first civilian president since 1962, which was the year that President Yun Po-son resigned in protest against the military government that took power in 1961. When Kim assumed office, the armed forces had lost much of their legitimacy among large sectors of the society. Since promotions, assignments and retirements affected the internal balance of power between supporters and opponents of the military governments, professional norms had become subordinate to personal and political loyalties. In addition, the armed forces were blamed for the policy failures and corruption of the military group holding power. Consequently, Kim Young Sam became an alternative at a time when the armed forces could neither legally nor politically prevent its decline in power. Since Kim Dae Jung’s political retirement significantly weakened the opposition, the new president faced no serious political challenges.

According to Kim (2007), the inauguration of a civilian president was a watershed in democratization. Also, “It symbolized the end of decades of political struggle for full democracy.” According to Chu (2004), the 1987 June 29 Declaration had contributed greatly to democratization, an evaluation that is partly supported by the above account. Doh Chull Shin (1999) writes that the previous government now was transformed into “...a civilian democracy.” Korean democracy now met the criteria of procedural democracy: a government characterized by free and fair elections, universal adult suffrage, multi-party competition, civil liberties and a free press in accordance with polyarchie (cf. p. 5). Shin quotes the words of compatriot scholar Kim Byung-Kook: “...electoral politics has become the only possible game in town for resolving political conflicts.” Because Kim Young Sam had been a lifelong crusader for democracy and was elected freely and directly as well as was a civilian, he immediately enjoyed an unprecedented degree of legitimacy.39


Followings his election Kim, who had no previous administrative experience, declared: “Genuine stability is achievable only when there is reform.” The purpose of the reforms that were his primary goal was to eradicate all of the authoritarian legacies and replace them with new democratic institutions in politics, economics and society. He wished to become “an outstanding president,” one that would be remembered in history. He began to build a one man leadership structure in a country where the importance of the leader is huge and presidential power is perceived as unrestricted. Kim’s style of political leadership was not so much the “rule of law” as the “rule of man.” The Confucian legacy had made Koreans idealize authority to such a degree that the opinion was that the rulers should be paragons-moralists rather than strategists. Such an undemocratic concept of the presidency was endemic. The concept of “ultimate power” assumed that political power was concentrated in the president creating little space for the idea of checks and balances. Decisions were made by the president himself in a process not open to the public, although he gathered information from different sources. In very few cases his core allies participated in decision-making and were then requested to keep secret until the final moment.

Political parties were far from democratic or policy-oriented but the political tools of their leaders, and they did not represent certain social classes or ideologies. The Constitution’s Article 8:2 stating “Political parties must be democratic in their objectives, organization, and activities, and have the necessary organizational arrangements for the people to participate in the formation of the political will” was hardly realized. The government was, as had been the case during the pre-1987 period, run more by persons than by institutions.

Due to President Kim’s lack of experience in government, he relied on recommendations from his informal aides rather than submitting them through official channels based on a screening system. The president never discussed candidates for important positions openly with his advisers, including the presidential chief of staff and concealed his selections until the last moment. The prime minister played no role in appointments. The president did not trust the filed information on potential appointees. Many of the inexperienced appointees he selected were from the narrow manpower reservoir of his personal networks of long-term followers creating suspicions that high-level positions were distributed as rewards for loyalty. Critics argued that high posts were occupied by people with questionable integrity, records of accumulation of personal fortunes or had strong personal ties with the president. While repeatedly pledging a strong government, he actually meant a strong presidency. In his inaugural address he proclaimed that the ultimate goal of his democratic reform was the birth of a “New Korea” that he had advocated in the election campaign and also promised to eradicate corruption:

“Corruption in our society is the dreadful enemy that destroys the country little by little from within. There will be no sanctuary in eradicating corruption. We will stamp out all manner of improprieties and graft…. We should re-establish the discipline of the state…. When power comes into being by fraudulent means, the legitimacy of the state is infringed upon and law and order collapses…. There must be an end to the dark political night…. ”

In addition, a) “The New Korea would be a freer and more mature democratic society.” b) “Reforms from above will soon begin. However, if not every citizen makes effort to become clean irregularities and corruption cannot be eradicated. A clean society can only be

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accomplished by the hands of all citizens.” c) Regional confrontation should be demolished. In brief, he emphasized changes and reforms. His political reforms aimed at democratic consolidation by clearing up authoritarian legacies, scraping out irregularities and corruption and securing democratic legitimacy. Later, in his first press conference on March 4, President Kim announced: “I will not receive any money by way of political contributions during my term.” Since his government declared that it would end military dictatorship it labelled itself “the people’s government.” However, in spite of these seemingly promising statements, Kim (2007) points out that the president lacked a clear vision for Korea’s future. Since he had done little but challenge authoritarian governments before becoming president, he lacked a solid grasp of major issues. Apparently, the president did not recognize how difficult the tasks that lay ahead of him were.

In spite of advocating an end to regional confrontation and establishing the Civil Service Commission to ensure a more objective personnel appointment system, President Kim installed his own supporters from the Pusan and the South Kyongsang province (“PK”) in key policy-making positions, but six of 24 cabinet posts including Prime Minister Hwang In Sung were allotted to individuals from the southwest to gain support from this region. Nevertheless, few native people were satisfied since the premier was a former general who had served in the Chun Doo Hwan administration and was regarded by many as little more than a figurehead premier, indicating that the significance of the president’s decision should not be overvalued. In particular, people appointed to key posts such as Minister of Justice, Minister of Internal Affairs, Prosecutor General, Director of the National Police Agency, Head of the National Tax Administration and leader of the military’s Joint Chiefs of Staff were all from the president’s own region. An analysis made in 1996 showed that the share of ministerial and vice-ministerial government officials hailing from Pusan and the South Kyongsang province rose from 18.7 percent to 23.4 percent after President Kim had assumed office. The Korean scholar Choi Jang Jip (2009) argues that since decision-making was centralized to the president and extremely few of his closest aides, regionalism aggravated.41

The disclosure of his family’s wealth and personal assets by high-ranking public officials and ruling party lawmakers following his launch of an anti-corruption campaign on February 27, 1993 drew more support from the public than any other reform measure, although it was not based on laws and regulations. In contrast, Kim (2007) writes that President Kim lacked knowledge and belief in democracy and was authoritarian in mentality and psychology. Since his government was a legitimate one that pursued righteous missions, President Kim believed that its policies should not be criticized. Consequently, public participation in politics was hampered, and the bureaucracy and the ruling party were relegated to supporting institutions that blindly implemented the president’s orders. The anti-corruption drives led to the dismissal of 1,363 public officials, including members of the police and the office of public prosecutors for malfeasance. Another 242 were forced to resign because they had acquired wealth improperly.

In the private sector several hundred people were arrested or indicted for improper behavior, including 31 people for having illegally built luxurious homes, 602 lawyers and their employees for irregularities and 64 persons for having illegally speculated in real

The anti-corruption drive mainly hit figures from the past and thereby eliminated many of the president’s political enemies. Some observers believed that the campaign was politically motivated. Since the disclosure of assets revealed no hard evidence of wrongdoing under Korean law, they received criticism that the president was ruling the country in the areas of personal property and privacy rights in accordance to the arbitrary rule of one man rather than the rule of law. Astronomical levels of real estate speculation were the main source of the huge sums involved.

The president’s approval rate in April of 1993 was 90 percent, in May 88 percent and in August 79 percent. The level of popularity was higher than for any other president. Meanwhile, disclosures in the media about considerable personal fortunes led to the down-fall of several ministers and lawmakers. Only two weeks after their appointments, President Kim dismissed three ministers, five deputy ministers and Seoul’s mayor for making fortunes by allegedly illegal means. The dismissals undermined much of the president’s goodwill and cast doubt on his judgment since during the election campaign he had repeatedly told voters that his strength was to select the best and most qualified individuals for government posts.42

Since cabinet appointments excluded members of the ruling Democratic Justice Party before the 1990 three party merger, that faction became upset leading to a struggle for power within the ruling party that became a challenge to democratic maturity. The president’s trusted associates who dated back to his days in opposition constituted the inner circle of power in the early stages of the administration. During his five year term in office, he reshuffled his cabinet six times. The average tenure of his ministers was less than 12 months disabling them in working out long-term policies that would have required functioning working relationships with the president. Ministers were also reluctant to tell the president something that was different from his own position. The frequent cabinet reshuffles are one sign that President Kim lived up to his repeated statements before and after his inauguration that he would borrow other people’s brains in contradiction to his one man rule.

As a measure to eradicate the authoritarian legacy of past administrations, already on March 5 the president issued a wide-ranging political amnesty directive. The program released from prison and restored the civil rights of over 40,000 political dissidents, including such well-known activists as Reverend Moon Ik-hwan and Li In Mo. On March 6, the government absolved Moon of violations of the National Security Law (NSL) in relation to his visit to North Korea in 1989 (cf. p. 22). In contrast, the United Nations Commission of Human Rights (UNCHR) declared for the first time that the sentence in the High Court in December 1993 against Pak T’ae-hun for having violated Article 7 of the NSL regarding praising and benefiting the enemy was a violation of the expression of freedom as guaranteed in the UN Human Rights Agreement that Korea has ratified. Consequently, the Commission’s judgment had legal effect in Korea. Since Pak during his studies in America from 1983-89 had joined The Association of Korean Youth in the United States, he was arrested by the Agency for National Security Planning immediately after his return. The Association was regarded by the High Court to be a body that benefited the enemy.

The UNCHR claimed that “no argument by the Korean government could limit the freedom of expression of Pak.” It refuted the government’s argument that “considering the state of security in Korea the National Security Law must be applied ahead of specific individual rights” by arguing that the reasoning was “inconsistent with the Agreement.” The Korean government had so far refused to meet the recommendation from the UNCHR and other organizations by claiming that “The recommendations derive from the UN not

considering Korea’s specific conditions and the general will of the Korean people.” The
Constitution’s Article 21:1 prescribing “All citizens enjoy the freedom of speech and the
press, and of assembly and association” did not apply in this case limiting democracy (cf.
p. 34).

While inter-Korean relations remained a restraint on political freedom, Li In Mo, who
was a professed communist and political prisoner since the Korean War (1950-1953), was
repatriated to the North on humanitarian grounds. In another sign of liberalization in 1993,
a Supreme Court ruling claimed that the distribution of pro-North Korean literature did not
violate the law. Meanwhile, within three months after the inauguration of President Kim,
ahead 1,000 public officials had been arrested, fired or reprimanded. Already on March 8,
the Army Chief of Staff and the commander of the Defense Security Command (DSC),
who held the two most important military leadership posts and both had more than six
months left of their tenures, were replaced but without any complaints from the military.
The new Army Chief of Staff, Kim Dong Jin, who was appointed in March 1993 had no
political aspirations. The DSC was a politically powerful military intelligence unit that had
previously enjoyed virtual autonomy in its operations since it acted directly under the pre-
sident’s instructions. Consequently, it was not answerable to any other government autho-
 proprietary. During President Roh, formulation of defense and national security policy had remained
the prerogative of the president with minimal oversight by the National Assembly.

Besides replacing its chief, in another step to reduce its power, the DSC was from April
1993 banned from conducting civilian surveillance and was required to report to the Min-
istry of National Defense. More than 1,000 military officers were purged in the first year,
including generals who had been involved in the December 12, 1979 incident and in the
promotion and procurement of weapons scandal. Consequently, civilian supremacy over
the military was achieved which was a primary task for President Kim. However, since
President Roh as a core member of the previous democratic government held the top posi-
tion in the military forces, they had become rapidly integrated into the new democratic
order; President Kim’s measures only completed a process that had already begun.

During Roh Tae Woo’s presidency, military leaders regarded Roh not as a civilian pre-
ident who did not know about the military but as a fellow soldier and an influential mem-
ber of the military who understood and would take care of the military as an institution.
Since he was de facto and de jure Commander-in-Chief, the active military commander
enjoyed considerable independent power from the president. Consequently, the military’s
trust in and loyalty to President Roh was comparatively firm. His administration had also
implemented reforms that eventually de-politicized the military and made it subject to the
control of the elected government. The reforms included the prohibition of military intelli-
gence activities on the civilian realm, the reduction of the military intelligence apparatus,
the drastic opening of the barracks to the public eye, the elimination of various military privi-
ileges and the measures to make the military absentee voting free from partisan pressure.

On March 8, 1993, President Kim disbanded the Hanhœ (“We are one faction”) that
had ten army members and was a major foundation of authoritarian rule. Among the
purged personnel were dozens of high-ranking generals closely linked to former presidents
Chun Doo Hwan and Roh Tae Woo who had been promoted thanks to their personal

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(ibid., 2004, p. 118) does not say on what criteria the High Court concluded that the Association of Korean
Youth in the United States benefited the enemy. Original quotation marks.
44 Cha, ibid., 1993, p. 854; Victor D. Cha, “Security and Democracy in South Korean Development,” in Kim,
Samuel S. (ed.), op. cit., 2003, pp. 208-209; Cho, Jung-Kwan, “Taming the Military to Consolidate Demo-
cracy: The South Korean Experience,” Pacific Focus, vol. 16, no. 1 (Spring 2001), pp. 141, 142; Croissant,
op. cit., p. 12; Kim, ibid., 2007(a), pp. 269-270; Rhie, op. cit., p. 142; Saxer, op. cit., pp. 389, 403.
connections with them. This elite fraternity of military officers organized by Chun was set up in 1971 only among the Military Academy graduates and had dominated the Korean military during the 1980s. The former presidents were leaders of Hanahoe that did not know about President Kim at all. In late 1993, no Hanahoe officers remained among the country’s generals, but the dismissed officers were praised for their faithful service. Instead, generals from outside the military academy were assigned to many influential posts to depoliticize the military. According to the Korean scholar Sin Tong-jun (2009), without President Kim’s strong determination, it would have been impossible to get rid of Hanahoe. President Kim himself regards the action as one of his achievements. In addition to the purge of Hanahoe, the military’s monopolistic management of national security, arms purchase, the defense industry, military personnel administration and the defense budget was dismantled. Civilians were assigned to many important positions in the Ministry of Defense, including those in public relations.

The shake-up became another measure to achieve civilian supremacy over the military which, as we have seen, is a prerequisite for democratic consolidation. There seems to be a general consensus among Korean scholars that military intervention into politics had been the main reason for the country’s political underdevelopment: democracy was severely undermined by the military coups in 1961 and 1979-1980. Military intervention had strengthened authoritarianism in politics. Scholars positively evaluate President Kim’s policies in this area. According to Myungssoon Shin (1996), the elimination of the military legacy from politics by re-organizing the military to ensure its strict political neutrality and to prohibit it from meddling in internal politics was, considering the military influence over Korean politics during the past 30 years, the most important reform measure taken for the consolidation of democracy. Hyug Baeg Im (2000) writes that his reform of the military was doubtless the greatest achievement of Kim’s term in office. Chu Don-shik (2004) writes that achieving civilian control over the military is regarded as the major achievement of President Kim and that such a step has a particular significance due to the special security conditions on the Korean peninsula.45

In addition to the anti-corruption drive, President Kim undertook institutional reforms to consolidate democracy. In the most significant signal, a professor was appointed as the director of the Agency for National Security Planning (ANSP, formerly Korean Central Intelligence Agency) and given the task to depoliticize the powerful agency. On his second day in office, the new director recalled agents operating inside social, political or economic organizations throughout the nation and urged them to strictly follow their legally defined activities. In March 1993, authorities arrested the former head of the agency Chang Se Dong on charges of using the agency to sabotage opposition party activities. The arrest was made on a legal basis but was also taken in retaliation of actions Chang had taken against Kim during his days in the political opposition. In another measure the president ordered the Defense Security Command (DSC) not to meddle in non-military affairs. After the president had asked the National Assembly in January 1994 to revise laws governing the work of the two security agencies, the ANSP and the DSC for the first time in more than three decades became subject to parliamentary oversight and were prohibited from conducting political surveillance over other branches of government, public officials or private citizens.

In addition to the enumerated measures that established the unchallenged supremacy of civilian rule, economic reforms were implemented to challenge the sources of corruption that, as we have seen, the president had promised to eradicate. On August 12, 1993, anony-

nous bank accounts were prohibited as a measure to prevent corruption by severing the collusive links between politics and business. The president declared in an extraordinary decree enacted in 1983: “From this time on, all financial transactions have to be made under real names to realize a clean and just society. Without real name financial accounts, a sound democracy cannot flower.” The unexpected decree was possible because his plan was kept secret until just before the moment of the announcement since many officials, including Kim’s own economic adviser, were opposed to the plan. Instead, the president had ordered the vice prime minister to work out a plan for implementing the reform that was subsequently approved by the National Assembly. The plan was prepared secretly for six months by the vice-prime minister and the finance minister, indicating that the president, in spite of his wish to decide for himself, was dependent on the two ministers’ expertise in this case. Neither the chief economic minister nor the prime minister had been involved in preparing the decision.46

According to Sin (2009), the real name finance reform was a great success by reducing the size of the underground economy and collusion between political and economic power. The reform was hailed in both the domestic and foreign press as a key to transparency in all economic transactions. The measures were also regarded as a significant step towards creating a clean political system. Later, in March 1994, the National Assembly enacted the Real Name Real Estate Registration Law requiring the use of real names in the registration of all real estate parcels, which President Kim had announced in his New Year’s news conference. It also revised existing laws on elections, campaign financing and local autonomy. The new Comprehensive Election Law raised government subsidies to campaigns and fixed allowances for politicians with strict upper limits on spendings. Again, the National Assembly played an important political role, although President Kim, who had been a parliamentarian for more than 30 years, belittled its role.

Regarding President Kim’s reform policies, Young Jo Lee (2000) writes that the significance of the reforms was that they comprised the first serious effort to expand and deepen democracy but without mentioning the concentration of power to the president that no doubt undermined democracy. Kim (2007) points out that the reforms were not very effective by tending to be piecemeal and unsystematic. Some of the early reform measures were carried out resolutely, but most other reforms were poorly planned, poorly implemented or attempted and failed.47

In April 1994, President Kim abruptly fired Prime Minister Lee Hoi-chang after only four months in office. Lee, a former Supreme Court justice, had asked the Ministerial Council on North Korea Policy to report its recommendations to him before sending them to the president. Lee’s interpretation of the constitution was that he was within his rights and prerogatives, but President Kim thought that Lee challenged his presidential authority since he had an authoritarian perception of his office. The president received a lot of criticism for his decision.

The ruling party was also criticized for policy failures, corruption scandals and a series of manmade disasters. The latter included the collapse of a major bridge in Seoul in October 1994 killing 32 people, two deadly gas explosions in Taegu and Seoul in April 1995 causing the death of 113 people and the collapse of a five story department store in Seoul in June of the same year that killed 502 people. Following the bridge collapse and seven months after his appointment, he again changed prime minister. Although the disasters seriously undermined public confidence in the Kim government, in 1990 only 31 percent

of 500 people involved in a survey responded that Korea was democratic, whereas in 1995 the figure had risen to 49 percent of 838 people included.

In the June 27, 1995 local elections, the DLP suffered a severe defeat and lost ten of 15 mayoralties and governorships who were elected for the first time in 34 years. Since they had been appointed by the central government, the central government’s power to control local governments was now weakened, although not on an institutional level. The Local Autonomy Act (revised in 1994) provided the central government the right to oversee and audit local affairs, to issue orders for revising local decisions or ordinances and to sue local governments in court, etc. Local governments were allowed to handle only such tasks and responsibilities explicitly permitted by national laws or delegated by the central government. The voter turnout rate had risen compared to the 1991 levels of 55 and 58.9 percent, respectively, to 68.4 percent. The figure had risen in all election areas. The Korean scholar Junhan Lee (2011) explains the rise by the concurrent holding of elections for governors of provinces, mayors of cities and heads of counties and urban wards. Since the internal conflicts within the DLP remained, on January 22, 1995 Kim Jong-pil resigned the chairmanship of the DLP. Instead, in March he set up his own party, the United Liberal Democrats (ULD) in order to rebuild his own power base in the central South Ch’ungch’ông province where the party won.48

In contrast, Kim Dae Jung’s Democratic Party (DP) won all seats in the Chôlla region. The DP won a landslide victory in the Seoul ward chief elections with 23 of 25 posts. In spite of withdrawing from politics following his defeat in the 1992 presidential elections, he had returned in 1995 since he was disappointed with the established political parties. The DLP won a landslide victory only in the president’s home region Pusan-South Kyông-sang, but it also won in Inch’on city, Kyônggi and the North Kyôngsang province. In 1995, 74 percent of administrative tasks such as tax policies belonged to the central government and only 18 percent was reserved for local governments (unspecified delegated tasks comprised eight percent). Since the corresponding figures in 1993 were 75 and 13 percent, there was only minor change. The central government also decided the total number of organizational divisions, the requirement for specific divisions such as planning, the total number of public employees and the guidelines for promotions and pay raises. In other words, since local autonomy was dependent on the center, it lacked independence reconfirming that the significance of the local elections should not be overvalued.

In fact, the Korean scholar Kyoung-Ryung Seong (1998) writes that since strong traditions of statism and centralism still prevailed, the system of local autonomy was seriously flawed. Major administrative and fiscal powers were not granted to local governments. Such a situation contributed to the generally lower voter turnout rate in local elections than in presidential and parliamentary elections. In addition to the complaints by the leaders of local governments and councils about their lack of power and resources, minute regulations and supervision by the central government and the slowness of decision-making etc., ordinary citizens complained “…about the nonexistence of institutionalized channels for effective participation in local decision-making.” Seong calls local autonomy “…basically a variant of authoritarian control with a democratic facade.” If such a system would persist, it would be very hard to expect Korean democracy to be consolidated in the near future. The fluidity of political parties and intense competition based on strong regionalism hinde-

red democratic consolidation, but an over-centralized state, minimal decentralization and “… the suppression of the full maturation of local democracy” were the most serious obstacles. In contrast, the Korean scholar Min Jun Kee writes (2008) that the restoration of local self-rule was a symbolic achievement of democracy and an important reform brought about by democratization.49

The account clearly shows that democratization was not a straightforward process. Shin (1996) writes that Korea at this time was more of a procedural democracy than a substantive one and faced some obstacles to achieve democratic consolidation. Firstly, political parties had been founded in order to enable individuals to achieve power. The purpose was not to represent certain social classes or ideologies. Factions were formed around leaders who were supported by and in turn had obligations to protect and assist their followers. Such a situation had led to the formation of numerous political parties. As noted by Choi Jang Jip (2009), a main characteristic of Korean politics ever since liberation in 1945, had been the underdevelopment of the political parties. One reason was that since a strong state developed under the authoritarian political system, an asymmetric system was formed.

In contrast, political parties in Western democracies represent more than the individual leaders, continue after they leave and breed successive leaders from within the parties, but in Korea individuals created political parties to suit their political needs. Consequently, few parties had coherent platforms and were not yet institutionalized (cf. p. 35). The institutionalization of political parties was one of the needed reforms to achieve democratic consolidation in Korean politics. Also, as noted by Park Myung-lim (2005), the inherent problems of the 1987 Constitution in terms of the single five year presidential term and the uncoordinated timing of the presidential and parliamentary elections “…have served to create divided governments, retard development of parliamentary politics based on compromise and dialogue, hamper bipartisan cooperation, and undermine the administration’s ability to perform its duties.” The presidential election system apparently exerted a negative influence on politics.

Secondly, although the power of the National Assembly was greatly enhanced by the 1987 constitution, it could not work appropriately, but as recorded above it did play an important role on a few occasions. The failure was especially apparent after the three party merger in January 1990 since the ruling party in spite of its majority could not initiate leadership due to its division between factions. Also, after President Kim had entered office in 1993, the National Assembly worked poorly because of the partisan interests of the ruling and opposition parties that failed to compromise. The Assembly rarely convened. As Shin (1996) writes: “Korean political parties exist in order to pursue their partisan interests and political benefit rather than to represent the concern and interest of the people.” Also, “Korean politicians still regard politics as a struggle rather than cooperation or compromise.”50 As we have seen, unilateral votes in the National Assembly took place in 1988 and 1990. The latter opinion indicates that the zero-sum notion of politics remained.

Thirdly, in the Korean political culture, people could not internalize a democratic belief system. The recent emergence of regionalism as the most important factor in elections and the “new three Kim era” indicates that Koreans were still greatly influenced by particularistic personal connections in political life, especially local ties, school ties and blood ties, as in all of the elections recorded above. Regionalism emotionally colored political debate


and hampered the emergence of issue-oriented politics. Unless regionalism is overcome in elections, democratic consolidation is remote. According to Croissant (2002), regionalism “reflects the regional cleavage among political elites, emotional identities, historical grievances, and uneven economic development.” Seong (1998) writes that regionalism hinders democratic consolidation by precluding both competition based on policy differences and rational debates to take root, deepening regional rivalry and dividing society vertically and, most importantly, hindering inter-regional cooperation needed to overcome centralist rule.

Fourthly, the legacy of authoritarian governments remained. There were many people in leading positions who had belonged to these governments. In 1993, the American scholar Victor D. Cha pointed out that the Agency for National Security Planning and the National Security Law were the most prominent institutional legacies of the authoritarian past and the largest obstacles to greater political freedom. When lawmaker Yi Bu-yeong argued the next year that a condolence visit to North Korea should be made following the death of Kim Il Sung, the conservative press argued that this was a crime of praising or sympathizing with the North: inter-Korean relations remained sensitive (cf. pp. 22-3, 37-8). As a consequence of these four obstacles, the process of democratic consolidation was likely to be slower than people expected.

Meanwhile, the opposition within the DLP led by allies of former presidents Chun Doo Hwan and Roh Tae Woo blamed President Kim for massive purges and recklessness, whereas his followers urged stronger reforms. Because of the party’s difficulties, the president diverted attention to the financial irregularities of former president Roh, although the government in July 1995, while pointing to the statute of limitations, had announced its final decision not to pursue insurrection charges against Chun and Roh. In January of the same year, the Constitutional Court had also found that the government had no jurisdiction to rule on the constitutionality of the December 12, 1979 incident and the 1980 Kwangju uprising. Since many civic groups protested against the decision, a national crisis arose.

3.4 The 1995-96 trials of ex-presidents Chun Doo Hwan and Roh Tae Woo

On August 14, 1995, the Korea Council of Professors for Democratization made a statement criticizing the government’s decision in July and demanding a special law for prosecuting the coup leaders. About 150 professors waged protest sit-ins. Together with the People’s Solidarity for Participatory Democracy, the Council submitted a legal petition urging that the statute of limitations not apply to those involved in the May 18, 1980 Kwangju uprising. Also, 221 professors at Seoul National University made a statement calling for the enactment of a special law and an immediate re-investigation of the Kwangju uprising. On August 29, 3,912 professors from 80 universities had participated in the signature campaign that called for the punishment of Chun and Roh. On November 25, the number had risen to 6,549 professors from 89 universities and colleges. On September 29, students at many universities boycotted classes. Some professors cooperated by cancelling classes in advance. It was the first nationwide class boycott since President Kim assumed office. On September 30, in 13 major cities the streets were filled with students, workers and ordinary citizens who held massive protests that called for a special law prosecuting and punishing those who were involved in the suppression of the Kwangju uprising.

On October 19, opposition lawmaker Park Kye-dong (Democratic Party) disclosed information in the National Assembly on the former president Roh Tae Woo’s slush funds. Two months earlier, similar remarks were made by the minister of government administra-

tion Suh Suk-jae “off-the-record” during a meeting with reporters. The minister said that a former president had $550 million in slush funds hidden at numerous banks. The president had fired him immediately. Consequently, it was widely believed that governmental authorities had provided the information to the opposition lawmaker.

Although President Kim after inauguration had declared that Chun and Roh had engineered a “coup-like” incident on December 12, 1979, he then stated that the government would not prosecute them for the sake of national unity. He had also urged the nation “to let history judge the December 12 incident.” In October 1994, the Seoul District’s Prosecutor Office announced that it had decided not to indict the former presidents because it was “feared to revive national divisiveness and confrontation in the course of legal disputes over the past, and what is taken into account is that they have already been judged by the people through parliamentary hearings on the Fifth Republic.” Due to the October 19, 1995 disclosure, the opposition demanded an open-ended investigation into the matter and an immediate arrest of the former presidents. Students, labor and other activist groups subsequently waged large scale street demonstrations nationwide to demand the imprisonment of Roh. According to the Korean scholar Sunhyuk Kim (2003), civil society groups had persistently demanded the prosecution and punishment of those who had been involved in the past coups, repression of the pro-democracy movements and corruption scandals. Civil society and its work to make a clear break with the authoritarian past contributed considerably to making democracy “the only game in town.”

In this respect, democratic consolidation was promoted.

On October 27, Roh at a press conference apologized to the nation for collecting some $650 million slush funds while in office, some of which came from Ssangyong and the Hanbo Group, but he denied that the funds were bribes he had received in return for favors. His announcement stands in sharp contrast to his pledge in the presidential election campaign that his property will be the same when he leaves the presidency as when he was elected. According to Kim (2007), the slush fund scandal seriously damaged the authority of the Korean presidency itself. Due to the nationwide demonstrations demanding punishment, on November 16 the government arrested Roh on bribery charges. When state prosecutors interrogated 36 business leaders about how Roh had collected $650 million in secret funds he admitted maintaining them during his term of office 1988-1993. The demonstrations immediately spread to include Chun Doo Hwan. In spite of the absence of legislation to deal with treason and insurrection at this time, on December 3, Chun was arrested on charges of corruption since he had accumulated over $1 billion in his own “slush” fund during his presidency 1981-88.

The alleged crimes were in connection with the “December 12 incident” in 1979 and the Kwangju uprising in 1980, but Chun declared that he would honor a summons for questioning. President Kim called the arrests “a glorious revolution” and stated that “we will have to firmly guard the democracy we have won at the cost of our blood, sweat, and tears by bravely liquidating the vestiges of militarism and exorcising the ghost of the coup d’état.” Also, “through the former President’s corruption case, I have been able to confirm that the roots of this grave betrayal of the trust and expectation of the people lie in the 12 December and 17 and 18 May incidents.” As President Kim had been in a difficult situation, he gained legitimacy by bringing the ex-presidents to trial. There was no significant reaction.

52 Chi et al., op. cit., p. 308; Kim, ibid., 2000(a), pp. 286-9; Kim, Sunhyuk, “Civil Society in Democratizing Korea,” in Kim, op. cit., 2003, p. 83; Kim, ibid., 2007(a), pp. 289-290, 291; Saxer, op. cit., p. 397. Original quotation marks. Kim (ibid., 2003, p. 82) records a definition of civil society: “A set of self-organized groups and movements that are relatively autonomous from the state, basic units of production and reproduction, and political society, and are capable of political activities in the public sphere to express their concerns and advance their interests according to the principles of pluralism and self-governance.” Original quotation marks.
from the military regarding the arrests. As we have seen, the president had succeeded in establishing civilian control and removed military intervention in politics as an obstacle to democratic consolidation.

On December 4, Democratic Party leader Kim Dae Jung denounced the president’s measures as nothing but “shock comedy” and charged that President Kim Young Sam had taken political funds from Roh. The president refused to give a full account of his dealings with the former president and the campaign funds spent in the 1992 presidential election. However, since Kim Dae Jung admitted that he had received about $2.5 million from Roh to help finance his 1992 election campaign, it was widely believed that Kim Young Sam had also received campaign funds, but he behaved as if he had nothing to do with past wrongdoings. Since many people wondered how President Kim Young Sam could indict former presidents for corruption when he himself had received funds from Roh, the significance of the arrests should not be overvalued. Indeed, some people claim that the main purpose to indict the former presidents was to deflect attention from suspicions that Roh had given Kim Young Sam significant sums for his 1992 presidential campaign.53

On December 5, Roh was indicted on charges of having accepted at least $370 million in bribes while in office. Chief Prosecutor Ahn Kang Min declared that seven major business leaders were also indicted on charges of paying bribes or contributions to the $650 million “slush” fund that the former president had amassed. The former president was specifically indicted on charges that he took $369 million in bribes from at least 35 business executives during his presidency. Prior to their arrest, the former presidents lived extremely well in expensive homes with government pensions and perquisites amounting to about $250,000 per year. They were described admiringly in Korean school textbooks as national leaders who had contributed to economic development and democratic transition. Nothing was written about the Kwangju massacre and their leading role in the December 12, 1979 incident as well as the Kwangju uprising.

The alleged crimes were committed in connection with the “December 12 incident” in 1979 and the Kwangju uprising in 1980. On November 24, President Kim ordered the DLP to draft special legislation to punish the two former presidents since the 15 year statute of limitations for offenses punishable by death had passed on August 16. He believed that they were responsible for the military crackdown of the Kwangju uprising. Nine of ten citizens supported the measure in a Seoul research poll. However, the opposition regarded it as a strategy by the president to distance himself from the rising public outrage over the wrongdoing committed by the former presidents and to gloss over the public suspicion that the secret political funds illegally collected by President Roh had flown into Kim’s own presidential campaign coffers. The president justified his change of mind regarding charging the former presidents as follows:

“Unless we go through this process, however, we will not be able to correct the wrongs of history. Through this process and by liquidating forever the unfortunate and anachronistic legacy of military coup d'état, we will be able to reclaim the true honor of the military and our national pride.”54

On December 15, the Constitutional Court ruled that the statute of limitation should not apply to a military mutiny that aimed to overthrow the constitutional order and that people involved in suppressing the Kwangju uprising could be persecuted under special legislat-


on. On December 19, the National Assembly passed the “May 18 Special Law” after the government had characterized the May 18, 1980 Kwangju uprising as a pro-democracy movement and the December 12, 1979 internal military coup as “a coup-like military revolt.” The law focused on the destruction of constitutional order and dealt with the offenses of military insurrection and mutiny. The two former presidents’ lawyers argued that the law was retroactive and against the principle of prohibition for double jeopardy. After having asked the Constitutional Court in January 1996 about the validity of the law, the Court rejected the petition a month later. However, five of the nine judges regarded the law unconstitutional, whereas a minimum of six must have consented to approve the petition.

The trials began on December 18. In the name of “rectification of history”, the government charged the presidents, along with 16 other former generals, of corruption and insubordination. They were found guilty of the 1979 mutiny and of treason for the Kwangju uprising. In connection with the charges, the heads of nine big conglomerates were also convicted of bribing the former presidents. Both Chun and Roh were defiant and alleged that they were victims of a campaign that had nothing to do with history but only was politics. To their supporters the trials were a disgraceful act by a man who owed his presidency to the jailed leaders. The measures were very popular, but the charges against the two presidents seriously shattered their images as well as the authority of the Korean presidency itself.55

During the trials, no audible voices were heard from the military. On the contrary, sympathy among army officers was slim for the two former presidents at trial. During the trial, President Chun and co-defendants steadfastly claimed that they had been driven by their “patriotic fervor” after President Park Chung Hee’s assassination. Otherwise, it would lead to internal chaos inviting another North Korean invasion. On August 26, 1996, the Seoul District Court sentenced, as requested by the prosecution, Chun Doo Hwan to death and fined him $290 million. Roh Tae Woo received 22.5 years of imprisonment and was fined $364 million. Both were found guilty regarding the 1979 mutiny and of treason for the Kwangju uprising, but the trial found no one who had actually issued the shoot-to-kill order in Kwangju.56 The level of involvement by Chun also went unanswered. Roh testified in 1996 in court that $90 million had been funnelled into Kim Young Sam’s campaign chest in 1992. The money came from the slush fund that was illegally amassed and controlled by President Roh. Kim (2007) records the opinion that Kim Young Sam was elected by having illegally spent huge amounts of money, but this opinion cannot be verified and is a far too simplistic explanation of his victory.

According to Sunhuk Kim (2000), the arrests and imprisonments of the two ex-presidents established a clear border between the democratic system in place and the authoritarian past. The prosecution of former dictators unambiguously symbolized the end of the authoritarian era and the beginning of a new one in which democracy was the only alternative. As noted above, civil mobilization had been of the utmost importance to reach such a state. The Korean scholar Jung Hae-gu (1996) writes that the sentence was more than an “historic punishment” but represented a “rectification of the wrongs of the past.” The Korean scholar Sung Deuk Hahn (2000) writes that President Kim accomplished his target to rectify the past. The Danish scholar Carl J. Saxter (2004) writes that most people felt that justice had been served by the trial and that allowing those responsible for the military

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55 Diamond and Shin, op. cit., p. 14; Kim, ibid., 2007(a), pp. 290, 291, 292, 306; Saxter, ibid., pp. 399, 400-401; Shin, op. cit., 1999, p. 8. The Constitutional Court consists of nine adjudicators qualified to be court judges that are appointed by the President. Among them, three are appointed from individuals selected by the National Assembly and three from persons nominated by the Chief Justice. From South Korea - Constitution (http://www.oefre.unibe.ch/law/iclkks00000.html), Article 111:2(3).

56 To the author’s knowledge, it is still unknown who ordered the shootings.
coup and the Kwangju uprising to go unpunished would not have served justice. The trials were an historic landmark in the struggle for democracy, although their legal basis was questionable. The only negative assessment the author has found is from Kim (2007) who asserts that the rash and ambitious initiative to “rectify history” damaged rather than strengthened Korea’s national institutions.57

In April 1997, the Supreme Court upheld lower court rulings and sentenced Chun to life in prison and Roh to 17 years. The Court found both guilty of mutiny, treason and corruption as well as sanctioning the Kwangju massacre and Chun also guilty of murder. Both were convicted of bribery and fined $276 million in the case of Chun and $350 million for Roh, that is, the amounts that they were found to have received while in office. In the appeals, the Seoul High Court on December 16 the same year commuted Chun’s death sentence to life imprisonment and reduced Roh’s to 17 years, but they were both released on humanitarian grounds on December 22, 1997. Although the actions were harshly criticized and protested by many civic groups, the new president-elect Kim Dae Jung wholeheartedly endorsed the president’s decision that was made after consultation between the outgoing and the new president. Previously, Kim Dae Jung had publicly called on President Kim Young Sam to pardon the former presidents. Since the trials crushed the factions within the DLP that were loyal to the ex-presidents, they paved the way for the party’s disintegration. On December 6, 1995, the DLP changed its name to the New Korea Party (NKP) to make a clear break with the authoritarian past. Party members then followed the president.

Until a series of corruption scandals involving his own cabinet and his close associates occurred in 1996, President Kim looked like a hero in his struggle against corruption. In March 1996, a key aide who had worked for him for 19 years was arrested for taking $900,000 in bribes in return for favors to businessmen. In June, the head of the Security Oversight Commission was arrested due to charges of accepting bribes. In October, the defense minister was arrested for having accepted money from a defense contractor. Finally, in November the health and welfare minister resigned due to suspicion of accepting a bribe. The corruption scandals seriously damaged the Kim administration’s moral authority.

As noted by Kim (2007), the president’s reform drive focused on getting quick results to weed out the rotten apples rather than on reforming the system. The problem with this approach was that he tended to view corruption and other problems in the government and politics as an individual phenomenon rather than as an institutional or systemic problem. Consequently, his agenda was backward-looking rather than future-oriented. The purges and eliminations of elements from the past were not enough to create a “new Korea.” According to Kim, the rash and ambitious initiative “to rectify history” or “to build a new Korea” weakened rather than strengthened Korea’s national institutions.58 Although we saw above that President Kim had declared that a “new Korea” could not be built in one day, it is possible that the launch of this slogan was a result of his wish to become an “outstanding president” and that the slogan had to be rushed through due to the single five year term in office. This constitutional limit seems to have made his “presidential disease” stronger and strengthened his ego that strongly contributed in shaping the political system.

58 Diamond and Shin, op. cit., pp. 14-15; Kim, ibid., 2000(a), p. 289; Kim, ibid., 2007(a), pp. 292-3, 301, 307, 318; Kim, op. cit., 2011(a), p. 34; Park, Tong Whan, "South Korea in 1997: Clearing the Last Hurdle to Political-Economic Maturation," Asia Survey, vol. 38, no. 1 (January 1998), pp. 4, 10; Saxer, ibid., p. 408: fn. 61; Shin, ibid., 1999, pp. 8, 202-203. The author heard Kim Dae Jung saying in an interview with the BBC in 2000 following his receipt of the Nobel Peace Prize that the release was a humanitarian gesture but he still thought that the former presidents’ acts were wrong and could not be excused.
As during President Roh’s rule, democracy became largely what the president wished it to become. As we have seen, President Kim showed inconsistencies in his words and deeds. One additional example is that in the April 11, 1996 parliamentary elections, ruling party candidates spent far more than allowed by the new Campaign Finance Law which the National Assembly had revised in March 1994 to dismantle the foundations of corruption (referred to as “Comprehensive Election Law” on p. 40). There were even suspicions that the government had intervened in the elections. Contrary to their intents, both the Campaign Finance Law and the real name financial system had failed to change the corrupt practices of elections: It was more important to secure an electoral victory than to accomplish the “fair and clean” elections that the president had advocated.

For the third time in a row, the ruling party failed to gain a majority. The New Korea Party (NKP) won 46.5 percent of the votes and gained 139 of 299 seats but had created a majority at the time that the new National Assembly held its first session on June 5 by drawing in three opposition Democratic Party members and nine independents. This was made amid furious protests from the opposition parties at a time when political parties remained institutionally underdeveloped. The new party founded in August 1995 by Kim Dae Jung, National Congress for New Politics (NCNP), won 26.4 percent and received 79 seats while the United Liberal Democrats (ULD) won 16.7 percent and gained 50 seats (the Democratic Party got five percent and 15 seats). Party members followed Kim Dae Jung when the NCNP was formed. Sixteen independents were elected. Even if only eleven women (3.6 percent) were elected, it was a rise by three from 1992. Among 1,389 candidates altogether, 1,367 (98.4 percent) were men and only 22 (1.6 percent) women.59

Voter turnout fell to 64 percent, compared to 75.8 percent in 1988 and 71.9 percent in 1992. The fall confirms the opinion by Doh Chull Shin (1999) that more voters had become disillusioned. The turnout rate for people in their 20s was 44 percent, that is 20 percentage lower than the total figure. In sharp contrast to President Kim’s declaration on February 25, 1993, that regional confrontation should be demolished, regional ties determined parties’ support. The NCNP won 36 of 37 seats in the Chôlla region and the NKP 40 of 45 seats in Pusan and the South Kyôngsang province. The ULD won 17 of 21 seats in the Ch’ungch’ông provinces.

Later, in September 2003, the NKP secretary general at the 1996 parliamentary elections, Kang Sam-jae, was sentenced to four years in prison for illegal fundraising during the elections. He had “embezzled” about $150 million from the Agency for National Security (ANSP) to finance the election campaigns. Kim Ki-seop, former deputy director of the agency, was sentenced to five years in prison on the same charge as that of Kang. At the appeals court in February 2004, Kang surprised the nation by saying that he had received the money from the president at his office in the Blue House before the 1996 elections. Kang was given a verdict of “not guilty,” implying that the huge fund was President Kim Young Sam’s slush fund that the agency had hidden. The illegal transaction had been made while the government was trying two former presidents for corruption.60 The act can only have further undermined the general public’s low confidence for politicians.

3.5 Introduction of controversial labor and security laws in 1996

In late 1996, political tensions rose when the government submitted its proposal to revise the labor law that labor unions had opposed since it would weaken them and facilitate massive layoffs. The opposition was staging a sit-in at the National Assembly to block passage of the bill, but the ruling party had to pass it to meet the conditions of the Organization for Economic Cooperation and Development (OECD) membership. In March 1995, President Kim had decided that Korea should join the OECD. Since the country would become a developed nation acknowledged by the international community through membership, he thought it would be an important achievement during his term of mandate. He also thought that membership would contribute to successfully implementing his globalization policy as well as to his party’s platform as it prepared for the 1996 parliamentary elections and the 1997 presidential elections. Membership in the OECD was attained in October 1996.

On December 26, 1996, 155 members of the New Korea Party (NKP) who had gathered secretly at four hotels in the predawn hours were bussed to the National Assembly, where at 6 A.M. they passed eleven bills in six minutes without debate. The opposition parties were not invited. Previously, the NKP had failed to reach a consensus with opposition forces within and outside the National Assembly. Opposition lawmakers had even physically hindered the government from reaching the parliament’s rostrum at a time when they knew that the government had a majority and intended to enact the law. The new controversial labor law adopted almost all of the business lobby’s demands by making it easier for companies to dismiss workers, hire replacements for striking workers and adjust working hours. Workers would get no income during strikes. A provision in the law stipulated that organizing multiple unions in one company would be suspended for three years in the case of higher level union organizations.

In protest the Korean Confederation of Trade Unions led a general strike the same day. More than 200,000 union members participated in the general strike from December 28-31. Opposition parties declared that the NKP’s unilateral actions were “legally and politically null and void” and organized protests. Even more controversial, The Law for the Agency for National Security Planning was revised to revive its domestic political role to spy on Korean citizens, which had been abolished in 1994. The agency was re-authorized to investigate, arrest and interrogate people who were accused of making favorable comments about North Korea or failed to report suspected communist sympathizers.61

Due to the secret bill passages which showed that the executive power was stronger than the legislative, general strikes took place nationwide until March 1997 to urge an immediate nullification of the bills. They were the largest and costliest in the country’s history. The strikes resulted in a $3 billion loss of production and exports. Labor was joined by tens of thousands of students but also other activist groups such as labor unions and university professors as well as religious groups supported them. Both the national and international press strongly condemned the government’s actions. Union and labor organizations around the world criticized the labor laws and expressed concern over the manner in which they had been passed. Many Koreans thought that the government had returned to the undemocratic methods and spirit of its authoritarian past: Labor unions characterized the Kim Young Sam government as “a civilian dictatorship.” Similar to the three party merger in 1990, the third unilateral vote in the National Assembly was a step backwards in the way to democratization (cf. pp. 19, 24, 25).

Due to the protests, the government sent the law back to the National Assembly for a revision that the president lay behind. On March 10, 1997, a milder version of the law that only allowed companies to lay off workers under certain circumstances was passed. Organizing multiple unions in one company was permitted, but other characteristics of the law remained. The government was long uncompromising, but since the anti-government protests undermined the government’s previous democratic image and drastically diminished President Kim’s popularity, it finally had to yield to popular demands.62 The revision of the law shows that the National Assembly in this particular case worked as a counterforce against the otherwise omnipotent president.

While labor strikes continued, in January 1997 Hanbo Steel Co., the flagship of the Hanbo Group and the second largest steel producer, declared bankruptcy having accumulated a debt of $6.8 billion. Later, the other companies in the Hanbo Group also went bankrupt. The largest corporate collapse ever was not merely a severe financial blow; it also showed serious weaknesses in financial supervision and in the banking sector as well as indicated endemic corruption. On February 13, the Hanbo chairman, Chung Tai-soo, was arrested on charges of bribing bank officials and politicians for loans. Also, the Minister of Home Affairs, the Head of the DLP’s Finance Committee, one of the president’s senior aides in the Blue House and three other lawmakers were arrested, all for accepting kickbacks to pressure banks into lending Hanbo $6.2 billion, that is, some 20 times its net worth. Prosecutors questioned and released the president’s second son, Kim Hyun-chul.

According to the Korean scholar Lee Jung Bock (2008), there were occasionally cases when the president did not discuss major policies with the Blue House secretariat or State Council but pursued them on his own in accordance with the “one-man leadership structure” (cf. p. 35). His leader style eventually caused the incident with Kim Hyun-chul and the economic crisis that led to the International Monetary Fund (IMF) rescue package. Economic policies were one area of policy failure of the Kim administration. Since secretaries at the Blue House, politicians, media people and professors etc. were reluctant to criticize the one man rule, the president’s son could unreasonably interfere in state affairs.63

Consequently, they did not point out the ongoing economic crisis that led to the IMF loan. The Hanbo Group was accused of financing much of Kim Young Sam’s presidential campaign in 1992 in return for a license to manufacture steel and favors from banks controlled by the government. In fact, at a hearing in the National Assembly on February 4, 1999, the former chairman of the Hanbo Group said that he had secretly donated about $20 million for the presidential election campaign. On the fourth anniversary of his term, President Kim made a national apology: “I cannot even hold up my head because even those who used to work close to me were found to have been involved in a bribery scandal.”

According to a survey made by Gallup Korea in May 1997, 49 percent of respondents believed that there was a “high” level of corruption in the government, whereas 36 percent thought it was “very high.” The president’s approval rate fell to 14 percent in January 1997 and then to a bottom level of nine percent in March (cf. Roh, pp. 28-9). According to Young Jo Lee (2000), his reform package in early 1997 was completely discredited. The main reason was that it was shaped by a basic continuity in personnel, practices and institutions from the authoritarian past. In April, prosecutors reopened an inquiry into charges that Kim Hyun-chul had received kickbacks from the Hanbo Group. In May, he was arrested on charges of having received illegal funds from businesses, evaded taxes and illicitly influenced government policies through his private networks. On October 12, he was sentenced to three years in prison for accepting bribes and tax evasion and ordered to pay a

fine of more than $1.5 million. The courts also confiscated over $500,000 in illegally amassed assets that were hidden in more than one hundred bank accounts.

President Kim was accused of political hypocrisy, collecting political funds through his son and others while publicly portraying himself as a crusader for anti-corruption. It had turned out to be different to pursue anti-government struggle and rule the country. His ambition was stronger than his talent: He lacked the necessary control capability and administrative skill to implement reforms. President Kim had not lived up to the Korean proverb: “If water in the upper upstream is clean, the water downstream will also be clean.” Without any doubt, the wish to be remembered as an “outstanding president” had failed to materialize. Again, it was more difficult to be president than presidential candidate.

3.6 Different evaluations of Korean politics

According to Kim (2007), President Kim Young Sam made a significant contribution to consolidate democracy by making progress in dismantling the power base of the authoritarian governments, de-politicizing and downsizing the security agencies and establishing firm civilian control over the military. Although controversies surrounded the prosecution and imprisonment of two ex-presidents and the massive purges of military officials, political pacification of the military was perhaps his most important and long-lasting accomplishment. Also, in 1995 provincial governors and city mayors were elected for the first time since 1961. The Australian scholar Wayne Errington (2004) records the opinion that most Koreans believed that Kim’s presidency represented an improvement in the quality of democracy compared to what was the case under President Roh but that it did not reach a high level of democracy. Such an opinion implies that President Kim failed to create “the more mature democratic society” prescribed in the February 25, 1993 installation address.

Diamond and Shin (2000) write that Korea in spite of having firmly institutionalized the two most important principles of procedural democracy, that is, free and fair electoral competition and civilian supremacy over the military, was far from a consolidated, liberal democracy. Behaviorally, the general public tended to shy away from democracy in action. Normatively, citizens were committed to democratic ideals but showed growing ambivalence about whether democracy was the best system for Korea in a time of troubles. There was more division than unity within elites, even over the basic structure of democratic governance, including the preferred form of government. At the level of elite behavior, both governmental and non-governmental forces were often unwilling to follow all the rules of the democratic game, including those of accountability and transparency. As shown in the cases of Presidents Kim and Roh, the formal norms of accountability and constitutionalism remained overpowered by the informal norms of clientelism, cronyism and personalism.

Substantively, South Korea was far from a liberal state since its citizens were not free to, without governmental permission, visit North Korea’s home page on the Internet or to own its books and magazines (cf. pp. 22-3, 37-8, 43). People who tried to listen to North Korean broadcasts continued to be imprisoned under the National Security Law, which was a fundamental obstacle to a free press. The number of people prosecuted for violating the law rose from 1993-98 to 1,989, of which 398 were arrested (cf. p. 34). The law was arbitrarily applied. In 1996, Sin Hûi-ju, a student in history at South Chôlla University, was indicted for owning the publication Mije ch’imnyak paengnyônsa (A History of 100 Years of American Invasions) while claiming that the possession had nothing to do with defen-

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Lee Jung Bock (2008) points out that the presidents under the democratic era had as much power as they had during the dictatorial era. The critical writing by one of the top advisers, Chu Don-shik (1997) illustrates the extreme concentration of power:

“President Kim decided by himself in secret most of the early reform measures and announced them by surprise. He rarely consulted about those “surprise” measures with his advisers… Thus, even his close aides had no idea where the reform policies were going and what their contents were... There was no unreserved discussion among the top leaders of the government on the philosophy and direction of the Kim Young Sam government; there was no consensus on major policies even inside the Blue House… Such a leadership style resulted in a virtual incapacitation of the staff system in the Blue House. The president neglected the most important element in the management of a modern government – organization.”66

The quotation confirms the opinion of Kim (2007) that President Kim had neither knowledge about nor belief in democracy, that he was authoritarian in mentality and psychology and that his government was run more by persons than institutions. In contrast, the Korean scholar Sin Tong-jun (2009) writes that President Roh had shown a far more democratic appearance than his successor. The evidence is that the advice of his advisers was actively reflected in his policies reconfirming that the political system became what the politicians wished it to become (regardless of President Roh’s military background).

The Korean scholar Eui Hang Shin (2003) writes that Kim as an “imperial president” was not substantially different from the presidents with a military background. Although the formal aspects of the governance system had changed significantly during the transition from a military to a civilian president, the informal structures and the actual exercise of presidential power largely remained in spite of substantial progress in democratization. The evidence of the imperial presidency was that the Blue House still dominated in its relationship with the cabinet, the National Assembly and the judiciary system. The president, as party head, named the nomination committee in charge of electing all candidates for the National Assembly. Since there was no primary to select the party’s nominee at the election district level, the party’s central nomination committee reviewed the applicants’ credentials and selected the nominees, but in reality the president handpicked the party’s nominees. The nomination committee essentially rubber stamped the president’s choices and made it appear that nominations were decided through a formal independent process.

Kim (2007) asserts that Korea probably was more democratic under the Roh administration, an opinion similar to that of Sin above. The democratically elected President Kim, who was accustomed to a “boss style” of leadership, exerted his power without any constraints and was often criticized for being arrogant, capricious and undemocratic. He had low organization skills, an inefficient policy-making team and no workable programs. Since he had little respect for, or patience with, bureaucracy, hierarchy or formal organizational structure, he conducted serious national affairs outside of the internal government channels by making extensive use of personal networks such as his son and other young loyalists. As previously noted, Korean political parties were far from democratic or policy-oriented but were the political organs of their leaders. Kim (2007) regards him as a successful democratic activist who could not function as president. Rampant political corruption, the 1997 financial crisis and unfinished reforms were the lingering legacies of his pre-
Kim Young Sam has often been labeled Korea’s most ineffective president. The failure as president tarnished his lifelong contributions to Korea’s democratization. According to the American scholar David I. Steinberg (1998), Korea was a “procedural democracy,” meaning that all of the institutional elements of democratic governance – elections, an independent legislature, a more autonomous judiciary, a freer press and civil society – were in place, but prevailing attitudes towards power and authority told another story. Many traditional societies such as Korea tend to place a heavy emphasis on the finite nature of power and prestige. For individuals and institutions alike, to share or delegate power (and hence prestige) in this zero-sum game is seemingly to lose it. In such a setting, power also tends to become personalized – identified with those who hold it. Korean society is strongly hierarchical. Personal relations and connections assume enormous importance, overriding formal regulations or even the counsels of prudence.

Such conditions breed factionalism, which has been the bane of Korean political life for centuries. Loyalty (ch’ung) is a cardinal Korean and Confucian virtue. It is popularly understood to mean standing by the person, rather than the office, of the leader. Institutions become appendages of their leaders, whereas policies, programs, and ideologies are secondary. The leaders of political parties, for instance, regularly manipulate them in keeping with the fissiparous and tenuous nature of political relationships. The parties show little consistency or stability with respect to policy preferences, popular appeal, or even personnel. Parties will readily change their names to suit the public mood, and splinter groups are common because every aspiring leader wants a vehicle for personal ambition. The public has seen more than a hundred political parties since independence in 1948. Not surprisingly, it trusts them very little. At the apex of the pyramid is the Korean president, who wields power greater than those of an American president and whose authority has often been compared to that of an emperor. The media played the main role as an institutional check of the president. Such was the case in the 1995-96 trials of the former presidents.

In late 1997, the Korean scholars Hahm Chai-bong and Rhyu Sang-young made a rather bleak assessment of the state of democracy in Korea, although democracy was a goal that was valued by all Koreans. The causes of the delay in moving forward with democratization lay in both Korea’s institutions and its culture. Due to the lack of institutional efficiency and to the numerous informal rules, practices and historical and social legacies inherent in Korean society that affect everyday life and politics, democratic consolidation was being delayed. Korean democracy had yet to develop a virtuous circle of institutional relations. The existing complementary relation between political and economic institutions and among the laws within each individual sphere of activity was antithetical to reform. Democratization required institutional as well as cultural change.

Korea’s historical and cultural background differed from Western industrial democracies by the lack of industrial and civic revolutions. The Confucian tradition remained pervasive in a country having industrialized at breakneck speed. Korea had in its short history of modernization experienced colonial rule, national division, the Korean War, student revolutions, coups d’état and democratization. Because of their unique culture and history, Koreans had a different understanding of what democracy means. The cultural legacy and national identity necessarily influenced the degree and speed of democratic consolidation.

As we have repeatedly seen, in terms of voting behaviour, factors such as regionalism have predominated. The ideological influence of regionalism was impeding the develop-


ment of democratic values. Voting behavior based on regionalism hindered the staging of fairly contested elections and fostered political divisions as well as even threatened national integrity. Robert Dahl’s polyarchie referred to in the Introduction had legally speaking been institutionalized, but in terms of actual practice it was being weakened. Korea was perhaps the only country in which a pure form of regionalism, without any reinforcement from religious or racial cleavages, was acting to hinder democratic consolidation (cf. p. 41-2). Seong (1998) labels regionalism “…the most critical socio-political cleavage in Korea.”

Hahm and Rhyu write that another factor that obstructed democratic consolidation was clientelism. Invisible and primordial networks, such as school, family and region, remained strong. In addition, the confrontation between North and South Korea hindered democratic consolidation (cf. pp. 22-3, 37-8, 43, 51). Every election had brought up debate over a candidate’s ideology diverting attention from important policy issues. Ever since the Korean War, the ideological spectrum had remained limited. Unless Korea would undergo a cultural shift, it would be very difficult to expect the country to consolidate its democracy, but there was little chance that the movement towards democratic consolidation would be reversed. Since culture is slow to evolve, a judicious and determined leadership with firm democratic values and rational policy alternatives was needed.69

69 Hahm and Rhyu, op. cit., pp. 38, 46, 47-8, 49; Seong, op. cit., p. 118.
3.7 Conclusions

President Kim Young Sam won the December 18, 1992 presidential elections. The voter turnout rate was 81.9 percent compared to 89.2 percent in 1987. Regionalism remained strong, as it did in all other elections. The election strengthened the process of democratic consolidation, and Kim was the first civilian president since 1962. When elected, Korea had made progress in democratization particularly on the point of procedural democracy. However, President Kim pursued one man rule during his whole term due to the personalized nature of politics in a hierarchical Confucian society and his own authoritarian concept of politics.

In his inauguration address he emphasized changes and reform by creating a “new Korea,” eradicating corruption, demolishing regional confrontation and creating a mature democratic society. However, his key appointees were mainly from his native region in the southeast. Reform policies aimed to achieve civilian supremacy over the military and eradicate the sources of corruption. Purges of the military were successful, but since his policies built on the foundations created by President Roh Tae Woo, the significance of the reforms should not be overvaluated. The August 12, 1993 introduction of a real name system for financial transactions was widely hailed, but it eventually failed to eradicate the collusive links between business and politics. On June 27, 1995, local elections were held for the second time, but their significance should not be overvaluated since central authorities still controlled most of the finances. The voter turnout rate had risen from 55 and 58.9 percent in 1991 to 68.4 percent since elections now were held on the same day.

In 1995, former presidents Chun Doo Hwan and Roh Tae Woo were arrested for corruption. Since the arrests took place at a time when President Kim’s party had suffered a severe defeat in the local elections, the arrest became a measure to divert attention to an issue that previously had not been regarded urgent to resolve. Both presidents were tried in court in 1995-96. On August 26, 1996, Chun Doo Hwan was sentenced to death and Roh Tae Woo received 22.5 years of imprisonment. Both received heavy fines and were found guilty regarding the December 12, 1979 mutiny and of treason for the 1980 Kwangju uprising. The former presidents were eventually released on humanitarian grounds on December 22, 1997. Since President Kim tried former presidents who had helped him into power while having, as most people believed, received support from Roh in the 1992 presidential campaign, the significance of the trials should not be overvaluated.

Initially, President Kim received strong support for his reform policies but as he was unable to prevent a series of corruption scandals from occurring in 1996-97 that also involved his own son, his popularity plunged dramatically, as had been the case with President Roh. The ruling party again failed to win a majority in the April 11, 1996 parliamentary elections. The voter turnout rate fell from 71.9 percent in 1992 to 64 percent.

The ruling party’s unilateral voting in the National Assembly on December 26, 1996 on new controversial labor and security laws was a setback in democratization that rendered the Kim government the name “civilian dictatorship.” However, since he had gone too far this time, the new laws were following massive popular protests revised in March 1997.

Although progress was made in democratic consolidation throughout Kim’s rule, he failed to create the more mature democratic society that he had promised. As was the case with Roh, it was more difficult to be president than a presidential candidate. Democracy was procedural rather than substantive. Obstacles to democratic consolidation were the weakness of political parties, a poorly working National Assembly, regionalism that emotionally colored political debate and hampered the emergence of issue-oriented politics and the legacy of authoritarian governments. Due to tense inter-Korean relations, the National Security Law remained in force, and the number of arrests rose compared to Roh’s presi-
dency. The Constitution’s Article 21:1 on the freedom of speech was not fully implemented.
4. Democratization during President Kim Dae Jung 1998-2003

4.1 Introduction

As we saw in Chapter 3, Kim Dae Jung had retired from politics following his defeat in the 1992 presidential election but returned in 1995. Although a main characteristic of President Kim Young Sam’s term in office was the huge fall in approval rates, he also made contributions to democratic consolidation. An important issue is therefore whether the path towards democratic consolidation would continue to advance or not under a new president.

This chapter begins with a review of the 1997 presidential elections that were preceded by a severe financial crisis. The election campaign, who the presidential candidates were and what issues they presented are the focus here. A few evaluations of President Kim Young Sam’s rule and the significance of the third consecutive election of president are included in the review of the power transition. Another issue included is how developments throughout his predecessor’s rule affected President Kim Dae Jung’s policies.

The following section focuses on post-election developments, including President Kim Dae Jung’s inauguration address on February 25, 1998 that would be an indication of what policies he would pursue. Those parts that concerned democracy are recorded and subsequently followed up. Great attention is given to the president’s ruling coalition with Prime Minister Kim Jong-pil that was in the minority in the National Assembly. Since again there was a divided government, power relations within the National Assembly would to a large extent determine the president’s possibilities in implementing his policies. The account includes the June 4, 1998 local elections, which became the first occasion for voters to assess the new president. Comparisons are made with the Kim Young Sam administration regarding regionalism. The impact of a few scandals that erupted in 1999 is included.

The third section investigates the April 13, 2000 parliamentary elections with a few comparisons made with the previous elections held in 1988, 1992 and 1996, not least since the election again served as a mid-term judgment of the government. The impact of the election on the ruling coalition is investigated. The significance of the campaign launched by civil organizations against unfit candidates is investigated. Post-election developments are also included here.

The fourth section analyzes the second half of Kim’s presidency during which he had to struggle against increasing difficulties. The causes of such a situation and the measures his administration undertook to overcome it are investigated. As in previous chapters, approval rates of the president are recorded. The two main issues included here are President Kim’s anti-media campaign launched in 2001 and the controversial visit to North Korea by South Korean activists the same year. Also, corruption scandals that erupted during 2002 that both involved his close associates and sons are investigated, as are payments to North Korea on the occasion of the June 2000 inter-Korean summit. Both in this section and the second one, evaluations of the president’s leadership style are included and compared with President Kim Young Sam. Additionally, the June 13, 2002 local elections that were the final regular elections to be held prior to the presidential elections are included.

The final section deals with presenting different assessments of the state of Korean politics that are compared. As in the preceding chapter, great consideration is taken to Korea being a Confucian society and how it affected politics. Also, regionalism, personalism, the role political parties played and remaining authoritarian legacies are investigated. The time aspect in implementing democracy is considered. What restrictions there were on political freedom and the impact tense inter-Korean relations had on politics is included in the analysis. The section also compares the state of politics with how conditions were during President Kim Young Sam’s term in office.
4.2 Kim Dae Jung wins the December 1997 presidential elections

In 1997, in addition to the above Hanbo scandal, the Southeast Asian financial crisis as well as massive domestic business failures that the government could not handle made foreign investors flee the Korean stock market that fell by 33 percent. The capital outflow and the subsequent currency collapse was a major blow to the Kim Young Sam government, but on November 18 the National Assembly failed to pass a package of financial reforms due to intraparty wrangling. On December 3, Korea and the International Monetary Fund agreed on a $57 billion rescue package that forced Seoul to pursue contractive fiscal and monetary policies, market-oriented reforms of its financial and corporate sectors as well as labor market policies and, finally, to open its economy further to foreign goods and investors. The press called December 3 a “day of national humiliation” since the country lost its economic sovereignty. On December 11, President Kim told the nation that he was “truly sorry” for the economic crisis. Previously, his government had accelerated the opening of the financial market without establishing adequate monitoring and supervision systems. The enormous rush of short-term foreign loans was the most important factor behind the economic crisis that his government failed to handle. According to Kim (2007), Korea was in far worse shape economically, politically and socially in 1997 than it had been in 1993.

The financial crisis became the main issue of the presidential election campaign. In November, Kim Dae Jung’s National Congress for New Politics (NCNP) had for tactical reasons entered into an alliance with his previous opponent Kim Jong-pil’s United Liberal Democrats (ULD) with a regional base in the central Ch’ungch’ŏng area that would widen his support base in the Chôlla region. This act was comparable to Kim Young Sam’s merger with Roh Tae Woo and Kim Jong-pil in 1990 that he had strongly criticized. Consequently, Kim Jong-pil withdrew from the race and was promised the position of prime minister and a constitutional revision until 1999 to introduce a cabinet system. The argument for the revision was that parliamentarism would reduce regionalism, but Kim Jong-pil also wished to become prime minister.

Meanwhile, for the first time the ruling party had selected its candidate Lee Hoi-chang in a free competitive election thanks largely to the hands-off policy by President Kim Young Sam. Following his defeat, Rhee In-je defied his own pledge to abide by the outcome of the nomination and founded his own New Party by the People (NPP). The rationale was that Lee lacked popular support mainly since both of his sons had avoided conscription by having failed to meet the minimum weight requirement. Since Lee as the candidate and the chairman of the ruling party needed to distance himself from President Kim Young Sam who many blamed for the financial crisis, he merged the ruling New Korea Party with the Democratic Party to form the Grand National Party (GNP: “One nation party.”)

Also, this time there were high expectations on the president as a leader capable of resolving national tasks and economic difficulties. Indeed, the financial crisis was the main election issue, but the two main candidates also asserted a shift of government in the case of Kim Dae Jung and clearing off the legacy of the three Kims era in the case of Lee. Regional rivalry remained crucial in the election with Kim Dae Jung’s support base being the southwest, but in the southeast with no own candidate support, it was divided between Lee Hoi-chang and Rhee In-je, although the former had more support in both Kyŏngsang provinces. According to Doh Chull Shin (1999), it was the most peaceful and corruption

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free presidential race ever. By staging at least 54 official debates on TV, the election opened the way to a new age of media dominated election campaigning.

In the December 18, 1997 presidential elections, Kim Dae Jung (73) won in his fourth bid following failed attempts in 1971, 1987 and 1992 for the presidency by 40.3 percent of the votes, against 38.7 percent for rival Lee Hoi-chang and 19.2 percent for Rhee In-je. It was the slimmest margin ever. The voter turnout rate was 80.6 percent compared to 81.9 percent in 1992. The NCNP-ULD alliance, the government party’s split into two candidates, similar to the split of the opposition in 1987, and the severe effects of the Asian crisis in the fall of 1997 that was regarded to be the country’s worst national crisis since the Korean War enabled him to win. Again, coalition-building had contributed to winning a presidential election. As usual, he received overwhelming support in Chôlla but also won many votes in the Ch’ungch’ông provinces and in Seoul but few in the southeast. Kim Dae Jung became the first oppositional candidate to win a presidential election in Korea, which was widely regarded as being very important in consolidating the country’s democracy. However, the Korean scholar Tong Whan Park (1998) writes that although Korea had passed the threshold of democratic transition as witnessed in the 1997 election, it had yet to achieve a democratic consolidation characterized by firmly rooted democratic practices and institutions, an opinion that concurs with the above account of Kim Young Sam’s presidency.

On February 25, 1998, Kim Dae Jung assumed the presidency. As the first time power was peacefully transferred to an opposition party, his inauguration was, in the words of Kim (2007) “...a major milestone in South Korea’s quest for democratization.” Many people had great expectations on the new president who wanted to become a president who is praised when leaving office rather than when entering it.71 The parallel with President Kim Young Sam in this case is obvious.

4.3 President Kim Dae Jung faces post-election challenges

Since his predecessor was regarded as a failed president, Kim Dae Jung who, while lacking administrative experience, was widely regarded as an outstanding president-elect, immediately pledged not to repeat Kim Young Sam’s mistakes and promised a new style of leadership. He repeatedly emphasized that he would cure regional antagonism. His long-term cronies declared that they would not seek cabinet posts or other high-ranking government positions. He also promised to consolidate democracy. At his first post-election conference, he promised to build a society without discrimination and confrontation. In his inaugural address he declared, “The Government of the People will push democracy and economic development at the same time ...When democracy and a market economy develop together in harmony, there cannot be collusion between politics and business, government-directed financing, irregularities and corruption.” He rejected the concept of regional administration and discrimination of any province. There were many people who expected that he would take measures to alleviate regionalism. Many people believed that after decades of anger in one region, that is, the Chôlla region, regionalism would end so that Korean politics could develop into another stage. People in the Chôlla region hoped that he would

71 Chi et al., op. cit., p. 330: table 12-3; Jonsson, ibid., 2003, p. 115; Kim, Dae Jung, 7usuk, saeroun sijag-il whayh: saranghanun ch'olmun-i-va chongyönghanun kungmin-t'ur-ege pach'ir'un iyagi (Seoul: Kimyôngsa, 1998), p. 343; Kim, ibid., 2007(a), pp. 311, 315, 316: Figure 15, 318, 352, 360; Kim, op. cit., 2008, p. 93; Park, ibid., 1998, pp. 6, 10; Oh Moo-hyun Chaedan, op. cit., p. 144; Seo, op. cit., p. 334; Shin, op. cit., 1999, pp. 11-12. The author heard Kim Dae Jung saying in an interview with the BBC in 2000 after his receipt of the Nobel Peace Prize that he could not have won the presidential election without the alliance with the ULD.
become an excellent president who could overcome antagonism between the Honam and the Yôngnam regions.

Meanwhile, his power rested on a weak coalition with the conservative ULD led by Kim Jong-pil. One reason for the weakness was that the NCNP due to the economic crisis took no initiative to introduce a promised cabinet system by the end of 1999. Later, in August 1999, President Kim Dae Jung and Prime Minister Kim Jong-pil jointly agreed to delay the constitutional amendment until the end of the former’s presidency or at least until after the parliamentary elections which were to be held in 2000. One reason for the decision was that, without the opposition’s support, it would be hard to achieve a two-thirds majority within the National Assembly to vote through an amendment. A possible merger between the two parties also put a strain on their relationship, but they maintained a marriage of convenience in order to keep political power. At the time of President Kim’s inauguration, the NCNP held only 78 seats and the ULD 43 in the National Assembly compared to 161 by the GNP. On March 2, 1998, the GNP refused to confirm Kim Jong-pil as prime minister. The National Assembly turned into chaos and even fighting because the ruling party legislators wished to have the ballot declared void since the opposition party members handed in blank ballots while the latter urged the voting to be completed. On March 3, President Kim appointed him as acting prime minister.

Not until August 17 the same year did the National Assembly confirm the prime minister with 171 votes after the ruling parties had attracted many defectors from the opposition parties. Meanwhile, in the June 4 local elections to select heads and representatives of metropolitan and local self-governing bodies, the voter turnout rate fell drastically from 68.4 percent in 1995 to an unprecedented low of 52.6 percent with a fall nationwide. The figure was very low compared with the presidential elections. The NCNP won over the GNP but failed to gain an absolute majority. As in the presidential elections, regionalism was evident in voting patterns with the NCNP winning in the southwest and the GNP in the southeast.

Due to the difficult political situation he faced in a political culture in which the actors were accustomed to zero-sum politics, President Kim pursued three interrelated strategies. Firstly, he aimed to create a parliamentary majority in the National Assembly by launching a campaign to lure opposition lawmakers to join the ruling coalition or to oust them from the National Assembly. These actions were taken although Kim had declared when taking power that he would not act to include opposition lawmakers in his party. The investigative powers of the Prosecutor’s Office and the National Tax Administration were used against opposition lawmakers who were suspected of violating laws pertaining to corruption, campaign finance violations, etc. Although Kim Dae Jung had been a victim of illegal wiretapping in the past and therefore strongly opposed domestic intelligence operations and after his inauguration as president had declared that wiretapping would come to an end, in order to control the opposition, the National Intelligence Service (NIS; former Agency for National Security Planning) used wiretapping on 3,580 occasions during the first half of 1998. The figure widely exceeds the 2,400 occasions in 1996 under President Kim Young Sam.

In September, the president, through these undemocratic practices, had raised the strength of the governing coalition from 121 to 158 seats. Previously, on August 29, 1998, the NCNP and the NPP announced the merger of their parties. In this way the NPP was absorbed into the NCNP after only ten months in existence. Of eight lawmakers from the NPP, six joined the NCNP, one the ULD and one became an independent. When the reorganization ended, two GNP assemblymen had died, three had lost their seats after having been found guilty of various charges, six had resigned, 27 had changed their party affiliation, among which 18 to the NCNP and nine to the ULD, and two had broken away from the party to become independents. Such policies obstructed the working of democracy by creating deep distrust and intense confrontation between the government and the opposition. Poaching members from other parties also perpetuated instability of the system and reinforced public cynicism about electoral politics. During the Kim Dae Jung administration, the change of party affiliation (defection) from the opposition to the ruling party reached the highest level since 1987. The NCNP’s policy caused conflicts in the National Assembly with the GNP but also with the ULD and with factions within the NCNP. As before, politics was openly confrontational and lacked mechanisms of compromise and negotiation between the government and the opposition, across and within parties.73

Secondly, he mobilized civil society in support of his policies. Thirdly, in spite of repeated pledges to eliminate regional favoritism in personnel management, he filled key positions in the government with his people, who mostly were from the Chôlla region where his own regional patronage network was used to strengthen his power base in a striking similarity with President Kim Young Sam’s appointment policies. Although President Kim Dae Jung appointed Kim Ch’ung-gwôn from the North Kyôngsang province as presidential secretary as a sign of equality in appointments, people from Chôlla were appointed to such posts as Head of the National Tax Office Investigation Bureau, Prosecutor General, Director of the National Police Agency, Director of the National Intelligence Agency and high-ranking military positions, such as Head of Army Staff. President Kim relied excessively on his long-term political vassals, of which most were from Chôlla and lacked experience and expertise in government. The policy to reward loyal followers with government appointments alienated the public from the Kim government. His goal to promote national reconciliation was undermined.

In the government there were eight ministers from Chôlla and seven from Kyôngsang, but among vice-ministers the figures were five and eleven, respectively. Among first-level officials, 27 were from Chôlla but 46 from the Kyôngsang region. Nonetheless, the opposition parties and some media criticized the president for regionalism in appointment policies from the beginning. The Korean scholar Choi Young-Jin (2002) records that the appointment rate of political figures from the Chôlla region rose from 14 to 27 percent, whereas that of the Yôngnam region fell from 45 to 25 percent. Kim (2007) writes that in early 2000 natives from Chôlla occupied 37 of 100 important government posts, whereas 25 were held by those from the Kyôngsang region.

A report made by the GNP showed that in September 2000 among ten key [unspecified] positions of power Chôlla had five, and among 28 ministers nine were from Chôlla compared to seven from Yôngnam. Six of the nine highest officials in the Blue House, four of eight in the National Intelligence Service, five of eleven army generals, four of seven main prosecutors, five of nine main positions in the police and five of seven in the National

Tax Office were from Chôlla. In government affiliated organizations, there were an overwhelming number of Chôlla people due to parachuting. The Kim Dae Jung administration countered by an investigation made by the Central Nomination Committee stating that among first-third level officials, Chôlla comprised 23.9 percent and Yôngnam 32.9 percent: The southeast still dominated. The share of Chôlla had risen from the Kim Young Sam era from eleven percent to 27 percent, while that of Yôngnam had fallen slightly from 42 to 38 percent, but the Yôngnam region did not receive the report well. The Korean scholar Choi Jang Jip (2009) points out that since decision-making was centralized to the president and his closest aides, regionalism became worse (cf. pp. 42-3).74

As a consequence of post-election politics, cooperation between the parties worsened and anti-corruption policies became impossible to pursue in sharp contrast to election promises. In January 1999, while the opposition boycotted the parliamentary session, the ruling coalition rammed through 66 bills in 15 minutes. Subsequently, unruly lawmakers from both government and the opposition parties hurled invectives at one another and even engaged in fistfights in the National Assembly. In May 1999, the government passed six bills in eight minutes. As we have seen, unilateral votes had previously taken place in 1988, 1990 and 1996. The opposition branded the Kim administration “a dictatorial regime.” Opposition leader Lee Hoi-chang declared the beginning of what he called “a war to restore democracy and prevent further administrative fiascos.” The opposition then organized massive outdoor rallies in major cities. In a sign of inefficiency, among the 238 bills introduced in the National Assembly during the regular session ending in December 1999, less than 40 had been acted on by lawmakers by fall. Consequently, popular discontent grew.

Previously, in the spring of 1999, the government’s reputation became worse when the GNP revealed that the National Intelligence Service monitored opposition lawmakers’ activities from a base in the National Assembly building. At the same time, the “furgate” scandal led to serious criticism from the press of how the government handled it. The cause was that the wife of the jailed head of Korea Life Insurance attempted to buy the influence of the prosecutor general and other senior officials by offering expensive fur coats to their wives. The prosecutor general’s wife was cleared, but the unification minister’s wife was arrested. In a poll conducted in June, 74 percent responded that the probe was unfair and that the prosecutor general should resign.

In November 1999, an independent counsel’s investigation of the “furgate” scandal revealed that law enforcement authorities, including the presidential secretary for legal affairs, had attempted to cover it up to protect the wife of the former prosecutor general. The report disclosed a pattern of lies, cover-ups and false reports made to the president by his officials. President Kim apologized for the government’s handling of the scandal and his legal aide subsequently resigned. Notably, within a year of his administration, eight ministers were accused of a number of culpable offences by the GNP. Ministers of the departments of foreign affairs, environment, public health and justice were forced to step down from their positions.75


75 Kim, op. cit., 2000(b), pp. 895-6, 899; Kim, ibid., 2007(a), pp. 320, 336, 337, 351; Kim, op. cit., 2011(a), p. 91. Kim (ibid., 2007(a), p. 320) does not record what issues the bills passed unilaterally in the National Assembly were. “Furgate” has original quotation marks.

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4.4 The April 13, 2000 parliamentary election

In accordance with the above account showing that the Kim administration faced severe challenges, the April 13, 2000 parliamentary elections would be a mid-term election. In order to overcome chronic regional antagonism, the president established the Millennium Democratic Party (MDP) on January 19, 2000. Although President Kim had urged the ULD to merge with the MDP, the ULD refused to join it and ended its partnership with the president’s party since it regarded the unwillingness to implement the election promise to introduce a cabinet system of government by 2000 as a betrayal. After all, a constitutional amendment had been one of Kim Jong-pil’s key political goals. In contrast, since Kim Dae Jung had fought for the presidency for so many years, he never warmed to the idea of a switch to a parliamentary system. In January 2000, Kim Jong-pil resigned as prime minister and announced that his party will leave the coalition to prepare for the elections. The similarity with the breakup of the Democratic Liberal Party in 1995-96 is striking.

Following an election campaign dominated by the economy and political corruption, the MDP won 115 seats of now 273 in the National Assembly and the ULD 17, in contrast to 133 for the GNP (Independents won five seats, the Democratic People’s Party two and the Korea New Party one). Figures were for the GNP 48.7 percent, the MDP 42.1 percent and for the ULD 6.2 percent, respectively. For the first time since 1987, the ruling party failed to become the largest party in a parliamentary election. President Kim’s inability to deal effectively with corruption scandals, his vindictiveness towards political opponents in exercising power that was similar to practice under his predecessors and his policy of favoring individuals from the Honam region for government appointments that generated broad antipathy contributed to the defeat of the MDP. Regionalism aggravated in the election: The GNP won 64 of 65 seats in the Kyongsang region and the MDP 25 of 29 in Cholla (the ULD won eleven of 12 seats in Ch’ungch’öng). The four independents elected in Cholla supported the president and joined the MDP immediately after the election.76

Although the ULD could not register as a negotiation group in the National Assembly that would have required 20 seats, by appointing as prime minister ULD chairman Lee Han-dong, a defector from the GNP, cooperation between the MDP and the ULD remained. Sixteen women (5.9 percent) were elected in comparison to eleven in 1996. Among altogether 1,040 candidates, 1,007 were men (96.9 percent) compared to merely 33 women (3.1 percent).

The voter turnout rate was 57.2 percent in contrast to 75.8 percent in 1988, 71.9 percent in 1992 and 64 percent in 1996. The figure was the lowest ever. As in 1996, voters in their 20s showed the lowest rate by about 30 percent. The Korean scholar Kie-Duck Park (2006) writes that, although the fall in the voter turnout rate is not unique to Korea, the trend can be interpreted as alarming since Koreans hardly found parties that they wished to support. They were more disinterested and cynical towards both political parties and party politics. The cynicism, along with an extremely low number of party members who paid the membership fee, showed that the political parties lacked deep roots in society. Insufficient ideological identities of political parties aggravated citizens’ voting behavior based on regionalism. Compatriot scholar Kwang-Yeong Shin (2006) similarly writes: “The accumulated outcome of nasty party politics was political cynicism among ordinary citizens. The decreasing rate of participation in voting displays the political cynicism developed by the people.” Also, “The decreasing voter turnout rapidly undermined the stability of the new

democracy in Korea. Contrary to the image of Korea as an overpoliticized nation, Korea experienced the crisis of democratic institution with decreasing political participation.\textsuperscript{77}

Prior to the elections, in January 2000 the Citizens' Alliance for the 2000 General Elections was founded by 457 civic organizations which argued that the major political parties were not sufficiently reform-oriented. The purpose was to campaign against the candidates who were corrupt or incompetent or had collaborated with the previous military-led regimes and therefore were considered unfit for election in a drive to promote political reform and transparency. Among 86 unfit candidates including Kim Jong-pil, 59 failed to get elected, that is, 68.6 percent. In the author's opinion, the high failure rate is one reason for the campaign's self-assessment that its blacklist campaign had significantly contributed to raise voters' political consciousness and efficacy at a time when voters were longing for a less corrupt political system, but the political parties had failed to link themselves to civil society. As in the case of the 1995-96 trials of former presidents Chun Doo Hwan and Roh Tae Woo, civil society again contributed to democratization.

President Kim and some of the core members of the administration who used to be members of civil organizations regarded the movement as indicative of a good democratic process. The MDP had as the first opposition party to have won an election and having held power for only a short time less reason to fear being targeted than the former ruling parties that had enjoyed power and illegal or unfair benefits for decades. The campaign's success owed to its political independence and the credibility, devotion and experience of its leaders in civic organizations, but the campaign disbanded after the election.\textsuperscript{78}

Following the April 13 elections, on July 24 the MDP and the ULD passed a law in the National Assembly that lowered the required seats to become a negotiation group in the Assembly to 15 seats amid struggles and combats between the lawmakers broadcast on national television, but the law was nullified by the Constitution Judge Committee in July 2000. When the vice-speaker of the Assembly was about to announce the decision, legislators of the GNP literally “jumped up” onto his table and took the microphone and the gavel he needed to end the meeting. Legislators of the GNP occupied the Assembly’s main chamber and began an overnight strike insisting that the bill was invalid. The party occupied the Budget-Settlement Committee conference room in order to disrupt the passage of the supplementary budget. The MDP blamed the GNP for changing its decision since this sudden attack by the opposition was unexpected.

The rational choice of the MDP was based on the assumption that the GNP and the ULD had agreed to lower the quorum of the floor group at a golf escort between the party leaders, but GNP leader Lee Hoi-chang denied that there had been such talks. If the GNP had approved the law, it would have raised the risk for party factions struggling with each other to defect. Eventually, in late 2000 the ULD met the quorum of a floor negotiation group after three members of the MDP had defected at the suggestion from above (probably by the party’s chairman) and joined the ULD to help the Kim administration’s governability. After the MDP and the ULD announced on January 8, 2001 that they would rebuild the coalition, it lasted only until September 3 of the same year when it broke up due to disputes on the dismissal of Unification Minister Lim Dong-won. The events show that Korean politics lacked space for compromise and negotiation in the political arena.\textsuperscript{79}


\textsuperscript{78} Kim, ibid., 2000(b), pp. 901-902; Kim, op. cit., 2003, p. 94; Kim, ibid., 2011(a), pp. 62, 64; Shin, op. cit., 2003, pp. 702-703, 713, 714.

\textsuperscript{79} Kim, ibid., 2011(a), pp. 66-7, 68-9, 70, 146. Original quotation marks.
4.5 President Kim Dae Jung faces increasing difficulties

As was the case with his predecessors in office, President Kim’s approval rate gradually fell. The approval rate was 70.7 percent in March 1998, 55.8 percent in September 1998, 59.6 percent in March 1999 and 49.8 in December 1999. With the exception of approval rates of 48.5 percent in March 2000 and about 71 percent in June 2000 on the occasion of the inter-Korean summit, disapprovals afterwards always exceeded approvals. The approval rate fell to only 19.7 percent in September 2001. Previously, in August 2001, 63.7 percent of respondents expressed negative opinions about the way in which the president ruled the country. In the case of parallel promotion of democracy and market economy, resolution of regionalism, promotion of parliamentary democracy, promotion of market economy, social welfare policy and media reform, negative views dominated. Only in the case of the sunshine policy of reconciliation with North Korea that aimed at “genuine, long-term improvements in inter-Korean relations through peaceful coexistence and mutual cooperation and exchanges,” positive views dominated. However, a Gallup Korea survey conducted when the president stepped down in February 2003 gave a brighter picture: 41 percent of respondents evaluated his performance positively and 47 percent negatively. As successful policies, the sunshine policy (30.6 percent) and management of the economic crisis (20 percent) were listed most frequently, whereas corruption (29 percent) and the sunshine policy (25 percent) were listed as failures.

In 2001 at a time of declining popularity and when 82 percent of respondents in a survey believed that Korean democracy was in a state of crisis, the Kim administration sought to divert the public’s attention by waging a war of attrition against the media labeled “media reform.” Since major daily newspapers continued to criticize government policies, tensions between the government and the media grew. In February 2001, the dailies Dong-A Ilbo and Chosun Ilbo that had been among Kim Dae Jung’s closest allies and supporters during his lifelong struggle for democracy became, along with 21 other media companies, the target of investigations of tax evasion. Previously, on January 11, President Kim had said in his New Year’s press conference: “There is a strong call for media reform among the people. We need to take reform measures to make the press transparent and fair.” Just a few weeks later, the government began to investigate tax evasion among 23 media companies. The government enlisted some trade unions and other civic groups to support the press reform. These pro-government organizations accused major newspapers of being a part of “the old establishment” and “anti-unification elements.”

On August 24, three owners and executives of major newspapers were arrested on charges of embezzlement and tax evasion in a culmination of the government’s anti-press campaign. The arrests were the climax of a four and a half month tax audit of media companies that had involved more than half of the tax investigators in the National Tax Administration (NTA). The government claimed that the probe was necessary to eliminate corruption in the press. However, the newspapers counterattacked by claiming that the actions against them suppressed freedom of speech. Together with the GNP, they strongly protested against the government. Prior to the arrests, the NTA imposed fines amounting to $388 million altogether against 23 media companies. In a separate investigation of monopolistic

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80 Suppressing the media was not a new act. In the summer of 1999, Hong Seok-hyun, publisher of the influential daily JoongAng Ilbo, was imprisoned on tax evasion charges. The move was widely regarded as a reprisal to silence the newspaper which had often been critical of the government. From Kim, op. cit., 2000 (b), p. 899.
practices of leading newspapers, the Fair Trade Commission imposed fines of several million dollars each against Chosun Ilbo and Dong-A Ilbo.81

The tax probes damaged President Kim’s reputation by exposing him on charges that he had reverted to the same dictatorial practices that he had opposed as a fighter for democracy. In the opinion of the International Press Institute, the investigation “was, in part, politically motivated” and was “instituted with the intention of intimidating the media” and included Korea on its watch list. Following the abolishment of press censorship, the repeal of the Basic Press Law and the establishment of [non-exemplified] legal measures to ensure the independence and self-regulation of the media by President Roh Tae Woo, the institute had reported in 1990: “Visible and invisible restrictions imposed at the press have been established in favour of a greater freedom of information and the right of the people to know has been guaranteed.” The president’s image as an autocrat stood in sharp contrast to his 34 year long history as a democratic fighter who had made respect for human rights and civil liberties the cornerstone of his political career.

President Kim seemed to have a sense of superiority believing that he knew best and most and therefore selected ministers on the basis of loyalty rather than expertise. No one dared to say “no” to the president at any meetings, but everyone was present there to carry out his orders. He rarely delegated authority and did not handle state affairs in a systematic way, but his cabinet and the MDP followed his intentions all of the time. The government lacked checks and balances as well as sound teamwork. Nonetheless, with regard to the media reform, the president was indirectly criticized at a Blue House meeting by leading figures of the MDP who uttered: “The ruling party, which is preoccupied with the attack against the opposition and the media, does not do what it is supposed to do as a ruling party. There is no politics of dialogue and negotiation these days. There is only a dirty politics, politics of life-and-death confrontation.”82 The similarity to President Kim Young Sam’s one man rule is striking.

In August 2001, the president’s position was undermined by a controversial visit to North Korea on the occasion of the August 15 Liberation Day celebrations by 337 South Korean activists. The visit was approved by the Unification Minister, Lim Dong-won, with the consent of the president. In spite of the government’s order not to do so, more than 100 delegation members took part in festivities at a site honoring President Kim Il Sung’s unification formula and engaged in other political activities praising his successor Kim Jong Il (1942-2011). Some radical members had visited Mankyongdae, the birthplace of Kim Il Sung, as well as the opening and closing ceremonies of the Three Revolutions Commemorative Tower located at the same place. Some members were reported to have praised Kim Il Sung and Kim Jong II in violation of the National Security Law. Professor Kang Jeong-gu of Tongguk University signed the guestbook at Mankyongdae, “Let’s achieve unification with the Mankyongdae spirit,” and was arrested.

Among the 337 participants, 16 received arrest warrants. The actions were regarded as a valuable propaganda victory for the North and created a political storm in the South. The opposition party drafted a no-confidence resolution against Lim in the National Assembly. The ULD leader, Kim Jong-pil, demanded his resignation, but President Kim Dae Jung refused and the angered party joined the motion. On September 3, 2001, the National Ass-

81 An, op. cit., p. 297; Kim, op. cit., 2007(a), pp. 331, 342, 343, 357: Figure 17, 359-360. Original quotation marks.
82 Kim, ibid., 2007(a), pp. 256, 342-3, 356. Original quotation marks. Kim Dae Jung is the only Korean president the author has met. At a meeting held in Stockholm for Korean residents in Sweden in December 2000 after the president had received the Nobel Peace Prize in Norway, he just boasted about an hour or so about his government’s excellent performance. There was no time for questions in contrast to lectures the author had attended in 1989.
embly, with the figures 148-119, approved a no-confidence resolution in Lim, who was the primary architect behind the sunshine policy but now was held responsible for the failure of the policy by having selected those who would travel to the North. In spite of repeated warnings from the opposition, President Kim soon reappointed Lim as his special advisor for the sunshine policy. Only the three defectors from the MDP to the ULD and Prime Minister Lee Han-dong did not take part in the vote on the opposition’s side, showing how well party members were disciplined within the organization. The vote led to the breakdown of the ruling MDP-ULD coalition. After the breakdown, the three defectors joined the MDP again. In effect, the president became a lame duck and resigned under pressure from reformists within the party as chairman of the MDP in December 2001.83

In late January 2003, the Board of Audit and Inspection announced after a three-month investigation that at least $200 million had been secretly transferred to North Korea just before the June 2000 inter-Korean summit. The money transfer involved the National Intelligence Service (NIS), the president’s aides, three Hyundai companies, at least three banks in three countries and numerous laundered checks. South Korean law prohibits secret financial transfers to North Korea, but the Blue House and the NIS played a leading role in the affair. Most observers regarded the payments as a bribe to “buy the summit.” President Kim made an apology to the people just before he stepped down but claimed that the issue should not be handled through a judicial investigation. He declared that he had taken special measures to open up inter-Korean relations and that violating the law is a minor issue, while inter-Korean relations is a major one. In his last press conference, he claimed that he was not informed and therefore unaware of the transfer of $400 million in advance, a sum that was claimed in a report made by the Grand National Party (GNP).

On June 25, 2003, an independent counsel concluded following a ten-week investigation that the Hyundai Group had sent $500 million to North Korea shortly prior to the June 2000 inter-Korean summit and that it was largely reimbursed by the South Korean government. The counsel concluded: “It cannot be denied the money was linked to the summit given that all the cash was secretly remitted to the North shortly before the summit under the aggressive intervention of the government.” Park Jie-won, former Minister of Culture and Tourism and later Blue House chief of staff, Lim Dong-won, former presidential economic adviser Lee Ki-ho and five others were indicted on charges of the abuse of power and/or the violation of laws on inter-Korean exchanges and cooperation. In September 2003, all were found guilty and convicted.

In August 2003, the sunshine policy’s reputation was further damaged when Chung Mong-hun, the fifth son of Hyundai’s founder Chung Ju-yung and chairman of the Hyundai group company that had developed the North Korean projects, jumped to his death from the 12th floor of the Hyundai building in downtown Seoul to escape from the burgeoning scandal and his company’s financial drain. During the investigation, prosecutors discovered that just before the April 2000 parliamentary elections at a time when the government dealt with North Korea behind the scene, Chung had also paid political kickbacks to Park Jie-won amounting to $13 million and $47 million to Kwon Ro-gap, President Kim’s long-term right-hand man.84

Also, other corruption scandals that involved both close associates, the president’s sons, businessmen and officials took place. Since late 2000 three large scale loan scandals whose origins were that the presidents of venture businesses managed to amass hundreds of millions of dollars in illegal loans by rigging stock prices, defrauding banks or influence

buying plagued the Kim administration. In September 2000, Park Jie-won resigned after having been accused of using his position to help friends obtain huge bank loans. At the same time, a Blue House official was also arrested on charges of having received $360,000. In November 2000, an assistant governor of the Financial Supervisory Commission was arrested on charges of having accepted $300,000 in bribes for overlooking financial irregularities in companies he had jurisdiction over. The Chairman of the Commissions apologized for the scandal.

Since the corruption scandals undermined the political neutrality of governmental agencies such as the Public Prosecutor’s Office and the Blue House as well as the Public Prosecutor’s Office persistently failed to reveal the truth regarding cozy business-politics links, public distrust in the National Intelligence Service and the Office deepened: 78 percent of respondents in a survey believed that the prosecution was not implementing its duties properly. Most of the implicated businessmen and officials were from the southwest Cholla region, and many had attended the same schools in Kwangju, capital of South Cholla province. Regional and school ties made these government-business collusion scandals possible and caused widespread corruption and favoritism in the government.

Due to opposition and public demands for an investigation of the scandals, in late November 2001 President Kim Dae Jung appointed an independent counsel. After 105 days of investigations, it reported that a large amount of money was confirmed to have flowed into six bank accounts of an assistant to the president’s second son, Kim Hong-up, who was vice chairman and the most influential executive of the Kim Dae Jung Peace Foundation. He had received money both from businessmen as well as a high-ranking officer of the Korean National Security Agency and was sentenced to four years in prison. In March 2002, the counsel arrested the director Lee So-dong on charges of having taken bribes. He was believed to have received the money on behalf of the vice chairman. In June, Kim Hong-up was arrested on charges of having taken bribes of some $2.2 million from businessmen in return for influence. He was also accused of managing some $23 million in secret funds. The foundation temporarily ceased its activities, making it the epicenter of scandals. President Kim Dae Jung offered an apology.

In December 2001, the NIS deputy director Kim Eun-sung was arrested and sentenced to two years in prison for having accepted bribes to protect a jailed venture businessman. The head of the agency’s economic information team, Chung Sung-hong, was also arrested on bribery charges. NIS officials had raised money through lobbyists and delivered it to the deputy director, who reportedly used them for a “special project [probably the 2000 general elections].” In January 2002, the NIS director apologized for its role in the corruption scandals following purges of 14 senior officials. The deputy prosecutor general and the former chief of the National Police Agency were also arrested in connection with the case.

On May 18, 2002, the prosecutor arrested the president’s youngest son, Kim Hong-gul, on charges of having received $3.1 million in bribes from a lobbyist who was under arrest on graft charges. He was sentenced to a short term and released after serving close to one year in jail. The eldest son Kim Hong-sil, who was a member of the National Assembly, was also featured in the news media for his close ties with Korean gangsters and for influence peddling. The opposition charged that President Kim and his three sons owned apartments and houses worth $10 million, although none of them ever held a paying job.

In May 2002, President Kim Dae Jung resigned from the MDP, hoping to separate the party from the corruption scandals involving two of his sons. Although the president apologized for the transgressions of his two sons, this could not undo the damage since in 1997 he had criticized Kim Young Sam when his son, Kim Hyun-chul, was jailed on charges for

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bribery, influence peddling and tax evasion. Also, Kim Dae Jung’s election platform had included the ease of corruption, and his inaugural address had stressed the eradication of corruption. Previously in May, Kwon Ro-gap who was widely believed to be the de facto number two man in the ruling inner circle, although he held no formal position, had been arrested on bribery charges. He was tried and sentenced to prison for having taken a bribe from a high-ranking officer of the Korean Security Agency.86

In the June 13, 2002 local elections, the voter turnout rate was the lowest since 1991 with only 48.8 percent. No doubt partly because of the corruption scandals, the MDP suffered a severe defeat and won only four of 16 posts for seven mayors and nine provincial governors, compared to eleven for the GNP. The party won three of four posts in Cholla, whereas the GNP won both in Kyongsang and in most other areas. The president was blamed for the defeat. In the August 8 by-elections the MDP lost, largely due to the corruption scandals, its parliamentary majority by winning only two seats – both in Cholla – compared to eleven by the GNP. The defeats were the most serious that a Korean ruling party had ever experienced. On August 8, the voter turnout rate was below 30 percent. According to the Korean scholar Choi Jang Jip (2009), the figure tells more frankly than any other indicator about the state of democracy at this time. Since participation by citizens and representatives of political parties are the core of modern democracy, non-voting raised the issue whether the representatives were legitimate or not. Due to the fact that by-elections were less important than presidential, the interest of parliamentary and local elections voters was always low. In the 18 by-elections held each year from 2000-2009, the average voter turnout rate was only 33.1 percent.

As we have seen, following his election victory President Kim Dae Jung had immediately pledged not to repeat Kim Young Sam’s mistakes and promised a new style of leadership. However, he did not live up to his promises. While struggling during his long political life for democracy, he had regarded corruption as an inevitable result of dictatorship, but during his administration corruption reached, according to Kim (2007), unprecedented levels. In 1999, a Gallup International survey showed that nearly three quarters of the people regarded their government as corrupt (cf. p. 66). Kim’s opinion is supported by data from the Transparency International Corruption Perception Index showing that Korea fell from no. 27 in 1996 to no. 50 in 1999, no. 48 in 2002 and again to no. 50 in 2003.

In May 2003, Kim Dae Jung’s eldest son, Kim Hong-il, was charged with having received hundreds of thousands of dollars from the president of the failed merchant bank Nara Investment Banking Corporation in return for exercising his influence to keep the troubled firm afloat. Among the arrested were Han Kwang-ok, Kim’s former chief of staff in the Blue House and then former ruling party chairman and Lee Yong-keun, former chairman of the Financial Supervisory Commission. Kim (2007) writes succinctly on Kim Dae Jung’s term in office: “He entered the Blue House as a hero but left office in disgrace and disappointment.” The trajectory of his presidency did not differ from that of his two democratically elected predecessors.87 The above account makes the assessments credible.

4.6 Different evaluations of Korean politics

The account shows that democratization again was no straightforward process. The weakness of political parties remained. According to Croissant (2002), the attachment of political loyalties to individuals, factionalism and the weak organization of parties explains the

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volatile character and the fluid structures of parties. Ideological and programmatic principles were developed only rudimentarily, and differences between the parties were rather small. The low level of institutionalization of party structures led to a short lifetime of parties, a high share of independents in parliament and an exceptionally high rate of volatility. If only those parties that received at least three percent of the seats or the valid votes in parliamentary elections are included, between 1987 and 2000 the average life expectancy of political parties was 31.5 months. With the exception of the National Congress for New Politics (NCNP) and the United Liberal Democrats (ULD) in the 1996 and 2000 parliamentary elections, no party had contested twice since 1988.

According to the Korean scholar Timothy C. Lim (2007), the interplay between personalism and regionalism is an important explanation of the instability of party politics by hindering political leaders to formulate nationally oriented political agendas since they had to appeal to every voter within their region. Cultural norms that give priority to interpersonal networks based on family, clan, school and/or place of birth also exert strong influence on regionalism and personalism. In 2003, the Korean scholar Sunhuyk Kim wrote that there had been no significant changes in Korean party politics throughout the period of democratic consolidation. Relations between the ruling and opposition parties were hostile, confrontational, uncompromising and uncivil. Confucianism emphasized theoretical orthodoxy and ideological purity. Values such as compromise, negotiation, bargaining and accommodation were all alien. Party politics were leader-centered and therefore characterized by “boss politics” making personalism strong. Personalism was reinforced by regionalism that has, as we have repeatedly seen, been pervasive.

In spite of the obvious deficiencies of the democratic system, in 2000 the American and Korean scholars Larry Diamond and Kim Byung-Kook wrote on the state of democracy: “It enjoys a level of democratic vitality and stability that is without precedent in its history and in the broader history of Confucian societies.” On the other hand, while noting that democracy in some minimal way could be considered “consolidated,” they write: “… its political institutions remain shallow and immature, unable to structure a meaningful choice of policy courses and to provide the responsiveness, accountability, and transparency expected by the South Korean public.” In fact, the same year less than ten percent of 1,000 interviewees responded in a national survey that they trusted the National Assembly.88

Doh Chull Shin (1999) expresses a more reserved opinion than the first of Diamond and Kim by writing “…democratization has been mostly a conservative movement that falls short of major policy restructuring and ideological or partisan realignment.” The roots of this conservative democratization were the dynamic interaction of three factors: inhibitions imposed by military threats from communist North Korea, the economic legacies of authoritarian capitalism, which has created obsessive pragmatism, and parochial regionalism and, finally, a democratic transition involving a series of binding agreements between authoritarian and democratic forces. Regarding the first factor, he adds: “This continuing division of territory has been the most pernicious influence on the democratization of the authoritarian regime and culture in the South.” Since national defence and security policy remained the sole prerogative of the executive, the National Assembly lacked oversight in these fields.

The Korean scholar Hyug Baeg Im (2000) points out that Korea had accomplished the twin goals of economic prosperity and political pluralism in the world’s most militarized

nation. However, he also points out that since the transition to democracy in 1987 was achieved through pacts, guarantees or negotiations among elite groups, there was a high degree of continuity with the past authoritarian governments in the political, social and economic policies. Although political competition in central and local government had been restored and space for civil society had expanded, the authoritarian economic and social order remained largely intact. Im regards democracy in Korea as “anemic and conservative.”

The Korean scholar Samuel S. Kim (2003) writes that, although Korea was a secure electoral democracy, democratic consolidation was far from complete and much work and reform were still needed to accomplish this task. The legacy of authoritarianism, deeply entrenched Confucian values and regional factionalism were among the factors that tested the newly established democratic procedures and institutions. There had been little time for democratic values and norms to take root among citizens and for necessary sociopolitical reforms to develop a more transparent, accountable and responsive government in accordance with the writing of Manwoo Lee (1990) that democracy is a learning process.89

As we have seen, the National Security Law (NSL) has restricted political freedom. In 2001, Amnesty International called for the amendment of the law which was the main obstacle for respecting the right of freedom of expression. Critics of the law argue that it violates international human rights norms such as the Universal Declaration of Human Rights from 1948. Among the rights that Korea is accused of violating are the rights of liberty, of freedom of thought and opinion, to peacefully assemble, to be free from arbitrary arrest and detention and to be presumed innocent until proven guilty in a public trial. Among political prisoners arrested and held briefly in 2000, most were students and activists who belonged to banned pro-North Korean organizations. Most people arrested under the law were held for exercising their rights of freedom of expression and association in violation of the Constitution’s Article 21:1: “All citizens enjoy the freedom of speech and the press, and of assembly and association.”

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Amnesty International expressed concerns that the NSL was used to imprison peaceful government critics and recommended that the law should either be substantially revised in line with international standards or abolished. On January 15, 2001, President Kim pledged that he would revise the law but strong forces in the country believed that a revision was premature. Although during Kim’s presidency the number of people prosecuted for violating the law rose to 2,058, the number of arrested fell to 212 (cf. pp. 34, 51). Notably, in 2001, among 128 people arrested under the NSL, 117 were arrested under Article 7 which punishes people who admire or praise North Korea or communism. Thanks to an unofficial moratorium on executions that began when he was elected president no one was executed for violations of the law.90

Errington (2004) writes that the major shortcoming of democracy was the hierarchical, personality-based political culture. President Kim himself had previously identified the imperial presidency as an obstacle to democratic consolidation. He also identified the personalisation of Korean politics as a major problem, but his imperial style scarcely contributed to the consolidation of substantive democracy. According to Kim (2007), Korea was no more democratic when President Kim stepped down in early 2003 than it had been in 1998. His policies were far from consistent with “the parallel development of democracy and market economy” that he had repeatedly emphasized. As during the authoritarian regimes,
it was the president who made most important decisions. There was profound distrust between the ruling coalition and the opposition GNP causing serious paralysis in politics.

The Korean scholar Doh Chull Shin (2003) makes the most negative assessment that the author is aware of by writing that under the Kim presidency Korea was “…transformed from an influential consolidating democracy into a broken-back democracy.” Democratization had begun backwards through the introduction of free elections with universal suffrage before the basic institutions of a modern state such as the rule of law, an accountable government and civil society were established. Consequently, Korea had yet to complete the process of political modernization by establishing the rule of law and accountability of the government to the National Assembly and its electorate. One consequence of the departures from the rule of law was that individuals were deprived of their liberties, often by arbitrary actions as in the case of the National Security Law. As in the authoritarian era, it was the president, not the fundamental norms and rules of democratic politics, who most powerfully shaped Korean politics. Neither institutionally nor substantively was Korea marching towards democratic consolidation. In brief, Tong Whan Park’s evaluation from 1998 also remained valid after Kim’s presidency had ended (cf. p. 60).

4.7 Conclusions

When Kim Dae Jung was elected president as the first opposition candidate on December 18, 1997, Korea took an important step forward in achieving democratic consolidation. The alliance with Kim Jong-pil, the government party’s split into two candidates, similar to the split of the opposition in 1987, and the severe effects of the Asian crisis enabled him to win. Regionalism was strong in the elections with the Chôlla region voting for Kim Dae Jung and the Kyôngsang provinces for main rival Lee Hoi-chang. The voter turnout rate was 80.6 percent, compared to 81.9 percent in 1992.

President Kim was regarded as an outstanding leader and declared in his inauguration address on February 25, 1998 that he would pursue democracy and a market economy at the same time. However, he soon faced severe difficulties from leading a minority government and therefore had to win over opposition candidates. The opposition’s refusal to endorse Prime Minister Kim Jong-pil for half-a-year only aggravated tensions. Since President Kim did not strictly adhere to democratic principles to gain a parliamentary majority, his reputation as a democratic leader was undermined. In contrast to his pledges, allies from the Chôlla region came to hold the most important government positions. Since unilateral votes in the National Assembly took place in 1999 when his government was also plagued by scandals, popular discontent grew.

The ruling party failed for the fourth consecutive time to win a majority in the April 13, 2000 parliamentary elections but again had to create a majority. The voter turnout rate was 57.2 percent, compared to 64 percent in 1996. As before, regionalism was very strong. The coalition Kim Dae Jung-Kim Jong-pil showed strains at this time since the president did not follow his election promise to introduce a parliamentary system due to the financial crisis. Civil society played an important role in the elections by launching a campaign against 86 unfit candidates, among which 59 failed to get elected.

Additionally, for President Kim Dae Jung, it turned out to be more difficult to be president than a presidential candidate. At a time of falling approval rates, he undertook “media reform” that in reality was a campaign against critical newspapers that had to pay $388 million in fines. Such a policy further undermined his image as a pro-democracy activist. On the contrary, he exerted the same authoritarian leadership style as President Kim Young Sam. The anti-media campaign was hardly over when his administration was shocked over the visit to North Korea by 337 activists, among which 16 were arrested for having violated the National Security Law. Subsequently, the passing of the non-confidence vote against Unification Minister Lim Dong-won led to the dissolution of the ruling coalition.

As was the case with his predecessors in office, President Kim’s approval rates fell. His position became even weaker during 2002 as a consequence of corruption scandals that involved two of the president’s sons and payments of $800 million in advance of the June 2000 inter-Korean summit: He had not lived up to his pledges in the inauguration address, as corruption reached a zenith. The scandals contributed to the government party’s disastrous defeat in the June 2002 local elections in which the voter turnout rate reached a bottom level of 48.8 percent, compared to 51.4 percent in 1998. Regionalism was again apparent.

Assessments of President Kim’s term in office differ. Again, democratization was no straightforward process but showed progress in some respects. Democratic consolidation was only achieved in terms of electoral procedures. Political parties remained weak, not least due to the strong impact of regionalism and personalism. Conservative forces dominated democratization. Both the Confucian culture, the way President Kim ruled, authoritarian legacies and inter-Korean tensions hindered democratic consolidation. The National
Security Law remained an obstacle to freedom of speech, although the number of arrests fell. Again, the level of democratic progress should not be overvaluated.
5. Democratization during President Roh Moo-hyun 2003-2008

5.1 Introduction

As we saw in chapter 4, President Kim Dae Jung also strongly shaped the way politics was conducted. Since Korea was no more democratic when he stepped down in 2003, it is worth asking whether President Roh Moo-hyun would be capable to advance democratic consolidation further or not.

The first section investigates the 2002 presidential election campaign, who the candidates were and what were the main issues. Those parts of President Roh’s February 25, 2003 inauguration address that dealt with democracy are recorded and followed up in subsequent sections. The section includes appointment policies and the president’s approval rates. An evaluation of the state of Korean politics by the Korean scholar Hyug Baeg Im (2004) is presented in some detail since it gives an overall view of developments during the past 15 years of direct presidential elections. The section includes data from the non-governmental organization Freedom House on the level of political rights and civil liberties but also on such issues as political parties, personalism and regionalism that often have been referred to throughout the study. Other characteristics that Im assesses are the impact of the single five year term for the president and the legacy of the “three Kims era” on politics.

The second section deals in some detail with the impeachment of President Roh in 2004 that was the most significant challenge to the democratic order during his term in office. A recurring theme throughout this study has been the volatile state of political parties, and post-election developments from 2003-2004 were no exception. The impact of parliamentary elections to be held in April 2004 is included here. How struggles within the ruling party and between the government and opposition parties led to the impeachment is analyzed. More specifically, the causes of the impeachment are investigated. Also, the impact on the parliamentary elections, the outcome of the impeachment and its impact on the process of democratic consolidation are included in this section. A few assessments are recorded and assessed.

As we have seen, another recurring theme in this study is the increasing impopularity of presidents, and President Roh was no exception. The impact of such a situation on the by-elections held in 2005 and the local elections held in 2006 is analyzed in the third section. What policies the president pursued and what assessments he received in different areas of policy are presented and assessed. The impact of regionalism on politics is included. Social and political reforms are investigated. Noteworthy here is the attempt to revise the controversial National Security Law that, as we have seen, is widely regarded as an impediment to the freedom of speech.

The final section presents different evaluations of the state of Korean politics. The decision process behind the Korea-United States Free Trade Agreement signed in 2007 is the most important issue reviewed here. Otherwise, the president’s leadership is analyzed more in general terms, but writings by President Roh himself are more specific. Attention is then turned to the impact of the five year term mandate of the president on politics in more detail than in previous chapters. The account both refers to past experiences and President Roh’s rule. What role the political parties played and how the president was exerting his power are included in the analysis. Also in this chapter the impact of Confucianism on politics is investigated with some important characteristics of the philosophy recorded. How the president contributed to shape politics is analyzed, as are some opinions of desirable changes in Korean politics. An assessment of the presidential election system in force since 1987 concludes the chapter.
5.2 Roh Moo-hyun wins the December 2002 presidential elections

On April 27, 2002, self-taught labor and human rights lawyer Roh Moo-hyun was nominated presidential candidate of the ruling Millennium Democratic Party (MDP) following primary elections that had begun on March 7. The nomination was made through the new People’s Nomination System that was a mixed system of open and closed primaries intending to remove the authoritarian leadership of his predecessors and to expand the mass base of the MDP. In his acceptance speech Roh said that he would overcome distrust and division in politics and pursue a policy of reform and unity. On May 10, the conservative Grand National Party (GNP) nominated former Supreme Court justice and party leader Lee Hoi-chang as a presidential candidate. Lee was also nominated through a people’s nomination system introduced at a time when Roh’s popularity was running ahead of Lee by more than 20 percent in opinion polls.

A third candidate was Chung Mong-jun, leader of the People’s Power 21 Party and son of Hyundai founder Chung Ju-yong, but only by nominating a single candidate it would be possible to challenge Lee. After one public TV debate followed by a public opinion poll to determine which of them would become a presidential candidate, Roh won the game on November 25. Since Chung pledged to support Roh, Roh’s popularity surpassed that of Lee. The coalition Roh made with Chung benefited him, although Chung withdrew his support for Roh just eight hours before the election would be held. The reason was that Roh in the election campaign had said that “if the United States and North Korea begin to fight, I will stop it” in violation of their agreement on policy cooperation.

Political reforms were the main election issue. Roh promised to terminate ‘old-fashioned politics,’ including the negative characteristics of ‘three Kims’ politics. Roh was seen as a symbol of political reform and an alternative to the post-‘three Kims’ politics. Lee promised to punish corrupt government officials. Youth groups, the media and especially politically active citizens operating on the Internet played an important role in the election campaign, but such a situation made Roh’s stance within the MDP uncomfortable because he could not rely on strong support within the party. He also benefited from exploding anti-Americanism following the acquittal by an American military tribunal of two American soldiers whose armored vehicle in June had accidentally killed two Korean school-girls. In the December 18 presidential election, Roh (56) won with 48.9 percent of votes compared to 46.6 percent for Lee Hoi-chang. Roh won on his reform agenda and with support from the so-called 386 generation of activists who were in their thirties, attended college in the 1980s and were born in the 1960s. Two-thirds of young voters supported Roh, but he did not attract many older voters who preferred Lee. The voter turnout rate was 70.8 percent, compared to 80.6 percent in 1997. The fact that for the third time in a row the figure had fallen gives credibility to the opinion of Kim (2007) that the expectations that Koreans had been having regarding President Kim Dae Jung had been supplanted by a deep sense of disappointment.

Nevertheless, this time there were also high expectations on the president as a leader capable of resolving national tasks and economic difficulties. Regionalism was manifested by the overwhelming support of Roh in the Cholla region, although he hailed from the Pusan area, and an indisputable victory for Lee in the Kyongsang provinces where he benefited from the anti-Kim Dae Jung feelings. After having assumed office, President Roh faced considerable challenges and obstacles: He inherited a minority government and was confronted by a hostile opposition. He had a weak power base by not belonging to President

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Kim’s inner circle, although his predecessor supported him in the election process. His only previous administrative experience was a seven month period as maritime minister from August 2000-March 2001.

In his inaugural address on February 25, 2003, he spoke about creating democracy on the basis of reforms and unity together with the people. Dialogue and compromise would be emphasized to reach this target. The people must be the masters of politics. National interests would be more important than party interests. Disputes would be solved on the basis of dialogue and compromise instead of confrontation and tensions. He would pursue dialogue and compromise with the opposition. Regionalism would be alleviated to the extent possible through equal appointments between regions.

Since President Roh intentionally appointed inexperienced 386 progressives to the key posts of the Blue House, in presidential committees and other governmental agencies former activists became the core of the administration. In his appointments, ideology and personal connections were prioritized over expertise. However, ruling the country turned out to be far more difficult than the anti-government campaign: Roh’s ambition overrode his talent. He lacked the leadership skills to implement his agenda. Since his own party, the ruling MDP, soon came to be paralyzed by a factional rift between those who came to power under the previous president and those who identified themselves with the new president, his position was soon weakened. The approval rate of his “participatory government,” however, was above 70 percent in the beginning of his term in office, but it fell within six months to around 30 percent since there was no way for President Roh to meet the heterogeneous demands and interests of his supporters. In contrast, the figures of presidents Kim Young Sam and Kim Dae Jung after the fall in approval had consistently remained around 40 percent. When Roh had completed 100 days in office, his approval rate was below 50 percent, compared to 60-80 percent for Kim Young Sam and Kim Dae Jung at the same time.

According to the Korean scholar Hyug Baeg Im (2004), the 2002 presidential election was an advance for democratic consolidation in Korea. First, it was clear that voters preferred “the post-‘three Kims’ politics” over a continuation without them. Second, as regionalism was still rampant, a politician from the Kyongsang province ran and won as the candidate of the Cholla province. Third, spontaneous support from ordinary citizens played a more important role in electing the president than political parties. Fourth, major candidates relied more on the media, including the Internet, than outdoor campaigning in front of mobilized mass audiences enhancing policy debate.

On the other hand, he writes that since June 1987 the leaders of the first generation of Korean democracy had “…achieved remarkable progress in democratic consolidation, at least in negative terms, notably, by institutionalizing electoral competition, removing authoritarian legacies and pre-empting potential elements for authoritarian subversion.” In 2002, Korea had completed negative consolidation by avoiding rapid democratic breakdown through the purge of a politicized group of military officers, reasserting firm civilian supremacy over the military, placing national security authorities under the control of elected representatives and putting two former military presidents on trial. The major contribution of the ‘three Kims’ is that they led the very rapid and successful transition from military authoritarianism to liberal democracy.

In another sign of democratic progress, from the inauguration of President Kim Young Sam in 1993, Freedom House had classified Korea as a liberal democracy by giving it a 93 Chi et al., ibid., p. 362, 368, 378; Kim, ibid., 2007(a), pp. 365-6, 368, 382, 388; Kim, op. cit., 2008, p. 93; Lee, ibid, 2003, pp. 74, 76: table 1, 77; Roh, Moo-hyun, Róh Móo-hyún taet’ongnyông ch’wiimsa, February 25, 2003 (http://www.pyung.co.kr/chimsa.htm), pp. 2, 3; Roh, Moo-hyun, Sônggong-gwa chwajôl (Seoul: Hakgojae, 2009), p. 283. Original quotation marks.
freedom score of 2 (the highest score ranging from 1-7 being 1) on both political rights and civil liberties. Along with Japan and Taiwan, Korea was the only Asian country to have received the average score below 2 that is required of a liberal democracy. On the other hand, in terms of political rights and liberties, Korea had serious defects in terms of imperial presidency, oligarchic parties, divisive regionalism, political corruption and the people’s low trust in politics. The defects concur with those previously pointed out.

In addition, Korea’s record was dismal in positive terms of democratic consolidation: Democracy had faltered on the verge of its consolidation. The “three Kims” era handed over negative legacies to the next generation of Korean democracy in terms of divisive regionalism, an underdeveloped party system, an imperial but weak president and political corruption. Since 1987, every election has been marked by decisive regional schisms. Regionalism was the major impediment to democratic development since voters voted out of blind loyalty to representatives from their own regions instead of supporting parties for their policy stances and ideologies. Since interests based on class, religion, occupation, gender and generation were effectively silenced, regionalism severely undermined the representativeness of democracy. It also hampered national integration. Since 1987, the “three Kims” had created, dissolved and recreated ten parties to suit their personal political needs and ruled them “…as if they were feudal lords.” The volatile, short-lived and personalized political parties have been the major obstacle to internal party democracy and to the development of a more responsible and accountable party system.

Both presidents Kim Young Sam and Kim Dae Jung ruled the political parties they had founded autocratically, marginalized the role of the parties and excluded them from the decision-making process, an opinion that entirely concurs with the above account. Meanwhile, the five year single term presidency had contradictory effects by simultaneously concentrating power to the president and creating a weak presidency due to the single-term limit. As we have seen, every president has received sharp drops in approval ratings towards the end of his term, partly because his supporters paid less loyalty to him than in the early years. The five year term has also made governments emphasize policies that meet voters’ short-term interests instead of addressing long-term collective interests of the nation. As Kim (2007) points out, a single term gives no time for trial and error.

Both presidents Kim Young Sam and Kim Dae Jung were politically incapacitated in their final years due to corruption scandals that involved their families and close associates. Their authority and leadership received fatal blows. Corruption was structurally related to the frequent elections that increased the demands for political funds and reflected the ne-

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94 Figures from 2.5-1 denote a free country that “maintains a broad scope for open political competition, climate of respect for civil liberties, significant independent civic life and an independent media.” From Fell, op. cit., p. 30. The Freedom House which was founded in 1941 is one of the leading institutes in estimating democracy. Since 1973, it annually publishes Freedom in the World that embraces political rights, such as voting, electoral competition and political participation as well as civil liberties, such as freedom of religion, speech, meeting and association, and legal protection. It is considered to be its most important contribution since it analyses the degree of democracy around the world. The Freedom House presents itself as an independent organization promoting the diffusion of freedom worldwide. It does not claim to measure democracy but is solely used for that purpose. Also, it supports democratic change and human rights and supervises the road towards freedom. The purpose of its work is to promote freedom, democracy and legal protection through analysis, promotion of opinions and actions. Freedom House has been criticized for overestimating what democracy is and stands for. Another criticism is the definition of democracy also on the basis of its origins and consequences. Freedom House refers to freedom as the opportunity of voluntary action in various ways without the control of governments or other dominating forces. From Rabie Salem and Christian Andersson, Demokrati kontra frihet: En granskning av Freedom House-indexet (Lund University: Department of Political Science, fall term 2010), pp. 1, 3-5, 11.

95 Im, op. cit., 2004, pp. 180, 182-3, 194-5. “Three Kims” and “post-three Kim’s politics” have original quotation marks.
negative legacies of the “three Kims” policies: imperial presidency, regionalism and party bossism. Such side effects caused dissatisfaction, cynicism and alienation towards the political system. In the “three Kims” era there was no workable democracy to resolve societal conflicts and to reach an agreement on policies through dialogue.96

5.3 The 2004 President Roh Moo-hyun impeachment case

The underdeveloped party system, Im points out, would cause difficulties for President Roh. The first occasion that created tensions within the ruling Millennium Democratic Party (MDP) occurred already on March 14 when President Roh promulgated “The Special Investigation Law Regarding North Korea” proposed by the opposition Grand National Party (GNP) after the National Assembly had adopted the law on February 26. The law regulated the money sent by President Kim Dae Jung to North Korea and could be interpreted as a way for the GNP to cast shadows over his sunshine policy that rendered him the Nobel Peace Prize in the year 2000 (cf. p. 68). Confusion arose among President Roh’s supporters in the Chôlla region who regarded the president’s act as political betrayal. On September 29, the president and the pro-Roh faction left the MDP that was halved in strength. While the MDP’s remaining members felt betrayed by the Roh supporters, the party with its 63 seats in the National Assembly formed an anti-Roh alliance with the GNP that had 149 seats. Since the president could no longer count on the MDP’s support in the National Assembly, his power base became even more fragile.

In November, the defectors formed the new Uri [Our] Party that had 47 seats in the National Assembly. The party aimed to remove the legacy from the three Kims era in terms of regionalism and corruption. A nationwide party would also be established. Notably, for the first time ever, the ruling party was split after less than one year in office. In October 2003, the president’s difficult job had become even more difficult because some of his closest aides were arrested for having accepted illegal campaign contributions for Roh’s presidential election campaign and having taken $1 million in bribes from a business group in exchange for favors. Nevertheless, the president was determined to win the parliamentary elections scheduled for April 2004.97

In November, the GNP, the MDP and the United Liberal Democrats (ULD) passed “The Special Law for Investigating Irregularities of the President’s Allies” in the National Assembly, but the president exerted his veto to stop it. However, since the three parties passed the resolution again in December, the president’s veto was nullified by the National Assembly for the first time in over 40 years. In response to the campaign contribution scandal, President Roh promised in December to resign if the amount of illegal contributions to his presidential campaign exceeded one-tenth of the amount of illegal contributions the GNP had accepted prior to the same election. At the same time, his government focused on investigating the presidential campaign contributions to the GNP. In this way the opposition looked very corrupt and his own problems minor. In January 2004, 13 National Assembly members, of which most were from the GNP and the MDP, were arrested and charged with various corruption charges that involved the mishandling of money. Although President Roh had not formally joined the Uri Party at this time, he declared in early January 2004 that he might quit if the party did not make a strong showing at the upcoming parliamentary elections scheduled to be held in April 2004.

97 Chi et al., op. cit., pp. 368, 369, 378; Kim, ibid., 2007(a), p. 366; Kim, op. cit., 2011(c), p. 91. Author’s translation of the law which has original quotation marks.
The MDP, which along with the GNP had a more than two-thirds majority in the National Assembly, alleged that the president’s comments on the election was a violation of the election law, demanded a public apology and made a complaint to the National Election Commission (NEC) stating that he had violated the law requiring neutrality of public officials in elections. The Commission claimed that he had violated his duty to maintain neutrality prior to elections and formally warned the president against making further similar remarks. In February, President Roh told the press of his hope that the “voters would give overwhelming support” to the new Uri Party and pledged his aid to the party. On March 3, 2004, the NEC in an unprecedented act ruled that President Roh had violated his presidential duty to maintain electoral neutrality. The president declared the following day that the ruling “did not make sense” to him.

Encouraged by this act, the MDP on March 5 claimed that if the president would not apologize for his violation of the Election Law he would be impeached, but the threat did not stop him. Parliamentarians Cho Sun-hyông from the MDP and Ch’oe Pyông-nyŏl from the GNP managed to get 159 signatories to present a demand for impeachment in the National Assembly. According to the Roh administration’s first Senior Civil Administrator Moon Jae In (2011), the GNP had spoken about impeachment since at the time when less than a month had passed since the inauguration of President Roh. In a repetitive political offensive, Cho had spoken about impeachment a while before Moon quit his post in early 2004. The impeachment act included violations of the election law and suspicions for corruption and irregularities among the president’s close aides. However, due to the worries for a backlash in the upcoming parliamentary elections, parliamentarians in the capital region were hesitant to enforce the demand. The prospects for passing the resolution looked bleak.98

While the president refused to back down, his opponents in the National Assembly introduced an impeachment resolution on March 9. President Roh could have defused the situation by making a simple apology as requested by the MDP and promising neutrality at a time when there were only 72 hours left for the voting and the opposition camp showed signs of fraying unity and flagging resolve. On March 11, a press conference requested by President Roh was held. In the nationally televised speech, he made his unwillingness to compromise clear regarding violations of the election law. However, he explained and apologized that the former Head of Daewoo Construction, Nam Sang-kuk, had provided financial support to the president’s older brother Roh Gun-pyeong. Subsequently, Nam committed suicide. Due to the president’s refusal to compromise, a strong opinion against him was raised. At this time, opinion surveys showed that many people wanted the president to apologize but opposed impeachment.

On March 12, a motion to impeach the president was introduced in the National Assembly by 157 lawmakers. At 11:55 A.M. the MDP passed, with support from the old enemy the GNP, such a motion for the first time in the history of Korean democracy. The act was passed with a vote of 193 out of 195 members present (of altogether 273). Since the MDP lacked the necessary one-third of the votes to block the resolution, its lawmakers had physically attempted to stop the voting by occupying the assembly president’s podium, but they were dragged out of the chamber by assembly security.

The reason for impeachment was that President Roh, prior to the parliamentary elections, by appealing for support to his Uri Party had violated the Constitution. He had also refused to publicly apologize for his conduct. Other reasons were illegal funds and bribes

involving his allies, the president’s reckless remarks and the proposal in October 2003 to hold a referendum on his leadership in violation of the Constitution. Roh’s presidency was immediately suspended, and Prime Minister Koh Gun took over his mandate. According to Moon (2011), impeachment was only raised since the largest party had enough votes, but it did not meet legal standards. It was a ‘coup d’état’ against the will of the people. Democratization again took a step backwards, as it did when the 1990 three party merger and the 1996 unilateral voting in the National Assembly took place.

The impeachment was highly unpopular: Polls showed that seven of ten people opposed it. Virtually all non-governmental organizations, labor organizations, student groups, scholars and lawyers’ associations condemned the vote and declared civil disobedience. Large nationwide candlelight demonstrations took place. An Internet campaign was launched to recommend voters not to vote for the 193 lawmakers who were behind the impeachment and to get ten million signatures to nullify it. The Korean scholar Hahm Chai-bong (2008) argues that the impeachment issue shows how consolidated democracy had become. The people understood that the democratic process was at stake and acted to preserve it.

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On May 14, the Constitutional Court restored the status quo by dismissing the impeachment. The Court recognized the president’s right to engage in political party activities but ruled that the president had violated the required impartiality during elections on the following grounds: “Public officials should conform to the provisions of Article 7 (1) of the Constitution that states they are servants of all citizens.” However, the violation was not serious enough to remove him from office. The verdict was widely accepted by the Korean public. The court noted: “The Law on the Election of Public Officials and Law on the Prevention of Election Irregularities do not permit the president to engage in election cam-


painging." The basis of the ruling that was supported by six of the nine members was the following:

"The status of private individuals who are free to engage in party activities designed to promote the interests of the political parties to which they belong should be distinguished from that of elected officials (constitutional institution) who, as servants of the nation’s citizens, have an obligation to promote the public interest."

According to Park Myung-lim (2005), the impeachment case was, from the standpoint of a constitutional agenda, the most significant incident to emerge since 1987. The incident was also significant in that it originated in Korea’s lack of sound institutions and political negotiation skills and was an opportunity to highlight the constitutional and institutional issues that have to be resolved in order to advance democracy. According to Hahm (2008), the decision was never challenged. Democracy was not only preserved but strengthened. 101

Park’s opinion shows that democracy had not yet been consolidated, whereas Hahm’s view indicates that a high level of consolidation had been reached.

5.4 Increasing impopularity of the Roh Moo-hyun administration

When President Roh was reinstated in office on May 14, 2004, he made it clear that he would vigorously pursue political and economic reforms to build a participatory democracy and to protect such weak groups as the poor, labor, farmers and small business. Nonetheless, since an absolute majority of the population remained dissatisfied with the government’s national management, including economic policies, the ruling party candidates lost against the GNP candidates in by-elections held in April and October 2005. After the April by-elections, the Uri Party had 146 seats in the National Assembly compared to 125 by the GNP and had thereby lost its majority status from the April 2004 parliamentary elections. In October, the figures were 144 versus 127 seats.

In the local elections held on May 31, 2006, the Uri Party won only in one of 16 large city and provincial contests for governors, mayors, provincial and municipal council members, whereas the GNP won in 12. It was the worst election performance ever by a ruling party that only won on its home turf of the North Cholla province (the MDP won in Kwangju and South Cholla). The results were described by political analysts as a vote of non-confidence against the Roh administration that was criticized for its amateurish and inconsistent management of state affairs and self-righteousness in ruling the country. Voter turnout rate was 51.4 percent which was a rise from 48.8 percent in 2002. In a survey by The Korea Times in June 2006 quoted by Kim (2007), 44 percent of the respondents regarded the president’s poor performance and policy failures as the main reason for the electoral defeat. Another 39 percent thought that the party’s ceaseless factional discord and inability to implement major policies were the explanations. Both views are entirely plausible.

According to the Korean scholar Hwang Ah-ran (2006), regionalism was criticized as the major impediment to democratic development, since voters did not support parties and candidates for their policy stances and ideologies but rather voted out of blind loyalty. Regionalism was so pervasive in the Korean political culture that it still tended to outweigh voters’ adherence to liberal democratic values and ideals. Admittedly, it was the major impediment to democratic development as it hindered political leaders from forming a broad

101 Chi et al., ibid., p. 372; Hahm, ibid., p. 138; Kim, ibid., 2011(c), p. 98; Moon, op. cit., p. 302; Park, ibid., 2005, pp. 82, 85, 89. Original quotation marks. On selection of Constitutional Court judges see p. 46: fn. 55.
national support base and thus hampered national integration. Her writings concur with those of Im above.

After the local elections, a survey showed that the approval rate of the president had fallen to just 18 percent, whereas 75 percent regarded his performance as poor. Some 61 percent of the respondents who had supported the Uri Party in the 2004 parliamentary elections were now negative towards the Roh government. With only three exceptions between March 2003 and April 2007, approval rates fell in all of the 12 Gallup Korea surveys that were conducted. In November 2006, the approval rate reached its bottom at just eleven percent, and the Uri Party’s popularity was below ten percent. The main reason for the low approval rate was the perceived failure of the government’s economic policy. Although the economic growth rate was 4.2 percent from 2003-2006, the government did not reach its goal to create 500,000 new jobs yearly due to a lack of organized policies and a lack of economic momentum. In 2003, another reason for falling approval rates had been his suggestion that he would hold a referendum on his presidency and step down if he lost. This statement frustrated many people and raised conflicts between progressives and conservatives as well as disgraced the prestige of the president’s position.

The Roh administration focused on political and social reforms rather than the economy. In July 2004, a “Special Law on Truths Concerning Anti-Korean Activities during the Japanese Occupation” was enacted to investigate those who collaborated with the Japanese during the colonial era (1910-1945). In March 2005, a “Basic Law on the Review of Past History for Truth and Reconciliation” was passed to revisit human rights violations during the Korean War and the following decades. The two bills were widely regarded as measures to damage Park Geun-hye, chairwoman of the GNP and daughter of former President Park Chung Hee. In contrast, one failed policy was that the Roh administration in 2004 set out to amend the controversial National Security Law (NSL). The Uri Party’s opinion that the law was an instrument of abuse and human rights violations collided with the conservative GNP arguing that it is a fundamental law defining the Republic of Korea as it is and its ideology being anti-communism. The mission to abolish the NSL met with fierce opposition from the GNP which considered the move would jeopardize the country’s security. The Korean scholar Sonn Hochul (2010) records that the number of people jailed under the NSL was only 36 from 2003-2006, showing that democratization had made great progress. The figure is far lower than that under any other president (cf. pp. 34, 51, 72).

5.5 Different evaluations of Korean politics

According to Kim (2007), the Roh administration was the most unpopular ever in Korea, but he also notes that the Korea-United States Free Trade Agreement of April 2007 may be regarded as his most important accomplishment. Although President Roh emphasized compromise, dialogue and integration, he turned out to be self-righteous, stubborn and confrontational and, like his predecessors in office, insisted on doing everything his own way. He lacked managerial capabilities to implement his agenda and leadership in governing his ruling party. Similar to President Kim Young Sam, he had low organization skills, an inefficient policy-making team and no workable programs. In fact, ineffective leadership has been a joint characteristic of all presidents since 1988.

An example of how President Roh ruled is the undemocratic decision process regarding the contested Korea-United States Free Trade Agreement on which negotiations began in 2006. The president and a few technocrats decided and presented the issue from above in a closed and secret political process to the general public without considering in advance opinions from the National Assembly and civil society while mobilizing public relations channels to affect the public opinion. Political parties, the National Assembly and interest groups were not allowed to participate. In this way, public participation in the process was almost non-existent, no alternative information was provided and enlightened understanding of the issue was absent. Demonstrations were suppressed by authoritarian means or blocked. The former head of the ruling party council and its members even went on a hunger strike. The president and a few technocrats became lawmakers and the National Assembly dominated by members of the ruling party became policy executors in contrast to democratic procedures embracing participation and representation.

In contrast, President Roh writes (2010) that he was fortunate to receive aid from excellent prime ministers. Prime Minister Yi Hae-ch’ an helped him to solve the issue of building a site for storing radioactive waste by arranging a local referendum in Kyŏngju in North Kyŏngsang province. Prime Minister Yi also helped the president to smoothly move more than 100 public institutions and public companies located in the metropolitan area to local areas. The first female Prime Minister Han Myŏng-suk solved, through persistent dialogue and compromise, the tensions caused by the move of the American military base in Yongsan in Seoul to P’yŏngt’ae in the Kyŏnggi province. President Roh also writes (2009), although without exemplifying, that under his rule great progress had been achieved in terms of accomplishing basic principles and trust, transparency and justice as well as power diffusion and self-regulation but not, in contrast to what he had declared in his inauguration address, in establishing dialogue and compromise.104

While opinions somewhat differ on President Roh’s leadership, there can be no doubt that the argument by Kim (2007) that the five year single term presidency is too short continued to affect politics negatively. The constitutional restraint had broken the political process into discontinuous, rigidly demarcated periods that left no room for the continuous promotion of long-term policies. Indeed, the concept of learning from the predecessor’s experience was absent. The time limit put constraints on the governments’ ability to implement the promises they made to get elected. Presidents’ terms in office have been characterized by a year or so to learn the ropes, a year of initiatives and if the government loses the parliamentary elections they become lame ducks. Frequent reshuffling of the policy-making teams had been a distinctive characteristic of the presidents and had made officials ineffective. In addition, as pointed out by the Korean scholar Lee Jung Bock (2009), the single term presidency has made Korean presidents very irresponsible. Consequently, President Roh was out of touch with the will of the Korean people and did not listen to his own party. Nevertheless, in spite of these obvious deficiencies, a Gallup Korea survey from 2007 showed that 42 percent of respondents felt that corruption had fallen during Roh’s presidency, while 25.6 percent felt that it had risen. In the areas of economy, education, foreign policy, North Korea policy and labor relations, negative views dominated.

In addition to the negative effects of the single term presidency, political parties have, as we have often seen, been weak since the June 29, 1987 declaration was adopted. Although the 1987 Constitution, Article 8:2 states that “political parties must be democratic in the objectives, organization, and activities,” parties have generally been programmatically

meaningless. Political parties were the weakest link in the Korean democratic processes. They were generally transitory and changed their names according to their leaders’ predilections and the prevailing geomancy. Generally, parties have offered few platforms with serious programmatic priorities. They have not trained new leadership from within but rather have broadly acted as entourages of their leader. Korean political parties as entourages have resulted directly from the fundamental concept that power in Korea, as in many traditional societies, is considered finite, not infinite. Any effort to share power is anathema because sharing is seen as losing. Under such circumstances, power becomes highly personal. A necessary corollary of such concepts is that institutions such as political parties having an authoritative figure at their apex are more entourages than permanent or semi-permanent organizations. The president, in the past usually the leader of the party or someone under his sway, has extraordinary power, so that his role is often referred to in Korea as “imperial presidency.” Presidential power has changed little after the June 29, 1987 declaration.

People close to a number of presidents have commented that, although the cabinet may debate policies, when the president reaches a decision there is no further debate, an opinion that concurs especially with the account of President Kim Young Sam and somewhat less with the assessments of Kim Dae Jung and Roh Moo-hyun. Such a situation undoubtedly largely explains the opinion by Kim (2007) that no Korean president has lived up to Western standards of democracy. He records the extreme weakness of political parties and legislative institutions, a highly personalized and privatized nature of presidential power and a lack of tolerance, compromise, transparency and accountability as underinstitutionalization of democratic procedures. In this context it is to be noted that Korea has lacked the historical and cultural environment to develop a democratic and highly institutionalized political party system reconfirming the opinion of Manwoo Lee (1990) that democracy is a learning process.105

The Korean scholar Youngmi Kim (2011a) points out that the strong presidential power hindered party leaders from compromising flexibly with the opposition party and that the National Assembly could not play its original role of a balancing power between the executive, judiciary and the legislature. In the legislature the ruling party was not free from the president’s decisions, which hindered negotiations and compromise among the parties. To vote against the party’s decision would mean no possibility to stand as a candidate in the following parliamentary election, no more promotion within the party and no more financial support from the party leader. Since leaders created the party, voters vote for the person, his/her charisma and the candidate’s region rather than the party or the ideology.

The Korean Confucian political structure seems to demand orthodoxy. The template for entourage politics has been the patriarchal family, in which the father, as head, speaks virtually ex cathedra. Compromise, an essential attribute of the democratic processes, becomes more difficult because it is destructive to the moral authority of the father-leader who must care for his family or people. There are complementary obligations on the family (or people) to the father (or leader). Virtually no “free” voting occurred in the National Assembly. Instead, an individual voted as his or her own party membership determined. Voters had little recognition of party differences but voted on the basis of the personal basis of the party leader, place of origin or identity or against a government that was considered to be acting inappropriately or was incompetent or arrogant. It was evident that even after the

Considering the extreme concentration of power to the president and the weak political parties, Kim (2007) asserts that Korean politics required a higher level of institutionalization. As we have seen in each chapter, it is risky to rely heavily on the personal qualities of one leader since it is impossible to know whether such a man can be found to fill the presidential office. In other words, democracy became what the president wanted it to become. Leadership must be balanced by institutions. One man could no longer rule an entire nation for himself. The process, rules and mechanisms of policy-making should be predictable, open and accountable. The Confucian legacy that makes Koreans idealize authority also hindered institutionalization of the presidency. Since it was assumed that political power is concentrated to the president, there was little room for checks and balances. Both politicians and the public tended to perceive presidential power as unlimited and unrestricted. Political parties which, as we have seen, have been short-lived, should be stabilized and mobilized to play a leading role in politics. Lee Chang-sup, director of The Korea Times (2012) writes that presidents from Roh Tae Woo to Roh Moo-hyun “…have run the country not by system, institution and rule, but by personal dogma and style.” By not having to worry about re-election, presidents have not been as sensitive to public opinion. Since 1987, presidents could only work effectively during the first three years of their term since they have struggled with personal problems during the two final years. During these latter years, they perceive a weakening of their command and become lame ducks.

The Korean scholar Choi Jang Jip (2007) points out that the institutionalization of political parties to handle socio-economic issues was an indispensable element to develop democracy in Korea. Otherwise, the prospects for democracy would be extremely unclear. Due to the constant formation and dissolution of parties, the institutionalization of political parties has been extremely unstable. The development of parties has rather retrogressed. He also raises the question of whether democratic consolidation can be accomplished without the consolidation of political parties. Political parties have been too unproductive and inefficient. Politicians have not only lacked expertise but have also been absorbed to pursue their own benefits. Policy differences between parties have not been distinct, and they have struggled for their own benefits. In the opinion of both government officials and politicians, such a situation has been harmful for the development of democracy.

In spite of the enumerated deficiencies, Choi (2007) writes that many people said that democracy had become consolidated in Korean society [but does not say on the basis of what criteria]. Sonn writes (2010) that since both President Kim Dae Jung and Roh Moo-hyun made great contributions to political democratization, it reached its highest level ever during the years 1998-2008. Quoting data from the Freedom House, Korea reached the highest level in terms of political rights in 2004 and 2007, whereas it had recorded the second highest level in 1988 and 1992 during President Roh Tae Woo, in 1993 and 1997 during President Kim Young Sam and, finally, in 1998 and 2002 during President Kim Dae Jung. One reason for the higher position in 2004 was the change in power to a liberal party in the National Assembly for the first time since the April Revolution in 1960 in the parliamentary election held that year. In terms of citizens’ freedom, Korea remained on the second highest level since 1993, whereas under President Roh Tae Woo it had been on the third highest level. Two reasons why Korea remained on the second level, in contrast to

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106 Kim, ibid., 2011(a), p. 84; Steinberg and Shin, ibid., pp. 524, 525. Original quotation marks.
Taiwan being on the first level, were that the National Security Law was maintained and that the formation of a communist party was disallowed.

The Korean scholars Sung Deuk Hahm and Dong Seong Lee (2008) write that the characteristic of democratic consolidation under President Roh Moo-hyun was the decline of presidential influence on party discipline referring to the president’s ability to gather his party member’s support for his policy initiatives. The generational shift in politics away from Kim Young Sam, Kim Dae Jung and Kim Jong-pil further weakened presidential influence on party discipline since President Roh could not benefit as much from personal charisma and election finance to maintain his influence on party discipline and the policy-making process. Full-fledged democratic consolidation was proceeding rather slowly and was even being delayed.108

Although Choi Jang Jip (2007) agrees with the opinion that democracy had become consolidated, he argues that there were qualitative deficiencies. Democratic consolidation with a non-consolidated party system was the central threat to the continuous development of democracy. In Korea, democratization based on a movement had not been followed by the organization of popular political parties and the formation of a new party system based on those parties. Consequently, there had not been a transformation of the party system from the authoritarian era. Political participation by excluded groups such as workers remained weak while political participation of the middle-class, intellectuals and specialists had expanded explosively making democracy become conservative. Such a state of affairs contributed to create a situation in which social fission and tension were manifested politically, but the political system was unable to handle it. The most important characteristic of political parties was that their stability was not institutionalized. Korean political parties have never worked on the basis of popular participation, and they have never had a stable and predictable policy program based on class and ideological identity. Compared to the president, the power of the National Assembly was very weak, and political parties were not institutionalized. However, the National Assembly worked in the late 1980s and in 2003 as a counterforce to the president (cf. pp. 20-21, 81).

In 2010, the American scholar Daniel Bailey wrote that all of the four presidential elections held in 1987, 1992, 1997 and 2002 were administered freely and fairly. However, if taken at face value, the elections constituted a distorted view of the state of Korea’s democratic development and consolidation. In contrast, the fact that nine liberal and seven conservative parties were established and disestablished, either through mergers with other parties or splits within parties, told more about the state of Korean democracy. In other words, the political party system was somewhat destabilized as a consequence of the personalistic and regionalist characteristics of politics or due to the various electoral systems. First, as we have seen, individuals matter in Korean politics. In the era of the “three Kims” political parties were created, dissolved and recreated to suit the needs of their political ambitions: “they reigned over their respective parties as imperial party presidents who claimed unique control over the nomination of candidates, the appointment of party secretaries and officials, and the chairmanship of National Assembly committees.” Naturally, such a situation impeded the establishment of an ideologically coherent and stable political party system.

Second, as we have often seen, for voters regional identity matters in every election. Third, the electoral system matters. Both the presidential election system and the election system of the National Assembly have changed over time. The presidential election process has reinforced the presence of strong political personalities and divisive regionalism. For instance, since the first past the post system only requires a plurality to win an elec-

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tion, it is not conducive to catch-all, large party formation as is the case in majoritarian electoral systems such as France. The system only further encouraged and induced the fragmentation of the political party system. Also, the electoral system for the National Assembly served by being a combination of proportional representation, single member plurality constituencies and two separate ballots to augment the importance of strong political personalities and regionalism. The electoral system discouraged the formation of large, diverse parties and encouraged the fractious, personality-driven politics to dominate. Fourth, the strong influence of the United States on the political party system explains the volatility of parties. Neither the conservative nor the liberal/centrist wing of the party system has consolidated its ideological coherence or party structure for more than two presidential or parliamentary election cycles. Political party system stability is needed before full democratic consolidation can take place in Korea.109 The account so far entirely supports this evaluation.

5.6 Conclusions

Roh Moo-hyun won the December 18, 2002 presidential elections on a reform agenda and was supported by the 386 generation. The voter turnout rate fell from 80.6 percent in 1998 to 70.8 percent, indicating deep disappointment with the Kim Dae Jung administration. Regionalism remained strong in the election, but in a deviation from the ordinary pattern Roh, while hailing from Pusan, received strong support in the Cholla region. President Roh immediately faced considerable challenges and obstacles by inheriting a minority government and being confronted by a hostile opposition.

President Roh spoke in his inaugural address on February 25, 2003 about creating democracy on the basis of reforms and unity together with the people. Dialogue and compromise would be emphasized and regionalism would be alleviated through equal appointments between regions. However, it was also more difficult for Roh Moo-hyun to be president than presidential candidate. His power position was soon weakened by factional fighting within the ruling party. The government party was for the first time split during the first year in office. Although the presidential election was an advance for democratic consolidation in Korea, it was a question of negative rather than positive consolidation since democracy had failed on the verge of its consolidation.

The major political issue during the Roh administration was the March 12, 2004 impeachment case. Strong tensions arose already in 2003 within the ruling party and between the political parties at a time when the 2004 parliamentary election was approaching. The opposition accused the president of having violated his duty to maintain neutrality during the election campaign and succeeded in a unilateral voting in the National Assembly to get through a resolution on impeachment. If President Roh had apologized for having violated the Election Law, he might not have been impeached. President Roh was immediately suspended from office, and Prime Minister Koh Gun took over his mandate. Impeachment was highly unpopular, and large popular protests were held. The impeachment case contributed to the ruling party’s first victory since 1987 in the parliamentary elections held on April 15, 2004. As usual, regionalism remained strong in the election. The voter turnout rate was 60.6 percent, compared to 57.2 percent in 2000, in the first rise since 1988. President Roh was re-installed in office on May 14, when the Constitutional Court dismissed the impeachment. The impeachment case strengthened the process of democratic consolidation.

Since the ruling party lost by-elections held in 2005, it lost its parliamentary majority. The party suffered a severe defeat in the May 31, 2006 local elections in which regionalized voting was strong. The voter turnout rate was 51.4 percent compared to 48.8 percent in 2002. As was the case with his predecessors, the president’s approval rate fell in particular due to the failure of economic policies. The Roh administration instead focused on political and social reforms that particularly in the case of the attempted revision of the National Security Law caused controversies.

President Roh ruled authoritarily, as his two predecessors had done. The decision process regarding the Korea-United States Free Trade Agreement was highly centralized to a few technocrats around the president before it was signed in 2007. However, President Roh points out that the prime minister on a few occasions decided on policy issues in contrast to what was the case with President Kim Young Sam and Kim Dae Jung.

The five year one term mandate of the president had, since 1987, exerted a negative influence on politics by, for instance, making the president a “lame duck” towards the end of the term in office. Political parties remained weak and were hardly democratic in contrast to the Constitution’s Article 8:2. One explanation of the deficiencies of the political
system was the short time of implementing democracy. Personalization of politics remained. Korean politics required a higher level of institutionalization.
6. Democratization during President Lee Myung-bak 2008-2013

6.1 Introduction

Although it is difficult to point out significant differences between political developments during the Roh Moo-hyun administration and previous governments, Korean democracy was strengthened by the popular resistance against the impeachment of the president in 2004. A relevant question to ask is therefore whether progress in the process towards democratic consolidation would continue or not during the following administration.

The first section investigates the 2007 presidential election campaign, who the candidates were and what were the main issues. The significance of the election results is assessed. Some data on the Roh administration and evaluations of the state of Korean politics made at the time of the election are recorded. The part of President Lee Myung-bak’s February 25, 2008 inauguration address dealing with democracy is recorded and followed up in subsequent sections. Also, a few other statements he did when assuming power on, for instance, regional balance in appointment policies are compared with his later actions and the situation during his two predecessors in office. An account of the April 9, 2008 parliamentary elections concludes the section.

The second section deals with the large-scale candlelight demonstrations that broke out in the spring of 2008 in protest against the government’s decision to resume imports of American beef. The main issue here is to assess whether the government’s handling of the demonstrations met democratic standards or not. In this context President Lee’s leadership style is included as are the apologies he made to the people. How the demonstrations were organized and who the participants were is analyzed. Data on President Lee’s approval rate are also recorded. Evaluations made of the demonstrations from the viewpoint of how democracy worked are also included.

The third section investigates three setbacks in democratization in addition to the 1990 three party merger, the 1996 unilateral voting of controversial labor and security laws and the 2004 impeachment case. The first is the opposition’s blockade of voting on contentious issues in the National Assembly in December 2008-January 2009. The second concerns investigations of corruption during the Roh administration in 2008-2009. The third involved the ratification of the Korea-United States Free Trade Agreement in the National Assembly in 2011. Data and assessments of each case are recorded with an emphasis on the second one since it involved the recurring theme of revealing corruption during the previous administration. In order to present a more comprehensive view of political developments, an account of the local elections and parliamentary elections held in 2010 and 2012, respectively, concludes the section.

The fourth section contains evaluations of the state of Korean politics that in most cases pertain to the whole post-1987 period. Among observers quoted are former Prime Minister Lee Hong-koo (2009, 2012) and scholars Choi Jang Jip (2009) and Hyug Baeg Im (2011). The evaluations partly deal with such recurring themes as the weakness of political parties, the impact of regionalism on politics and limitations on the freedom of speech, but other issues are also recorded. Again, data from the Freedom House on the level of democracy are quoted. As in chapter 5, an assessment made by Hyug Baek Im (2011) is presented in some detail. One issue that is given far more attention in this section than in any other chapter is the impact of the five year single term of the president on politics. Both the consequences of this constitutional limit and the potential outcome of a constitutional revision to a two term four year mandate are presented. An assessment of the state of Korean politics from late 2012 that deals with both past and present developments and brief data on the December 19, 2012 presidential elections conclude the chapter.
6.2 The December 2007 presidential elections

In August 2007 in the time leading up to the presidential elections, the ruling Uri Party had ceased to exist and merged with defectors from the Democratic New Party. The opposition Grand National Party (GNP) nominated Lee Myung-bak as a candidate through a popular primary vote in which he won against rival Park Geun-hye. The renamed ruling party, the United Democratic Party (UDP), selected its candidate Chung Dong-young through a primary election. In the December 19, 2007 presidential election, Lee (66) won with 48.7 percent of total votes, compared to 26.1 percent for Chung (independent Lee Hoi-Chang received 15.1 percent). Since it was the second change of president from the government to the opposition, the "two turnover test" was accomplished: One criterion for democratic consolidation was fulfilled. Notably, Lee became the first presidential candidate after 1987 to win an election without having formed a coalition prior to the election date. His victory was the largest ever in a presidential election.

As the first president with a business background, he presented himself as an “economy president” in the election campaign. Lee had also been the mayor of Seoul. Although he gained support nationwide, regionalism remained strong. Lee won with the largest margin in the Kyongsang provinces and only lost in Kwangju and the Cholla provinces where Chung won overwhelmingly. The election result was an outcome of disappointment with the Roh administration, voters’ expectations for economic development and the creation of jobs, and a divided government with three candidates. Popular opinion was that the standard of living was falling during the Roh administration. In an opinion survey conducted on January 1, 2008, 69.3 percent of respondents replied that President Roh had not done well during his term in office, while only 22.9 percent thought he had done well. The fact that the GNP had asserted a transfer of power created expectations on the new president. Ideology played a more important part than in any other previous election. Such a situation benefited conservative forces versus what these forces perceived to be the left-winged administrations of presidents Kim Dae Jung and Roh Moo-hyun. Altogether, the outcome was more a defeat for the government than a victory for the opposition.

Although expectations of the president as a leader capable of resolving national tasks and economic difficulties again were high, the voter turnout rate fell from 70.8 percent in 2002 to 63 percent in the fourth decline in a row. The fact that the voting age had been lowered from 20 to 19 years did not affect the voter turnout rate. The fall from 1997 was far higher by 17.6 percent. However, the average voter turnout rate from 1987-2007 was 77.1 percent, compared to 62.6 percent for parliamentary elections from 1988-2008 and 55.9 percent for local elections from 1991-2006. In another sign of falling interest in politics, there were voters who did not vote because of the opinion that there were no candidates worth supporting.

A few assessments of the state of Korean politics made around the time of the election presented a gloomy view. According to the Korean scholar Kim Hyung Joon (2007), democracy, since 1987, had made some progress from a procedural point of view, but it was not yet essentially consolidated. He quotes the opinion of compatriot scholar Choi Jang Jip (2004) that democracy had even retrogressed since political leaders, including the president, did not understand the essence of democracy and were incapable of showing proper leadership. Choi (2009) writes that governments in power since 1987 have been incompetent, irresponsible and corrupt. Political parties have rejected alternative political ideas based on popular demands and National Assembly members have as representatives of the

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people failed to fulfill their duties but only showed interest in enlarging their own political fortunes. Democracy has only been used for the purpose of poor political rhetoric. Consequently, disgust and antagonism against the political system have risen. The fall in the voter turnout rate should be understood as a sign of voters’ sense of hopelessness towards the absence of an alternative to the existing political system. The low voter turnout rate among young voters made the future of Korean democracy bleak.

According to the Korean scholar Min Jun Kee (2008), one reason why democracy had not yet been consolidated was that a political culture to realize democratic politics had not been formed. Undemocratic elements accumulated during a long period of time were a big obstacle. Korea was in the latter half of democratization and had entered the stage of democratic consolidation during which qualitative change was a task that remained to be accomplished. A challenge and an important task was the accomplishment of democratic consolidation during the 2020s or degrade into neo-authoritarianism. The reason for anticipating the 2020s was that the West had a history of democracy for more than 200 years and that democracy could not be accomplished in a short time. There would have to be a shift of the president three times, that is, 2012, 2017 and 2022 unless the 1987 Constitution is revised, until democratic consolidation has been reached and political development is accomplished. A prerequisite of political development is to first accomplish democratic consolidation. In other words, democracy has to become institutionalized.

In contrast to these negative opinions expressed, assessments regarding the presidential election were positive. The Korean scholar Kim Yong-bok (2008) argues that the second transfer of power to the opposition has a symbolic significance since it shows that Korean democracy was consolidating into a normal process because procedural democracy worked well. Similarly, the Korean scholar Won-Taek Kang (2009) asserts that Korea had firmly established democratic consolidation in terms of electoral democracy. These views were not new but confirm the strength of procedural democracy.

The first indication of what policies President Lee would pursue was his inaugural address on February 25, 2008. The president declared that he would create a society working for industrialization and democratization. In the beginning of his term in office, the president declared that “school and region would not be considered at all” in appointing personnel. Also, “for the sake of promoting harmony among the population birth region will be considered in appointing personnel.” In spite of these promising statements, the opposition United Democratic Party (UDP) criticized the president for discriminating personnel from Cholla in appointments, but the Grand National Party (GNP) responded that in relation to its share of the population, there was no discrimination.

The Lee administration received the label the ‘Kosoyông’ administration because recruitment of high officials from the president’s faction within the GNP were from Koryo University, the Church of Hope (somang kyohoe in Korean) and from the Yongnam region. In February 2010, 39 percent of cabinet members were from Yongnam but only 17 percent from Honam. The ratios had been 34.4 and 28.1 percent, respectively, in July 2006 during the Roh Moo-hyun administration. In 2011, 12 of 15 administrative officials, or 80 percent, in the Blue House were from the Yongnam region and the others from Kangwon, Chungch’ong and Cheju provinces, but no one was from Cholla. All of the seven heads, of “Four Power Organs” – the Board of Inspection of Parliamentary Affairs, the General Prosecutor’s Office, the National Police Office and the National Tax Administration – were from Yongnam compared with seven men during the Roh Moo-hyun administration when two heads were from Honam. During the Kim Dae Jung administration, nine heads of the

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four authorities had been from Honam and five from Yôngnam. At the first stage of nomi-
nation under the Lee administration, the Head of the National Tax Administration was
from the Ch’ungch’ông province. In the second stage the Heads of the General Prosecu-
tor’s Office and the National Tax Administration were from the South Ch’ungch’ông pro-
vince. In the third stage the Head of the General Prosecutor’s Office was from Seoul, but
all of the other heads were from Yôngnam reflecting the president’s wishes.112

Although President Lee’s approval rate when assuming office was only 50 percent, in
the April 9, 2008 parliamentary elections, the GNP maintained its majority in the National
Assembly by receiving 153 of 299 seats compared to 81 for the UDP. The figures were
51.2 and 27.1 percent, respectively. If the 14 members of the Pro-Park Geun-hye Alliance
Party are included, the GNP’s number of seats in the National Assembly after the election
was 167. This new party was established by those who failed to be selected in the nomina-
tion process of the GNP. Since the factional conflict between the Lee and Park factions
remained after the presidential election, the Lee faction had sought to marginalise the Park
faction by not selecting many members of her faction as candidates for the parliamentary
elections.

The voter turnout rate fell to a low of 46.1 percent. According to the Korean scholar Im
Hyug Baeg (2011), the reason was that political parties and candidates did not compete
vigorously to receive the votes of the public by appealing to voters with attractive policies.
The election was criticized as “the election without policy competition.” The GNP failed to
put forward differentiated, attractive or debatable policies on “business-friendly policies”
and so did the opposition parties with regard to “small business-friendly policies” discou-
raging voters from voting. Regionalism remained strong: The government won in the
southeast and the opposition in the southwest. For the second time in a row the government
party won in contrast to the 1988-2000 elections. The number of women elected rose from
39 (13 percent) in 2004 to 41 (13.7 percent). As usual, in terms of candidates the difference
was far larger: Among 1,301, the men comprised 1,086 (83.5 percent) compared to 215
women (16.5 percent).113

6.3 The 2008 candlelight demonstrations

After Lee Myung-bak had been elected, his approval rate after 100 days in office had fallen
in an unprecedented decline from 50 percent to just ten percent. Previously, candlelight
demonstrations had broken out in protest against the U.S. Beef Imports Accord that was
reached by the Korean and American governments to allow the import of American beef
on April 18. As this was one day before President Lee would meet President George Bush,
many Koreans were of the opinion that he needed something to give to him. At the time of
the demonstrations, the president’s approval rate was around 20 percent. Since there were
popular concerns that beef imports could affect the health of the Korean people through
mad cow disease, citizens demanded renegotiation of the accord. The Roh Moo-hyun ad-
administration had banned imports one year and four months earlier because of the possibility of mad cow disease. All of the beef from cattle older than 30 months should be banned since the older cattle are more susceptible to mad cow disease.

In contrast, the government led by a president who placed the greatest emphasis on economic efficiency repeatedly claimed that it was safe to eat American beef and that the deal was crucial for ratification of the Free Trade Agreement as soon as possible. President Lee’s nickname was “The Bulldozer” implying that he pushed through decisions despite opposition. On April 29, the Munhwa [Culture] Broadcasting Corporation showed the program “American beef: Is It Really Safe From Mad Cow Disease?” that turned out to present false information on essential contents, but the court freed all the accused. Similar to other programs, it showed that American beef was not safe and that the government did not handle the issue properly. The difference was that the program showed a heavily injured cow that was brought to the butchery and an interview with the mother of an American who was suspected to have died from mad cow disease. Afterwards, President Lee even made the insensitive statement that “Koreans can now enjoy high-quality beef at a low price.” After 100 days in office, 54.4 percent of respondents in a survey pointed out the American beef import deal as the president’s biggest policy failure.114

The program also said that “if Koreans eat beef infected by mad cow disease, the probability of falling ill was about 94%.” However, the cow was mistreated at the butchery, the death was not due to mad cow disease and the probability of getting infected was false. At this time, the Lee administration essentially covered up all mistakes that had been made. Producers were declared not guilty by a court in December 2010. The reason was that even if parts of contents were false, it was hard to say that there was a deliberate attempt by presenting false facts to hurt the honor of the victims.

Following the April 18 agreement, online protests against the American beef trade policy began. Already by April 27 there were more 90,000 hits on President Lee’s web page and uncomfortable and nasty messages were also left. Strong protests started out of online discussions among teenagers, and hundreds of thousands of citizens were engaged in more than 2,000 rallies held from May 2-August 15. Eventually, millions of people had been engaged in this voluntary movement. By August, there were 1,707 candlelight demonstrations all over the country. While the candlelight protestors often cited the Constitution in their speeches, in particular Article 1:1 stating “The Republic of Korea is a democratic republic” and Article 21:1 prescribing “All citizens enjoy the freedom of speech and the press, and of assembly and association,” political realities differed from the Constitution and President Lee’s pledge in his inauguration address to create a society working for democratization.

Prime movers were previously politically inactive teenagers, especially middle school students, and women in their 30s and 40s who chose communication as their primary method instead of confrontation. From the early stages the principle of non-violence was followed by the crowds. The demonstrations were mobilized and organized through the Internet. Parents’ obsession with education and excessive educational competition had made teenagers de-politicized, whereas women had been discouraged from political activities by the traditional Confucian culture and male-dominated politics, but now health concerns and

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online networks drew them into the campaign. In addition, students, unions, religious groups, office workers and many others participated in the protests that, however, had neither a leader nor a leading group. The demonstrators were mostly middle-class and 80 percent were college educated and Internet users. Citizens demanded food safety, asked for the government to listen to public opinion and urged more freedom of speech and assembly. Participants emphasized quality-of-life issues such as the concern for public health and environmental protection rather than economic growth and development. Individualistic values such as individual freedom and self-expression were stressed more than the collective values of social order and unity.

The first candlelight vigil was held on May 2 led by the online discussion group Anti-Lee Myung-bak Café. On May 6, The People’s Action for Countermeasures against Mad Cow Disease was launched by progressive political parties such as the Democratic Labor Party and the New Progressive Party, mainstream non-governmental organizations including the People’s Solidarity for Participatory Democracy and various online groups. Civic organizations were merely participants in the campaign. On May 22, President Lee took full responsibility for the public outcry over the resumption of U.S. beef imports in a televised press conference bowing three times as he read his address saying: “I very much regret this.” He then said: “I admit that the government has been lacking in efforts to sound out public opinion and try to seek people’s understanding. I also humbly accept the criticism that I have been negligent in carefully reading the public mind.” Also, “The health of our citizens cannot be traded for anything,” and he assured that the beef that the U.S. exports is the same as the meat Americans eat at their dinner tables. Finally, “It is all my fault.”

However, since President Lee on May 30 completely changed his attitude by ordering his aides to investigate “who bought the candles used in the rallies” and “who financed and maneuvered the protests,” the government’s clampdown on the food safety campaign changed into an anti-government movement. The peaceful candlelight protests resembling festivals turned into furious street demonstrations with an estimated 10,000-40,000 protestors in downtown Seoul paralyzing the area. The protests grew into a collaboration of 1,700 civic organizations, students associations and groups of Internet users. Due to the escalating protests, the Lee government started to hold talks with the United States on the beef issue.

After the protests had become more violent, they were met with riot police and a sudden government crackdown on May 31 and June 1 when the police arrested protestors and used excessive force to break up demonstrations, but candlelight vigils continued. In contrast, on December 31, 2007, before his inauguration in office, President Lee had claimed “The year 2008 would be the first year for the advancement of the Republic of Korea” and declared “Let us begin the efforts for advancement by maintaining law and order.” Some protestors in Seoul who shouted, “We want to communicate with the President,” clashed with police who tried to block them in reaching the presidential office. In spite of the government’s clampdown, the protests escalated. Also, the inability of political parties to deal with the issue contributed to the escalation. On June 19, President Lee made an apology reprimanding himself for not having made the lives of citizens secure, but afterwards demonstrations only became more violent. At the same time, the anti-government campaign by the Democratic Party and the Democratic Labor Party in the National Assembly also became more violent. The parties crushed the entrance to the meeting room of the

National Assembly with hammers and iron pipes and often fought by fists and feet making it paralyzed.\textsuperscript{116}

In a battle on June 28, more than 100 protesters were wounded by water cannons and fire extinguishers after they had tried to drag away police buses. Amnesty International pointed out "the excessive use of force" through beatings as well as misuses of batons, shields, water cannons and fire extinguishers for crowd control. The ruling Grand National Party (GNP) did not oppose the president's economic policies but justified the government's position and even claimed that the candlelight vigils were anti-American demonstrations instigated by professional protestors. The United Democratic Party called for a renegotiation of the beef deal in accordance with popular opinion. Assemblymen of the Democratic Labor Party and the New Progressive Party joined the protests.

According to the Korean scholars Yong Cheol Kim and June Woo Kim (2009), the candlelight vigils clearly showed that democracy in Korea was not yet fully operational and desperately needed vertical accountability. Long before the U.S. beef import accord was signed, the Ministry of Agriculture and Forestry had pushed the deal without consulting with livestock raising groups and food specialists. Neither was public opinion consulted. When signing of the accord caused mounting protests, the government disregarded public concerns and even repressed the food safety-motivated protests.

Also, horizontal accountability was deficient since the government was relatively unconstrained by other democratic institutions, in particular political parties and the National Assembly. The GNP supported President Lee unilaterally while the opposition that was preoccupied with partisan interests or political ideology concentrated their energy on criticizing the Lee administration. Consequently, the legislature was incapable of mediating the conflict between the government and the people.\textsuperscript{117} Democracy did not work properly.

6.4 Democratic setbacks in 2008, 2009 and 2011

A low moment in Korea's path towards a mature democracy took place on December 26, 2008 when the National Assembly where the GNP had a solid majority was transformed into a battleground. Previously, on December 18 the chairman of the Foreign Affairs Committee from the GNP had unilaterally tried to introduce a ratifying proposal on the free trade agreement with the United States to the committee. Since the opposition Democratic Party (DP) had threatened to block it, the committee chairman invoked the right to use security guards to keep opposition lawmakers from the committee room. Opposition lawmakers and staff workers got incensed and used hammers, electric saws and water cannons from the hydrant to break and tear open the room's wooden doors. Inside the room, the ruling party's lawmakers set up a barricade of furniture. Security guards inside sprayed fire extinguishers at people who tried to get into the room.

After this incident, lawmakers from the DP slipped into the main chamber of the National Assembly on Christmas Eve and began a sit-in two days later tying themselves together with mountain climbing ropes in a human chain. The purpose was to deny access to the chamber and the Speaker's office to the ruling party to push through the ratification proposal and other contending bills requested by President Lee. The sit-in continued until it was called off on January 6. All sides then said that the National Assembly would return to normal. The opposition objected to many of the 95 bills that the government said it urgently wanted to pass in order to help the economy and improve competitiveness. Bills opposed


\textsuperscript{117} Kihl, ibid., 2009, p. 251; Kim and Kim, ibid., pp. 61, 74-5, 76. Original quotation marks.
included the law that would allow industrial companies to own banks and another to open up mass media to new investment. The reason was that both laws would concentrate unaccountable power in the industrial conglomerates chaebol. As another deficiency, during the years 2008-2011, the state budget was adopted unilaterally by the government party. Since unilateral votings had also taken place in 1988, 1990, 1996, 1999 and 2004, Korea had not achieved what Im labels “positive democratic consolidation” (cf. p. 6-7).

As we have seen, a joint tactic among the administrations in power since 1987 has been to reveal the corruption pervading the previous administration hoping this would weaken and delegitimize the opposition. Soon after President Roh had left office in 2008, a bribery scandal involving some of his family members was uncovered. In July 2008, a tax investigation was launched against the shoemaker Tae Kwang Company. Since the prosecutor’s investigation was expanded to include irregularities regarding disposals made by Sejong Securities, the former president’s elder brother Roh Gun-pyeong and his close aides Lee Kwang-jae, Lee Gang-cheol and Chung Sang-moon were arrested for taking bribes. The arrest of the elder brother was the beginning of the former president’s difficulties. The media requested an apology, but the brother denied the suspicions and President Roh (2010) claimed that he did not know the actual situation.

The media revealed that his son and daughter were similarly involved in taking bribes from the former president’s long-time political supporter and former chairman of Tae Kwang Company Park Yeon-cha. Park and Roh Gun-pyeong were both arrested on bribery charges in December 2008. Park was also arrested for tax evasion. Previously, the accused had come more often to President Roh’s native town Pongha to seek help in responding to the allegations regarding the incident, but now Roh stopped receiving visitors and going out. The family members and the former president were investigated by the Supreme Prosecutor’s Office. The investigation was a shock to many Koreans since the whole premise of the Roh presidency was transparency and clean politics, which for many compensated for his unrefined behavior. His political life came to an end while the moral issue caused a dramatic drop in the image of the left in Korea which looked no different from the conservatives. According to President Roh (2010), President Lee’s Blue House and prosecutors as well as the conservative press including Chosun Ilbo, JoongAng Ilbo and Dong-A Ilbo ridiculed that his failure was the failure of the progressive forces.

On April 11, 2009, President Roh Moo-hyun’s wife, Kwon Yang-sook, was secretly summoned and admitted to having received $1 million from Park through Roh’s former secretary Chung Sang-moon in June 2007. She said she had borrowed the money to repay personal debts without her husband’s knowledge. On April 30, 2009, President Roh and Park were both summoned and confirmed that the prosecutor had no evidence for the accusations. He became the third president after Chun Doo Hwan and Roh Tae Woo to be summoned by prosecutors. Accusations were, in the case of Roh Gun-pyeong $5 million, for Roh’s wife to having received and spent $260,000 and $1 million respectively and, finally, for Secretary Chung Sang-moon to have usurped $1,085 million. The brother’s money was intended for investments and he aimed to dissolve himself from the incident. President Roh told how his wife had used the money, but he did not know about Chung Sang-moon. The


press reported about a ‘brand-make watch’ that Park had given the president for his 60th birthday, but Roh asserted that he had never heard of or seen it. On May 14, a Seoul court convicted Roh Gun-pyeong of bribery and gave him a four year jail sentence and a fine amounting to $449,810.

On May 23, shortly before the former president would be summoned by prosecutors, he committed suicide by jumping from the 45 meter high Owl’s Rock in Pongha at 6:45 A.M. while his bodyguard looked the other way. President Roh was declared dead at 9:30 A.M. For about three days he had not eaten properly, had begun to smoke again and had not received phone calls from supporters. He left a 14 sentence note saved on his computer at 5:44 A.M., just before he left home (see Appendix IV).

On May 23, the Ministry of Justice said that prosecutors would cease the investigation of the former president’s alleged corruption. In an opinion survey conducted shortly after the president’s death 34.9 percent of the respondents replied that the Blue House and the present government’s responsibility was high, 52.6 percent that an official apology by President Lee was needed and 63.7 percent that democracy had severely retrogressed since the present government took power. Another opinion survey showed that 56 percent of the respondents expressed the opinion that President Lee should make an apology and that 59.3 percent thought that the former president’s death was political retaliation. President Roh’s Chief Secretary Moon Jae In (2009) regards the death as political murder. He also records that after Roh’s death, when he made the inheritance declaration, the former president’s debts exceeded his assets by around $347,200.120 The figure casts some doubts over whether Roh actually received any bribes.

A third democratic setback came on November 22, 2011 when the National Assembly ratified the 2007 Korea-United States Free Trade Agreement with the figures 151 votes for, seven against and 12 abstentions in a voting process in which only the Grand National Party (GNP) participated. Additionally, 14 related bills needed to implement the agreement were passed. Republican Kim Sun-dong of the Democratic Labor Party had as the first lawmaker ever detonated a tear gas grenade to block the approval of the free trade agreement five minutes after the Vice Speaker Chung Ui-hwa of the GNP had bypassed the panel session to set up a full house vote. Previously, the GNP had failed to find common ground with the rival Democratic Party. Subsequently, GNP lawmakers occupied the main chamber to vote on ratification. The following day The Korea Times wrote that “…the GNP’s railroading of the free trade bill was a glaring abuse of the parliamentary majority and a shameful violation of democratic spirit, if not procedures.” The opposition parties were indignant with the ruling party’s act of parliamentary violence which was one of the five occasions of unilateral voting during President Lee’s term in office.121

In spite of these democratic setbacks, procedural democracy remained firm. In the local elections held on June 2, 2010, the GNP suffered a major loss due to discontent regarding its unpopular regional policy focusing on the restoration of four rivers and rising inter-Korean tensions following North Korea’s alleged sinking of the South Korean navy corvette Cheonan on March 26. The Democratic Party (DP) won seven governor’s and mayor’s seats (three in 2006), the GNP six (12 in 2006), independents two (one in 2006)

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121 The Korea Herald, “DLP lawmaker fills chamber with tear gas in protest against FTA,” November 22, 2011 (http://www.koreaherald.com/national/Detail.jsp?newsMId=201111220009439); “Parliament passes Korea-U.S. FTA,” November 22, 2011 (http://www.koreaherald.com/national/Detail.jsp?newsMId=201111220009491); The Korea Times “[ed] Trade deal’s finale: It’s time to calm down and pick up the pieces.” November 23, 2011 (http://www.koreatimes.co.kr/www/news/include/print.asp?newsId=99393). The Korea Times does not say which were the other cases of a unilateral vote, but the author is only aware of those on the state budget, as referred to on p. 101.
and the Liberal Forward Party (LFP) one seat. Regionalism remained strong: The GNP won four of five seats in the Yôngnam region and the DP all three seats in Honam. In the city councils the DP gained 92 seats compared to 82 for the GNP, 13 for the LFP and three for the Democratic Labor Party for members in the Local Assembly. The voter turnout rate rose from 51.4 percent in 2006 to 54.4 percent, which was the highest figure since the 1995 figure of 68.4 percent.

In the parliamentary elections held on April 11, 2012, the renamed government party Saenuri [New World] won by receiving 152 of 300 seats in the National Assembly. Prior to the elections the GNP had changed its name to Saenuri to improve its image. Notably, for the third time in a row the government party won a parliamentary election in sharp contrast to the pattern from 1988-2000. The United Democratic Party (UDP) received 127 seats, the United Progressive Party (UPP) 13 and the Liberal Forward Party five, whereas independents gained three seats. In figures, Saenuri received 42.8 percent, the UDP 36.4 percent, the UPP 10.3 percent and the LFP 3.2 percent. Although Saenuri received support nationwide, regionalism remained since support was strongest in the Yôngnam region, whereas the UDP overwhelmingly won in Honam but also in Seoul and the Kyônggi province.

One reason for the unexpected outcome was dissatisfaction with the opposition parties rather than satisfaction with the ruling party. Also, the popularity of Park Geun-hye, Head of the Saenuri’s Election Committee, distrust towards the UDP representative (and former Prime Minister) Han Myông-suk and the UDP, and the UPP participating with single candidates contributed to the outcome. The number of women elected was 47, that is, 15.7 percent of all seats, which was the highest figure ever. However, the fact that Korea, according to the Inter-Parliamentary Union, placed 105th in a global ranking of the proportion of women in parliament confirmed the miserable status of women in politics. The voters’ turnout rate was 54.3 percent compared to 46.1 percent in 2008.122 It was the second rise since 1987.

6.5 Gloomy evaluations of Korean politics

In 2009, Lee Hong-koo, advisor at the daily JoongAng Ilbo and former prime minister, made a dismal assessment of democracy in Korea that faced a grave crisis. People were angered and felt betrayed by the recent violence at the National Assembly that symbolized a breakdown in parliamentary procedure. The breakdown was not caused by differences in their positions but by the lack of democratic procedures for resolving and compromising such differences. Unless Korean politics changed, it would be impossible to leap forward to become an advanced democracy. He points out that “…the second phase of democratization should be built on rule of law and democratic procedures upholding the Constitution.”

In addition, “Korean politics has failed to operate with democratic procedures during the past 20 years because of the deep-rooted backwardness of political parties, progressive and conservative alike.” Another weakness was that the ruling party lacked a strategy to develop Korea into a prosperous civic society and had failed to become a popular broad-

based political party. In contrast, “The Grand National Party’s outdated internal factional politics, such as the division of the groups loyal to President Lee Myung-bak and his rival Park Geun-hye, sickens many.” The way politics was pursued like a football game without rules and referees should end and be replaced by politics governed by the Constitution and rule of law, not by politicians. The need for change is obvious.

Also, Choi Jang Jip (2009) considered Korean democracy to be in a state of crisis. Democracy could not fulfill its original function of serving as a medium for the general public to express their diverse tensions and interests as well as to present alternatives broaden public participation in politics and contribute to achieve political stability. Politics was still characterized by Cold War anti-communism and the monopolization of political power by conservative forces who had circulated power among each other through specialization and reorganization. Consequently, the privileged vested structure and class structure had been deepened, and the foundations of social community further weakened. With comfortable conservatism in politics, it was difficult to expect any development.

There were many basic problems in the society to resolve, but the political parties and their representatives did not show responsibility in taking care of them. Indeed, the root of many problems was the underdevelopment of political parties that remained locked in an old ideological framework. Since they hardly showed any ideological differences, regionalism had become a contested issue. Unless the monopolistic conservative party system is dissolved, it is difficult to expect any change of regional-based political parties. Compatriot scholar Hwang Ah-Ran (2006) writes that given the short history of the party system and the lack of clear ideological or issue differences between the political parties, it seems only natural that voters would be inclined to vote for regional candidates. In an otherwise remarkably homogeneous society, regional identity may provide necessary safeguards against the strong centralized government.

The Korean scholar An Ch’ôl-hyôn (2009) points out regionalism as the major impediment for the development of Korean society. Regionalism had lowered the level of politics to pre-modern social relations. It was more important than voting based on urban areas and the countryside, education or income level, age, sex and work, etc. Ideologies based on differentiation, support area and different values were not so important. All politicians involved in elections had to maximize their efforts to benefit from regionalism that was more important than policies and ideology. Regionalism also made politicians avoid challenging or protesting the local political leader. It was strongly connected to the privatization of political parties for the purposes of the party leaders who selected officials. The privatization of parties was one of the main reasons for the primitive state of political parties. Regionalism also deepened social divisions. Blood ties, school ties and regional ties, as referred to on p. 71, were the most important basis of human relations and for mobilizing voters.

As we saw on p. 5, the freedom of expression and free access to alternative sources of information are included in Robert Dahl’s criteria of democracy. Consequently, the fact that one of the main characteristics of Korean politics after democratization is the much more pronounced role of the press should be promising. However, as recorded by Choi (2009), in contrast to advanced democracies, a few large newspaper companies monopolize public opinion with very homogeneous political and ideological aims hampering the development of democracy. Their dominance has even risen following democratization. The members of the media serve as defenders and spokesmen of the old order and the hegemony of Cold War anti-Communism. They contribute to limit the space in the discussion of basic problems concerning society and are the main reason for his expression “conservative democratization.”

The fact that demands for a changing power structure as described in the 1987 constitution and the basic rules of competition were strong and rising reflected that democracy had not yet been consolidated. One of the demands was to change the present single member constituencies to overcome regionalism. However, to overcome regionalism, the conservative party system also has to change. The failed impeachment of the president in 2004 shows the importance of relations between democracy and constitutionalism. In 2009, the democratization of Korean society still remained a task. From a socio-economic point of view, democracy had even retrogressed and was continuing to do so. In this way, political, procedural and economic democracy differed. The development of democracy must begin with the dissolution of the existing two party system with conservative parties monopolizing power.

The Korean scholar Sonn Hochul (2010) points out that political freedom had been reduced in the areas of freedom of speech, assembly and demonstration and the Internet. In 2008, the Freedom House ranked political rights and civil rights to be on the first and second level, as during the Roh Moo-hyun administration. In contrast, data quoted from Reporters Without Borders show a more mixed picture. Korea was at the end of President Kim Dae Jung’s term in office no. 39 in terms of freedom of speech but fell to no. 49 in 2003 due to tensions between the Roh Moo-hyun administration and the conservative press that caused attacks regarding the enactment of the Press Law. The position improved to no. 31 in 2006 but fell to no. 39 in 2007, partly as a consequence of the closure of the press room. The position then fell in 2008 to no. 47 and in 2009 to no. 69. In terms of Internet freedom, in 2010, Korea was no. 23 from the bottom. In 2011, the Korean scholar Im Hyung Baek wrote that political freedom had been seriously weakened and civil liberties repeatedly violated by the Lee government.125 The contrast to President Lee’s pledge to work for democratization in his inauguration address is sharp.

In the most recent study of the election system that the author is aware of, the Korean scholar Junhan Lee (2011) points out that the five year single term of the president has created a few problems. First, the holding of non-concurrent elections has created political inefficiency and instability. Five presidential elections have been held since 1987, six parliamentary elections since 1988 and six local elections since 1991 with four year intervals since 1998. If presidential and parliamentary elections were held concurrently, the voter turnout rates would reach the same level. If a multiplier effect also arises, there is a possibility that in a concurrent election the voter turnout rate would rise further. If local elections are added, the multiplier effect would be even greater. The only years without any elections were 1990, 1993, 1994, 1999, 2001, 2003, 2005 and 2009, but since by-elections and re-elections have been held, it is hard to find any year without any election at all. Consequently, it has become difficult for the president and the National Assembly to pursue efficient and stable policies since they have had to consider the approaching elections. A recent example is that just four months passed between the 2007 presidential elections and the 2008 parliamentary elections disabiling President Lee to implement his principal [non-exemplified] promises. Since the president has had to prepare for the elections, it has become difficult to work out long-term strategies for implementing promises and policies. As a result of the frequent elections, frictions within and between the political parties have widened, as was the case in 2008 (cf. p. 97). Second, in concurrence with this study, non-concurrent parliamentary elections held in 1988, 1992, 1996 and 2000 created divided governments that led to political instability and frictions.

Third, since the president does not have to care about re-election, responsible politics is weakened. President Lee Myung-bak declared in 2009 that he would not care about the

public opinion with regard to the construction of Sejong City since he could not receive any assessment or judgment in the next election. Fourth, party politics tends to become weakened and unstable since officials of the parties become busy with preparing the next election creating intense internal competition that leads to fissures and frictions within the parties. Fifth, policy consistency and continuity are weakened. The president’s promised long-term tasks for the nation can easily be interrupted or re-assessed when a new president is elected. One example is that in 2003 when President Roh Moo-hyun ended his term in office, his real estate policies and the removal of the administrative capital were challenged or interrupted, and substantial amounts of the state budget were wasted. Sixth, it is necessary for the president to select competent personnel, which was difficult for parties to do. Finally, it is worth adding that Lee Chang-sup, director of The Korea Times (2012) accurately writes: “In reality, Korea has outgrown the single-term presidential system, as the nation has realized its goal of preventing the perpetuation of a one-man rule.”

In 2010, the Korean scholar Kang Sang-ho recorded five reasons for changing from a one term five year mandate of the president to two four-year periods. They were a) that voters need an opportunity to judge the state of affairs, b) that the president may become a lame duck early, c) that evils may come out from the impatience of the president to achieve everything while in office, d) that in the case of a successful presidency the accumulated experiences cannot be used anymore and e) that the inconsistency of the four year term of lawmakers can be solved. Four problems are a) that voters cannot judge the second term in office, b) that the lame duck phenomenon will appear again, c) the possibility that presidents will pursue policies to raise popularity will rise and d) that the monopolization of power by the president is raised elevating the possibilities for authoritarian rule. If the president does not conceal any measures for re-election, extreme confrontation and tension may be the outcome. The author sees no relationship with re-election and the strengthening of authoritarian rule, and there has already been too much confrontation and tension. A revision of the Constitution would, however, create a potential to improve the quality of democracy.

Hyug Baek Im (2011) writes that the country with the inauguration of the Lee government in 2008 “…completed the consolidation of Korean democracy” by having passed the Samuel Huntington test by experiencing two changes of government (cf. p. 95). Im also writes: “Today, very few analysts would question whether Korea has consolidated its democracy” [but does not say on what criteria the assessment was made]. He quotes the Democracy Index of the Economist Intelligence Unit according to which between 2006 and 2008 Korea moved from a ‘flawed democracy’ to a ‘full democracy’ to join a small group of 30 advanced democracies.

Nevertheless, in terms of quality of democracy Korea had in some areas, particularly press freedom, retrogressed during the Lee administration. After 1987, the “rule of man” rather than the “rule of law” has prevailed due to Confucian paternalism entrenched in the minds and behavior of the politicians who led democracy, which is an opinion that concurs with this study. Since [non-exemplified] laws were applied in favor of protégés and to the disadvantage of their opponents law making, law implementing and law adjudicating could not be made routine, and the rule of law was not institutionalized. Most Koreans regarded neither the presidential office nor the National Assembly to be fully law abiding institutions. Electoral and inter-institutional accountability need to be raised.

Reasons for the low level of accountability are a) that strong anti-communism has been an ideological entry barrier for representatives, b) that since political parties have become tools for party bosses elected representatives listen to their bosses instead of their constituents and c) that political forces have built a “cartel of elites” through “competitive collusion.” Since political parties are weak, it is hard to secure accountability. During the Lee administration, the intervention by the pro-government Supreme Court Justice Shin Young Chul in a lower court trial showed that the independence of the judiciary was not observed. The Law Prohibiting the Wearing of Masks in Public Demonstrations, the Act Concerning Collective Action Against Illegal Demonstrations and blocking demonstrations in such public places as Seoul City Hall, Chunggyechun and Kwanghwamoon Plazas have made it more difficult for Korean civil society to check, constrain and monitor the activities of the government and the Grand National Party (GNP).128

Im points out the falling voter turnout rate since 1987 as a crisis of participation. The politicians have the main responsibility for the low turnout rates (cf. p. 95). To raise the quality of democracy, the crisis of participation must be confronted. Limitations on Internet freedom since the 2008 candlelight demonstrations must be eased since it is essential for political participation. New candidate selection systems such as open primaries have raised the degree of competition in politics since the three Kims era ended. An exception is the 2008 National Assembly election when the primary system had disappeared. Voters were excluded from selecting candidates, and the rarity of debates among candidates showed that the quality of democracy was low.

In the case of political rights, the Freedom House upgraded Korea’s score to the highest possible level 1 on December 24, 2004. The main reason was that political rights were strengthened through free and fair elections that were held after the highly politicized impeachment of President Roh Moo-hyun (cf. pp. 81-4). However, in the case of civil liberties, the Freedom House kept the score on level 2 because the National Security Law remained in force to “authorize the arrest of South Koreans accused of espionage and/or viewed as supporting North Korea.” Because the wording of the law allows different interpretations, the law had constrained civil liberties, such as freedom of the press, assembly, expression and association as well as restricted human rights. Although the figures indicate that Korea was a fully free country, there was a need to raise political freedom.

The Freedom House stated that the National Security Law was the main barrier for Korea becoming an advanced liberal democracy. Nonetheless, the Lee administration had attempted to constrain rather than increase political freedom by improperly laying off reporters at the news agency Yonhap Television Network, firing the news anchor at the Munhwa Broadcasting Corporation and allowing pro-government news broadcasting at the Korean Broadcasting System. Online freedom of the press had been intimidated legally and institutionally.

Equality is the material base that makes Korean democracy endurable, but since inequality as measured by the Gini coefficient has worsened since the 1997 financial crisis, polarization between high-income and low-income groups has worsened, and employment insecurity has risen. The polarized economy has created a polarized democracy and a situation where “democracy of the rich” confronts “democracy of the poor.” Koreans’ confidence in democracy as the best political system has fallen. In 2003, 51 percent assessed the government as a low-quality democracy. In 2004, 79.5 percent of Koreans regarded democracy as “limited” but only 2.3 percent as ‘advanced.’ In 2007, a survey showed that only 21.2 percent of citizens thought that the government was responsive to what people wanted.129

128 Im, op. cit., 2011, pp. 579, 580-581, 583, 584-5, 586. Original quotation marks except for the first two.
In early 2012, Lee Hong-koo again made a dismal assessment of democracy in Korea. Although complaints about represssion of free speech are almost non-existent compared to a few decades ago, Korean society is polarized, and there was no optimism regarding a democratic solution to the serious consequences of polarization. In line with the author’s opinion that no concept has such a positive connotation as democracy, the global community considers Korea’s democratic evolution to be relatively successful since it has experienced two peaceful power transitions from the government to the opposition since democratization in 1987. However, there are widespread public concerns about tumultuous events that persistently disrupt the political arena. Since 1987, all four presidents had to quit the ruling party, either voluntarily or were forced to do so, towards the end of his term in what he calls “…a lamentable phenomenon.” Since Korean politics has experienced “… serious systemic defects because of constitutional shortcomings,” there has been a cycle of feverish election campaigns or struggles for power. Korean politics had since 1987 shown “… disorderly performances and even chaotic phases at times.” Instead of just blaming the incompetence of government and politicians, everyone “…should recognize that the chronic misbehavior in the political arena has resulted from our habitual disrespect of the Constitution and democratic institutions and that the time has come to correct the wrongs.”

Weaknesses of the political system previously noted remained in mid-2012. The change of name of the ruling party from the Grand National Party to the Saenuri Party after 15 years reflects that the fluidity of political parties remains (cf. pp. 103-104). The fact that the decision to change the name was made by a few leaders without asking the opinion of party members means that Korean parties are not based on the masses hampering the institutionalization of party politics. As was the case with President Roh Tae Woo’s Democratic Liberal Party, Kim Young Sam’s New Korea Party, Kim Dae Jung’s National Congress for New Politics and Roh Moo-hyun’s Uri Party, the party that has produced the president was abolished about the time of his departure. Unlike political parties in the West, Korean parties are still tools to pursue the interests of those who hold power or aim to grasp power and do not properly represent any social forces and their interests. A real problem is that all parties lack policies to resolve the key problems of Korean society, such as social polarization, a lack of jobs, a sense of unfairness, unease, distrust and [non-defined] tiredness of life.130

The Korean scholar Sunhyuk Kim (2012) presents in the most recent evaluation of Korean politics the author knows, a somewhat more positive view. Since 1987, developments in procedural democracy include a democratic constitution, free and fair elections, multiple political parties, solid civilian control of the military, non-violent horizontal power transfers between competing political parties and increased checks and balances among state institutions, etc. However, the fact that in October 2011 Park Won Soon, leader of a civil society movement was elected as the mayor of Seoul, and that the software company director and professor Ahn Cheol Soo without any political experience was considered a serious presidential candidate reveal that weak political parties are one major challenge to democracy.

One of the most serious problems is that political parties constantly fail to gain public trust and popularity among citizens, and therefore fail to work properly. Political parties are not considered an effective method of interest representation. Instead, individuals contact civic groups to convey their grievances. Since political parties are distrusted, they remain underinstitutionalized, frequently undergo disintegration and integration, change

their names and reshuffle their leadership. Consequently, Korea has a “contentious” democracy. Most important public matters are debated and decided through direct contention and confrontation between civil society and the state without mediation through political parties. Popular protests and street demonstrations remain a preferred form of political expression posing a serious challenge to democracy. Civil society is very active, but political parties are underinstitutionalized and inefficient.

These problems notwithstanding, in the December 19, 2012 presidential elections the ruling Saenuri candidate Park Geun-hye won as the first female president with 51.6 percent of votes compared to 48 percent to Moon Jae In of the United Democratic Party. Moon won in Seoul and overwhelmingly in the southwest, but Park won in all other areas. The voter turnout rate rose from 63 to 75.8 percent. The first rise since 1987 was due to the tight race and rising voting among people in their 20s and 30s. The alleviation of regionalism and a rising voter turnout rate are good signs, but only time will tell how Korean democracy develops.

6.6 Conclusions

Lee Myung-bak won the December 18, 2007 presidential elections. As the second change of president from the government to the opposition, the “two turnover test” was accomplished fulfilling one criterion for democratic consolidation. In a deviation from established regionalism, he received nationwide support and only lost in the Chôlla region. The election outcome was more a defeat for the government than a victory for the opposition. The voter turnout rate fell for the fourth time in a row to 63 percent compared to 70.8 percent in 2007. Evaluations of Korean politics made around the time of the elections were rather gloomy. Democratic consolidation remained a task to be accomplished.

President Lee spoke about democratization in his February 25, 2008 inauguration address. Before assuming power he had asserted regional balance in appointments but was soon criticized for favoring his own people. In spite of the president’s low approval rate, the ruling party won the April 9, 2008 parliamentary election in which regionalism reappeared. The voter turnout rate recorded a low of 46.1 percent in comparison to 60.6 percent in 2004 which was an exceptional election due to the impeachment case.

President Lee did not live up to his words on democratization. Also, to him it turned out to be more difficult to be president than a presidential candidate. His government suppressed the large scale candlelight demonstrations that erupted in protest against the April 18, 2008 decision to resume imports of American beef. The demonstrations drew participants from many groups of society but in particular middle school students and women in their 30s-40s. There was no leader of the demonstrations that were mobilized and organized through the Internet. President Lee first took a conciliatory approach but soon changed into a confrontational approach leading to an escalation of tensions, and violent measures were undertaken. The candlelight demonstrations showed that democracy in Korea was not yet fully operational and needed vertical accountability. Additionally, horizontal accountability was deficient since political parties and the National Assembly in particular did not constrain the government to any significant degree.

Three setbacks to democratization were the opposition’s blockade of voting on contentious issues in the National Assembly in December 2008-January 2009, investigations of corruption during the Roh administration that ended with the former president’s suicide in 2009 and the ratification of the Korea-United States Free Trade Agreement through unilateral voting in the National Assembly in 2011. In addition to previous unilateral votes in 1988, 1990, 1996, 1999 and 2004, this vote and unilateral votes on the state budget from 2008-2011 show that democracy was not institutionalized. However, procedural democracy was firmly consolidated. In the June 2, 2010 local elections, the ruling party suffered a loss, but it won the April 11, 2012 parliamentary elections. In the local elections the voter turnout rate had risen from 51.4 percent in 2006 to 54.4 percent. In the parliamentary election, the voter turnout rate was 54.3 percent compared to 46.1 percent in 2008. Regionalism was apparent again.

Evaluations of the state of Korean politics made from 2009 onwards were gloomy. Democratic procedures to solve policy differences were lacking, and political parties were weak. Since there was little difference between the parties, regionalism was a contested issue that exerted a negative influence on politics. The falling voter turnout rate since 1987 reflects a crisis of participation. Under the Lee administration, political freedom was reduced in the areas of freedom of speech, assembly and demonstration, and the Internet. Since 1987, the five year one mandate term for the president has created such side effects as political inefficiency and instability as well as divided governments, but a revision of the Constitution would be no guarantee for resolving them. In the December 19, 2012 presidential elections, Park Geun-hye won as the first female candidate. Positive signs were the allevia-
tion of regionalism and the voter turnout rate rising from 63 percent in 2007 to 75.8 percent.
7. Conclusions

7.1 Definitions of democratic consolidation versus reality

Whether Korea has accomplished democratic consolidation or not is not a question that can be answered with either yes-or-no but with both depending on what criteria assessment is made. The definitions of democratic consolidation in terms of the “two turnover test” match well with post-1987 developments and to a large extent also in the case of procedural democracy. The “two turnover test” was accomplished with Lee Myung-bak’s victory in the 2007 presidential election, ten years after Kim Dae Jung had become the first oppositional candidate to win.

Although democracy is not only a question of electoral competition; the fact that all shifts of power since 1987 have taken place peacefully in a country that only had one peaceful transfer of power from 1948-1987 is of the utmost importance to enhance democracy. The first election of a civilian president in 1993 since 1962 was a watershed in democratization. Among Robert Dahl’s key institutional requirements of democracy being the election of government officials, free and fair elections, inclusive suffrage, the right to stand for election, the freedom of expression, free access to alternative sources of information and associational freedom, in this study question marks have been identified for freedom of expression. In the case of free access to alternative sources of information, the dominance of a few large newspaper companies that have monopolized public opinion with very homogeneous political and ideological aims raises some doubts over whether this criteria has been fulfilled or not. However, if one assumes that political actors have sought information also through other channels, such a situation should not have been a problem.

Since the main limitation of freedom of expression is the contested National Security Law that has led to imprisonments and inter-Korean relations being tense, it is hard to expect a revision of the law and to even imagine an abolishment as demanded by Amnesty International. The freedom of expression was long enhanced but was suppressed by President Lee Myung-bak: democracy retrogressed. Given Aurel Croissant’s argument that the rule of law and democracy complement each other and merge to form the synthesis of the democratic, liberal and constitutional state rule of man in Korea has undermined democracy, but as a characteristic of Confucian culture it is difficult to change.

If applying Adam Przeworski’s definition of democratic consolidation as a state when “…a particular system of institutions becomes the only game in town, when no one can imagine acting outside of the democratic institutions, when all the losers want to do is to try again within the same institutions under which they have just lost” on post-1987 developments, whether Korea has accomplished democratic consolidation or not becomes more difficult to assess. Given the high fluidity of political parties as a consequence of attachment of political loyalties to individuals, factionalism and the weak organization, it is hard to assess what “…a particular system of institutions” actually means, but thanks to the accomplishment of civilian control over the military in 1993 when President Kim Young Sam pursued purges within the military, democratic institutions have become “…the only game in town.” The prosecution of former presidents in 1995-96 was the end of the authoritarian era and the beginning of a new one in which democracy was the only alternative.

However, to define “democratic institutions” is not easy considering Hyug Baek Im’s argument that “…one cannot consolidate democracy by simply institutionalizing electoral competition; one needs, more broadly, to stabilize, institutionalize, routinize, internalize, habituate, and legitimize democratic procedures and norms in political, social, economic, cultural, and legal arenas at both the elite and mass levels.” This study has recorded numerous examples during each president of the difficulties “…to stabilize, institutionalize,
routinize, internalize, habituate, and legitimize democratic procedures” due to such factors as high power concentration to the president in a strictly hierarchical Confucian society idealizing the leader, weak political parties, remaining authoritarian legacies, inter-Korean tensions, the time aspect in introducing democracy and, not least, that the presidents themselves to a large extent have shaped the political system. The only exception in this regard is President Roh Tae Woo since his position was greatly weakened by the ruling party’s loss in the 1988 parliamentary elections and after the 1990 three party merger that strengthened Kim Young Sam’s position within the Democratic Liberal Party at the expense of Roh. President Roh also turned out to be a weak leader. With regard to elections, the only dubiousness identified is the opinion that Kim Young Sam was elected as president in 1992 by having illegally spent huge amounts of money, but this opinion cannot be verified and is a far too simplistic explanation of his victory.

Returning to “…a particular system of institutions,” the study has repeatedly emphasized the weakness of political parties as a major deficiency. The definition by Rod Hague and Martin Harrop stating, “Political parties are permanent organizations which contest elections, usually because they seek to occupy the decisive positions of authority within the state. Unlike interest groups, which seek merely to influence the government, serious parties aim to secure the levers of power,” applies to Korea but with the exception of “permanent organizations” since the remaking of political parties has taken place during each president. Personalization rather than the institutionalization of politics has contributed to create political quarrels. Political parties were far from democratic or policy-oriented but the political tools of their leaders. Neither did they represent certain social classes or ideologies.

Since often the same individuals who led the old parties formed the new ones, the remaking of parties did not change the way politics was conducted. However, it hindered democratic consolidation considering John Peeley’s argument that, along with an active civil society and stable governing institutions, the institutionalization of a stable political party system is one of the critical elements of democratic consolidation. With high fluidity of political parties, the institutionalization of a stable political party system is hard to expect. In other words, the political party system needs to be reformed. In other respects, Peeley’s argument is supported by the major role that civil society played to put former presidents Chun Doo Hwan and Roh Tae Woo on trial from 1995-96 and in the successful campaign against unfit candidates in the 2000 parliamentary elections. Also, the evaluation of the state of Korean politics from late 2012 points out the importance of an active civil society.

Governing institutions such as the Blue House have been stable, but high power concentration to the president, considering the complexity of modern society and the fact that no one possesses all knowledge needed to rule, should be regarded as a problem that needs to be addressed. Such a situation was apparent in the case of President Kim Young Sam’s reform policies that were not systematically pursued. The fact that both Kim Young Sam and Kim Dae Jung who were praised as pro-democracy activists ruled authoritatively, as had been the case during the 30 year period when ex-generals held the presidency, shows that the pervasive Confucian influence on politics as manifested by the personalization of politics made it extremely difficult to diminish power concentration. Although presidents have become lame ducks towards the end of their terms in office due to the five year limit of the presidency, in particular the rule of Kim Young Sam and Kim Dae Jung shows that both presidents initially concentrated power in their own hands but were weakened by corruption scandals that erupted in the end of their terms in office.

Alan Ware’s definition of a political party as “…an institution that (1) seeks influence in a state, often by attempting to occupy positions in government and (2) usually consists of more than a single interest in society and to some degree attempts to “aggregate inte-
**rests** applies to the Korean context both by being (1) factually correct and by (2) hinting at the difficulties in putting “aggregate interests” into one party. One example is the 1990 three party merger that led to intra-party factional strifes over who would become the presidential candidate in 1992 and eventually to the party’s disintegration in 1995. Also, the Kim Dae Jung-Kim Jong-pil alliance formed prior to the 1997 presidential elections failed to work because of policy differences and was eventually dissolved in 2001.

Aurel Croissant’s definition of consolidation regarding the party system on a macro level stating that it “… is achieved when the fragmentation and the degree of volatility between the parties are stable, and when the level of ideological polarization of the party system is low” stands in contrast to the political party system indicating that Korea has a long way to go to accomplish consolidation in this field. On the other hand, the definition concurs with the Korean context in the sense that similar political programmes mean that ideological polarization hardly exists. His definition on a micro level that “consolidation is achieved when stable party structures have developed” in terms of the parties’ age, their degree of internal cohesion and their degree of organizational stability and professionalism is far from political realities identified in this study. Also in this case, given the strong Confucian influence on politics, it is extremely difficult to expect a change of deep-rooted characteristics of Korean society.

Hyug Baeg Im claims that in addition to regularly contested elections, democratic consolidation also has to include “… guarantees of basic civil rights for citizens, accountability and responsiveness from its leaders, civilian control over the military, and Tocquevillian social democratization (that is, the absence of extreme forms of social relations and the protection of citizens by law in social and economic relationships.”) Considering that the Freedom House upgraded Korea from a partly free to a free country in 2004, guarantees of civil rights have been enhanced. Civilian control over the military was achieved during President Kim Young Sam’s rule, but accountability and responsiveness from leaders have been deficient. Korea has a long way to go to overcome these deficiencies.

Larry Diamond and Doh Chull Shin argue that democracy to become consolidated must achieve deep, broad and lasting legitimacy among political elites, politically significant parties and organizations, and the general public. While presidents have shown a normative commitment to democracy as the best form of government, there are many examples showing that they have not shown a behavioral commitment to follow the specific rules and procedures of the democratic system. Political leadership and institution building have been deficient undermining democratic consolidation.

Their argument, along with Yun-han Chu, that consolidation of a democracy requires “broad and deep legitimation, such that all significant political actors, at both the elite and mass levels, believe that the democratic regime is the most right and appropriate for their society, better than any other realistic alternative they can imagine” has been observed in the sense that political actors regard democracy to be the best way to rule. However, the falling voter turnout rate shows that democracy has lacked “broad and deep legitimation …” since successive presidents did not meet voters’ expectations.

Jean Grugel’s opinion on democratic consolidation “… as the routinization and widespread acceptance of his [Przeworski’s] definition of the democratic political system… “ fits with this study, but as noted on p. 112 the terminology needs clarification.

Juan Linz’s opinion that a consolidated democratic government is one “in which none of the major political actors, parties, or organized interests, forces, or institutions consider that there is any alternative to democratic processes to gain power, and that no political institution or a group has claim to veto the action of democratically elected decision makers” matches with the empirical account, although “democratic processes” is not an easily defined expression. However, the significance of his argument is reduced by Hyug Baeg Im
calling his definition “standard criteria for negative consolidation.” In Im’s positive concept of democratic consolidation, the deepening of democratic institutions, settling democratic governance and ensuring quality democracy are central, but the account clearly shows that these tasks remain to be fulfilled. A major weakness has been unilateral votes taking place in the National Assembly under each president in 1988, 1990, 1996, 1999, 2004 and 2008-2011. If this pattern is not ended, democratic consolidation will be further delayed.

With regard to Linz’s argument that “To call a new democracy a consolidated democracy, on the institutional level democratic governance in terms of high degrees of accountability, transparency, the rule of law, participation, representation and stateness should be instituted in constitutional and representational systems and function as public governance of the administration, political parties, elections, the parliament, the judiciary, and civil society,” the account shows that accountability, transparency and the rule of law are deficient. If participation is judged on the basis of the voter turnout rate, democratic consolidation is remote.

Juan Linz and Alfred Stepan advocate this definition of democratic consolidation:

“Behaviorally, no significant political group seriously attempts to overthrow the democratic regime; attitudinally, the overwhelming majority of people believe that any further political change must emerge within the parameters of democratic procedures; and constitutionally, all actors become habituated to the fact that political conflicts will be resolved according to established norms and that violations of these norms are likely to be both ineffective and costly.”

The account shows that Korea has fulfilled the definition but what “established norms” empirically refers to is hard to say since power concentration to the president is high, and democratic procedures were sidelined in the case of unilateral votes in the National Assembly. Consequently, “established norms” to resolve conflicts without confrontation have to be developed, which is no easy task considering the lack of compromise in politics where a zero-sum notion prevails. In the author’s view the reasons why no group has attempted to overthrow the democratic regime are the positive connotation of democracy and the joint wish to avoid the turbulence in 1987 that preceeded the revision of the Constitution.

Linz’s and Stepan’s assertion that “…democracy cannot be thought of as consolidated until a democratic transition has been brought to completion” requiring the holding of free and contested elections that meet the seven key institutional requirements raised by Robert Dahl means in the Korean context that the identified deficiencies have to be overcome which is no easy task throughout the short period of democratization.

Linz and Stepan further argues that a “consolidated democracy” refers to a state in which democracy with its complex system of institutions, rules and patterned incentives and disincentives has become “the only game in town.” Their first two conditions in terms of space for the development of a free and active civil society and a relatively autonomous political society are fulfilled. In contrast, since the rule of law has not been secured, their requirement that “…all major political actors must nationwide be effectively subjected to a rule of law that protects individual and associational freedoms” remains to be accomplished.

Although the 1987 Constitution changed the electoral system, having been achieved through pacts, guarantees or negotiations among elite groups, it showed continuity with the authoritarian past in terms of the state apparatuses, the personnel that filled them and state-society relations reducing its significance. The Constitution promoted the interests of the three main negotiating parties led by Roh Tae Woo, Kim Young Sam and Kim Dae Jung. The government had anticipated a split between the two latter individuals that eventually contributed to the victory of Roh Tae Woo. The vested interests of the old order were pre-
served, and the principle of minimal competition in politics was introduced. Anti-communism and the National Security Law were preserved.

Through the 1987 Constitution, democratization began backwards through the introduction of free elections with universal suffrage before the basic institutions of a modern state, such as the rule of law, an accountable government and civil society, were established. As a consequence, while procedural democracy has been secured democratic consolidation remains a remote target, at least in certain aspects of the term’s contents.

Regionalism, weak political parties, the legacy of authoritarian governments and tense inter-Korean relations were identified as the major obstacles to democratic consolidation. Regionalism, with the partial exception of the 2002 and 2012 presidential elections, has been a major characteristic of every other election and is therefore difficult to overcome, in particular the Honam-Yôngnam antagonism. Regionalism indicates that Koreans were greatly influenced by particularistic personal connections in political life, especially local ties, school ties and blood ties. Regionalism has reinforced personalism and hindered national unity as well as the emergence of issue-oriented politics and nationally oriented political agendas since political leaders had to appeal to every voter within their region.

Since gender equality is an important issue, the miserable position of women in Korean politics needs to be addressed. Since social values are hard to change, the sooner the better. The notion that politics is a man’s realm is highly discriminatory by excluding half of the population from significant political influence at the top level, with the exception of Prime Minister Han Myông-suk. If political participation of women were to be enhanced, there will be more input to improve democracy creating a potential to raise its quality.

Considering the weaknesses of Korean democracy, the significance of the June 29, 1987 declaration should not be overvalued. In brief, although Korea has made great progress towards accomplishing democratic consolidation by fulfilling it in certain respects, it still has a long way to go to complete democratic consolidation by institutionalizing the political process. Considering that democracy is a learning process, the identified deficiencies can be resolved, but it will take time. The deficiencies must be overcome in a way that matches with the Confucian culture in order for it to work. Unless Korean politics changes, it will be impossible to leap forward to become an advanced democracy.

7.2 Democratic consolidation versus inauguration addresses and the Constitution

The fact that all presidents have included democratic reform in their inauguration addresses confirms that they have regarded democracy as an important value implying the acknowledgment of its positive connotation. Although democratic progress has been achieved, it has been difficult to live up to the declarations. Presidents have shown discrepancies in their words and deeds by criticizing regionalism before assuming power and then practicing it themselves undermining public confidence. Presidents have talked about democracy but due to the strong influence of Confucianism hardly practised it in real life politics, as was especially the case with President Kim Young Sam and Kim Dae Jung. Of equal importance is that for every president it has been more difficult to be president than a presidential candidate, not least since divided governments were the outcome of the 1988-2000 parliamentary elections making their difficult job even more difficult. As a consequence of political failures, approval rates of all presidents have fallen. Popular discontent has also led to lower voter turnout rates in each presidential election from 1987-2007 and falling but fluctuating figures in parliamentary elections from 1988-2012 and in local elections from 1991-2010.

President Roh Tae Woo is, in spite of his military background, regarded by some scholars as the most democratic leader, but his position was undermined following the govern-
ment party’s loss in the 1988 parliamentary elections and, in particular, by the 1990 three
party merger that became the first setback in democratization. The election loss caused a
political stalemate in the National Assembly hampering its work. Following the three party
merger, President Roh turned out to be a weak leader unable to resume leadership. The
ruling party lost again in the 1992 parliamentary elections but managed to create a parlia-
mentary majority by winning over independents. The bad pattern of unilateral votes in the
National Assembly began during his rule as it took place in 1988 and 1990.

For President Kim Young Sam, democracy was an unknown concept manifested by his
one man rule. However, his accomplishment of civilian control over the military deserves
praise, although he built upon the foundation created by President Roh Tae Woo. The
1995-96 trials of former presidents Chun Doo Hwan and Roh Tae Woo were important in
putting an end to the authoritarian era and the strong military influence on politics to
enhance democracy. The unilateral vote in the National Assembly on December 26, 1996
on controversial labor and security laws was a democratic setback, but at this time popular
protests helped to revise the amendment of laws. The president had gone too far in his
disrespect of democratic rules rendering his government the label “civilian dictatorship.” In
1996, the ruling party lost again in the parliamentary elections but managed to create a
majority.

President Kim Dae Jung also showed that conducting politics in a personalized way was
more important than adhering to democracy. Not only did he create a parliamentary major-
ity in an undemocratic way, but unilateral voting took place in the National Assembly in
1999. Since President Kim failed to gain a parliamentary majority in the 2000 parlia-
mentary elections, he again had to create a majority. His “media reforms” in 2001 that forced
leading newspaper companies to pay $388 million in fines were regarded as a way to silen-
ce his critics. The fact that his sons were arrested for corruption in 2002 when it also
became known that $500 million had been paid to North Korea to hold the first inter-
Korean summit in June 2000 cast doubts over his legacy.

President Roh Moo-hyun could have been less authoritarian than his two predecessors
based on his own assessments of two of his prime ministers’ work, but the closed process
that led to the signing of the Korea-United States Free Trade Agreement in 2007 tells an-
other story. The 2004 impeachment case that was passed by a unilateral vote in the Natio-
nal Assembly was a major setback to democratization, but since it was rejected by the ge-
neral public and dismissed by the Constitutional Court, it contributed to democratic conso-
lidation. The case also contributed to in 2004 ending the row of parliamentary elections
won by the opposition creating a majority for the ruling party in the National Assembly.

President Lee Myung-bak ran into difficulties already in April 2008 due to the decision
to resume imports of American beef that led to massive candlelight demonstrations for four
months. If he had been consistent in his policies to meet the popular demands for a revision
of the decision, the issue could have been addressed more smoothly. During the 2008-2009
New Year, the opposition’s blockade of the vote in the National Assembly on 95 conten-
tious bills became the first democratic setback during his term in office. In 2008, investiga-
tions of corruption charges against President Roh Moo-hyun, his family, and his associa-
tes began that eventually contributed to Roh committing suicide on May 23, 2009. The
third democratic setback was the unilateral vote in the National Assembly of the ratifica-
tion of the Korea-United States Free Trade Agreement in November 22, 2011 that was pre-
ceeded by strong inter-party tensions and an attempt to stop the vote by throwing tear gas
in the voting chamber. Other cases of unilateral votes were the adoption of the budget in
2008-2011.

In brief, while all presidents spoke about democracy, they hardly practised it but it must
be noted to the credit of Korean democracy that no attempt was made to challenge the de-
The continuity in holding elections shows that one central part of the political process had become regularized. On the other hand, that gloomy evaluations of the state of politics were frequently made indicate an inability to learn from the past.

Although the Constitution’s Article 1:1 stating, “The Republic of Korea is a democratic republic,” Article 8:2 saying, “Political parties must be democratic in their objectives, organization, and activities, and have the necessary organizational arrangements for the people to participate in the formation of the political will” and Article 21:1 prescribing, “All citizens enjoy the freedom of speech and the press, and of assembly and association” are widely formulated, the fact that Article 1:1 and Article 21:1 were referred to during the 2008 candlelight demonstrations is an indication of their great importance for protestors.

“A democratic republic” is not easy to define, but considering that procedural democracy has been largely accomplished and that no attempts have been made to challenge the democratic order, it is clear that all political actors have acted to maintain Article 1:1. Article 21:1 concurs with Robert Dahl’s definition of democracy, but as already noted the freedom of speech is not wholly secured. Possibly, the positive connotation “democracy” has worldwide has contributed in making political actors maintain Articles 1:1 and 21:1 by sub-consciously affecting their behavior.

The study has shown that Article 8:2 has been the most difficult of the three articles to observe due to the gap between the desirable state of affairs that the Constitution prescribes, the political realities affected by Confucian culture and the political leaders strongly shaping the way politics is conducted. Given the weakness of political parties, working to observe the article could contribute in making politics work better.

7.3 The impact of the president’s single five year term on politics

This study has shown that the single five year term limit of the president has hindered the perpetuation of one man long-term rule but has also brought many negative effects. Six problems emanating from the one term limit of the president’s mandate in the 1987 Constitution were identified.

First, the uncoordinated timing of the presidential and parliamentary elections has created inefficiency in terms of divided governments, retarding the development of parliamentary politics based on compromise and dialogue, hampering bipartisan cooperation and undermining the administration’s ability to perform its duties. Since elections have been held frequently, it has become difficult for the president and the National Assembly to pursue efficient and stable policies since they have had to consider the approaching elections.

Second, the holding of non-concurrent parliamentary elections in 1988, 1992, 1996 and 2000 created divided governments that led to political instability and frictions. Third, since the president does not need to care about re-election, responsible politics becomes weakened. Fourth, party politics tends to become weakened and unstable since officials of the parties become busy with preparing the next election creating intense internal competition that leads to fissures and frictions within the parties.

Fifth, policy consistency and continuity is weakened. The five year term limit has made governments emphasize policies that meet voters’ short-term interests instead of addressing long-term collective interests of the nation. The president’s promised long-term tasks can easily be interrupted or re-assessed when a new president is elected. The constitutional restraint has broken the political process into discontinuous, rigidly demarcated periods that left no room for the continuous promotion of long-term policies. The concept of learning from the predecessor’s experience was absent. The time limit put constraints on the governments’ ability to implement the promises that they made to get elected. Presidents’ terms in office have been characterized by a year or so of learning the ropes, a year of ini-
tiatives, and if the government loses the parliamentary elections they become lame ducks. Sixth, it is necessary for the president to select competent personnel, which was difficult for parties to do.

Considering these weaknesses and the opinion that Korea has outgrown the single term presidential system, a revision of the Constitution should be considered by the Park Geun-hye administration. Five reasons for a revision of the Constitution from a one term five-year mandate of the president to two four-year periods were identified. First, voters need an opportunity to judge the state of affairs. Second, the president may become a lame duck early. Third, evils may come out from the impatience of the president to achieve everything while in office. Fourth, in the case of a successful presidency, the accumulated experiences cannot be used any more. Fifth, the inconsistency of the four year term of lawmakers can be solved. On the other hand, four problems associated with a change were identified. First, voters cannot judge the second term in office. Second, the lame duck phenomenon will appear again. Third, the possibility that presidents will pursue policies to raise popularity will rise. Fourth, the monopolization of power by the president is raised elevating the possibilities for authoritarian rule. If the president does not conceal any measures for re-election, extreme confrontation and tension may be the outcome. The author sees no relationship with re-election and authoritarian rule, and there has already been too much confrontation and tension. A revision of the Constitution would, however, create a potential to improve the quality of democracy. There is no reason to object to the six problems of the present system that have been identified. The argument that if presidential and parliamentary elections were held concurrently, the voter turnout rates would reach the same level is likely to be realized.

In the case of the perceived advantages and disadvantages of a revision, the author would like to concretize the third reason for a revision by emphasizing that the single term presidential system raises presidents’ greed for power and ambitions to accomplish as much as possible at the expense of policy consistency. With the exception of President Roh Tae Woo, all others have launched certain policies to raise their popularity or when they faced difficulties that they might not have launched if re-election had been possible.

The motives behind the 1995-96 trials against former presidents Chun Doo Hwan and Roh Tae Woo cannot be seen only in a positive light. It is hard to believe that President Kim Young Sam would have pursued trials against one former president who helped him become president if his government had not suffered from a loss in the local elections that it wished to overcome. In fact, he did not pursue the issue previously but claimed that history would judge the case. If Kim Young Sam had received money from Roh Tae Woo during the presidential election campaign, there is even more reason to question what he did. The significance of the trials should not be overevaluated.

President Kim Dae Jung launched his “media reform” to get rid of critics rather than because he needed to pursue the policy. President Roh Moo-hyun’s enactment of a “Special Law on Truths Concerning Anti-Korean Activities during the Japanese Occupation” and a “Basic Law on the Review of Past History for Truth and Reconciliation“ were widely regarded as measures to damage GNP chairwoman Park Geun-hye. Finally, President Lee Myung-bak’s decision to resume imports of American beef in disregard of popular concerns for mad-cow disease shows that policies have occasionally been dictated by the current political circumstances rather than the formulation of long-term consistent policies.

The lame duck phenomenon is difficult to prevent regardless of the election system. So far the five year single term presidency has had contradictory effects by simultaneously concentrating power to the president and creating a weak presidency due to the single term limit. Every president has received sharp drops in approval ratings towards the end of his term, partly because his supporters paid less loyalty to him than in the early years. Since
1987, presidents could only work effectively during the first three years of their term since they have struggled with personal problems such as intra-party strifes and corruption involving their close aides and family members during the two final years when they perceive weakened power and become lame ducks. Such a situation could perhaps change with a revision of the Constitution, but the impact of Confucianism and personalized politics should not be underestimated. It is hard to be optimistic: There are no indications from this study that politicians have any courage to pursue political reforms with an uncertain outcome.
Appendix I. Map of South Korea

1. Seoul
2. Pusan
3. Taegu
4. Inch’ôn
5. Kwangju
6. Taejôn
7. Ulsan
8. Kyônggido
9. Kangwôndo
10. North Ch’ungch’ông
11. South Ch’ungch’ông
12. North Chôlla
13. South Chôlla
14. North Kyôngsang
15. South Kyôngsang
16. Cheju Island

Source: http://southkoreagovernment.com/administrative_division.htm. Note: The author has changed the spelling from the original to the McCune-Reischauer system. Layout work has been done to make the original map look more clear.
Appendix II. Chronology 1987-2012

1987
June 29  Presidential candidate Roh Tae Woo launches the June 29 declaration to accept the opposition’s demand for constitutional reform.
July 1  President Chun Doo Hwan endorses the June 29 declaration.
October 12  The National Assembly approves the new constitution.
October 27  The new constitution is endorsed in a popular referendum.
October 29  President Chun Doo Hwan proclaims the new constitution.
December 16  Roh Tae Woo wins the presidential election.

1988
February 25  President Roh Tae Woo is inaugurated into office.
March 8  The ruling party rams a bill unilaterally through the National Assembly to amend the election law to introduce single member districts.
April 1  President Roh Tae Woo expresses regret over the 1980 Kwangju uprising.
April 26  The government party loses for the first time since 1950 the majority in the National Assembly. The election outcome causes political stalemate.
July 19-21  Parliamentarian Sô Kyông-wôn makes an illegal visit to North Korea and is arrested on June 27, 1989.
October-December  The National Assembly holds televised hearings on the previous government’s wrongdoings.
November 23  Former president Chun Doo Hwan takes full responsibility for a period of authoritarian irregularities.

1989
March 25 – April 13  Reverend Moon Ik-hwan makes an illegal visit to North Korea. He receives a seven year long sentence but is released on March 6, 1993.
July  Student representative Im Soo-kyung makes an illegal visit to North Korea. On December 18, 1989, she receives a five year long sentence but is released by a pardon in December 1992.
December 15  President Roh Tae Woo and opposition leaders Kim Young Sam and Kim Jong-pil declare jointly: “We agreed to render joint efforts to completely settle the Fifth Republic’s problems within the year.”
December 31  Chun Doo Hwan reads his prepared testimony before the National Assembly and a nationwide television audience.

1990
January 3  President Roh Tae Woo declares an end to inquiries concerning issues of the Fifth Republic.
January 22  President Roh Tae Woo and opposition leaders Kim Young Sam and Kim Jong-pil announce the formation of the Democratic Liberal Party (DLP) to end political deadlock.
February 9  The DLP is officially established.
May 9  When the first DLP party convention is held, the biggest anti-government demonstrations since 1987 take place.
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 17</td>
<td>The DLP unilaterally pushes through 26 bills in the National Assembly leading to boycotts by opposition parliamentarians.</td>
</tr>
<tr>
<td>October</td>
<td>An army deserter claims that the Defense Security Command was engaged in the illegal surveillance of about 1,300 civilians. Opposition leader Kim Dae Jung makes a hunger strike for 13 days.</td>
</tr>
<tr>
<td>1991</td>
<td>The Hanbo Group chairman is arrested for bribery due to the Susuh scandal. It was the largest corruption scandal during President Roh Tae Woo’s rule.</td>
</tr>
<tr>
<td>February 15</td>
<td>In the first round of local elections for council members of small cities, counties and wards in big cities held, the DLP wins.</td>
</tr>
<tr>
<td>March 25</td>
<td>In the second round of local elections for provincial council members held, the DLP wins.</td>
</tr>
<tr>
<td>June 20</td>
<td></td>
</tr>
<tr>
<td>1992</td>
<td>The DLP fails to win a majority in the parliamentary elections. Kim Young Sam is nominated as a presidential candidate of the DLP.</td>
</tr>
<tr>
<td>March 24</td>
<td></td>
</tr>
<tr>
<td>May 19</td>
<td>President Roh Tae Woo announces his resignation as president of the DLP.</td>
</tr>
<tr>
<td>September 18</td>
<td>President Roh Tae Woo announces his resignation as president of the DLP.</td>
</tr>
<tr>
<td>December 18</td>
<td>Kim Young Sam wins the presidential election. Kim Dae Jung withdraws from politics but returns in 1995.</td>
</tr>
<tr>
<td>1993</td>
<td>President Kim Young Sam is inaugurated into office.</td>
</tr>
<tr>
<td>February 25</td>
<td>President Kim Young Sam launches an anti-corruption campaign.</td>
</tr>
<tr>
<td>February 27</td>
<td>President Kim Young Sam launches an anti-corruption campaign.</td>
</tr>
<tr>
<td>March 1993</td>
<td>The former head of the Agency for National Security Planning, Chang Se Dong, is arrested on charges of using the agency to sabotage opposition party activities.</td>
</tr>
<tr>
<td>March 4</td>
<td>President Kim Young Sam announces: “I will not receive any money by way of political contributions during my term.”</td>
</tr>
<tr>
<td>March 5</td>
<td>President Kim Young Sam issues a wide-ranging political amnesty directive.</td>
</tr>
<tr>
<td>March 8</td>
<td>President Kim Young Sam disbands the army faction Hanahoe and replaces the Army Chief of Staff and the Defense Security Command (DSC) commander.</td>
</tr>
<tr>
<td>April</td>
<td>The DSC is banned from conducting civilian surveillance and is required to report to the Ministry of National Defence.</td>
</tr>
<tr>
<td>August 12</td>
<td>President Kim Young Sam proclaims a real name system for financial transactions.</td>
</tr>
<tr>
<td>1994</td>
<td>The National Assembly enacts the Real Name Real Estate Registration Law requiring the use of real names in the registration of all real estate parcels. Existing laws on elections, campaign financing and local autonomy are also revised.</td>
</tr>
<tr>
<td>March</td>
<td></td>
</tr>
<tr>
<td>April</td>
<td>President Kim Young Sam fires Prime Minister Lee Hoi-chang over a policy dispute.</td>
</tr>
<tr>
<td>October</td>
<td>The Seoul District’s Prosecutor Office announces that it has decided not to indict former presidents Chun Doo Hwan and Roh Tae Woo.</td>
</tr>
</tbody>
</table>
January 1995
The Constitutional Court concludes that the government has no jurisdiction to rule on the constitutionality of the December 12, 1979 incident and the 1980 Kwangju uprising.

January 22
Kim Jong-pil resigns due to internal conflicts within the DLP chairmanship and in March sets up the party the United Liberal Democrats.

June 27
The ruling party suffers a severe defeat in the local elections.

July
The government announces its final decision not to pursue insurrection charges against former presidents Chun Doo Hwan and Roh Tae Woo.

August
Kim Dae Jung forms the National Congress for New Politics.

October 19
Opposition lawmaker Park Kye-dong discloses information on President Roh Tae Woo’s slash funds.

October 27
Roh Tae Woo apologizes for having received slash funds while in office.

November 16
Roh Tae Woo is arrested on bribery charges.

December 3
Chun Doo Hwan is arrested on corruption charges.

December 4
Kim Dae Jung denounces President Kim Young Sam’s measures as nothing but “shock comedy” and charges that the president had taken political funds from Roh Tae Woo.

December 5
Roh Tae Woo is indicted on bribery charges.

December 6
The ruling Democratic Liberal Party changes its name to the New Korea Party (NKP).

December 18
“The May 18 Special Law” is enacted by the National Assembly.

December 26
The ruling party unilaterally votes through new labor and security laws.

December 18
Kim Dae Jung wins the presidential election as the first opposition candidate ever.

1996
April 11
The NKP fails to win a majority in the parliamentary elections.

August 26
Chun Doo Hwan is sentenced to death and Roh Tae Woo to 22.5 years imprisonment.

December 6
The ruling party unilaterally votes through new labor and security laws.

December 18
Large demonstrations take place in protest against the new labor laws.

1997
January
The Hanbo Steel Co. declares bankruptcy.

February 13
Hanbo chairman Chung Tai-soo is arrested on charges of bribing bank officials and politicians for loans.

March 10
A milder version of the new labor law is passed in the National Assembly.

April
The Supreme Court upholds lower court rulings and sentences Chun Doo Hwan to life in prison and Roh Tae Woo to 17 years.

October 12
President Kim Young Sam’s second son Kim Hyun-chul is sentenced to three years in prison for accepting bribes and tax evasion.

December 3
Korea and the International Monetary Fund agree on a $57 billion rescue package that forces Seoul to pursue contractive economic policies.

December 11
President Kim Young Sam tells the nation he is “truly sorry” for the economic crisis.

December 16
The Seoul High Court commutes Chun Doo Hwan’s death sentence to life imprisonment and reduces Roh Tae Woo’s to 17 years.

December 18
Kim Dae Jung wins the presidential election as the first opposition candidate ever.
December 22  Chun Doo Hwan and Roh Tae Woo are released on humanitarian grounds.

1998
February 25  President Kim Dae Jung is inaugurated into office.
March 3  President Kim Dae Jung appoints Kim Jong-pil as acting prime minister.
June 4  The ruling party wins in the local elections.
August 17  The National Assembly confirms Kim Jong-pil as prime minister.
August 29  The National Congress for New Politics and the New People’s Party announce the merger of their parties.
September  The governing coalition obtains a majority in the National Assembly by increasing the number of seats from 121 to 158 since taking power.

1999
January  The ruling party unilaterally votes through 66 bills in the National Assembly.
May  The ruling party unilaterally votes through six bills in the National Assembly.
Spring  The Kim Dae Jung government is shaken by the revelation that the National Intelligence Service monitors opposition lawmakers’ activities and the “furgate” scandal.
August  The National Congress for New Politics and the United Liberal Democrats decide to delay the introduction of a cabinet system.

2000
January  The Citizens’ Alliance for the 2000 General Elections is launched to campaign against unfit candidates. The campaign is successful.
January 19  The new ruling party Millennium Democratic Party (MDP) is formed.
April 13  The MDP fails to win a majority in the parliamentary elections.

2001
February  Investigations of tax evasions by 23 media companies begin.
August 24  Three owners and executives of major newspapers are arrested on charges of embezzlement and tax evasion.
September 3  The National Assembly approves a no-confidence resolution in Unification Minister Lim Dong-won following the controversial visit to North Korea by 337 South Korean activists in August. The alliance Millennium Democratic Party-United Liberal Democrats breaks up.
December  President Kim Dae Jung resigns as chairman of the ruling party.

2002
April 27  Roh Moo-hyun is nominated as a presidential candidate of the MDP.
May  President Kim Dae Jung resigns from the MDP to separate the party from the corruption scandals involving two of his sons. He gives an apology.
May 10  Lee Hoi-chang is nominated as a presidential candidate of the GNP.
May 18  The prosecutor arrests the president’s youngest son, Kim Hong-gul, on charges of having received bribes from a lobbyist. He is sentenced to a short term.
June  In June, the president’s second son Kim Hong-up is arrested on charges of having taken bribes.
June 13  The ruling party suffers a severe defeat in the local election.
August 8   The ruling party suffers a severe defeat in the by-election and loses its majority in the National Assembly.
November 25 Roh Moo-hyun beats rival Chung Mong-jun from the People’s Power 21 Party in an opinion poll held to select a presidential candidate. Afterwards, they form an alliance that Chung Mong-jun breaks on the eve of the presidential election.
December 18  Roh Moo-hyun wins the presidential election.

2003
February 25  President Roh Moo-hyun is inaugurated into office.
March 14    The promulgation of “The Special Investigation Law Regarding North Korea” creates tension within the ruling Millennium Democratic Party (MDP).
June 25     An independent counsel concludes that the Hyundai Group had sent $500 million to North Korea prior to the June 2000 inter-Korean summit.
September  Five high officials were found guilty of violation of laws regarding inter-Korean exchanges and cooperation and are convicted.
September 29 President Roh Moo-hyun and the pro-Roh faction leave the MDP.
November    The new Uri Party is formed.

2004
January    President Roh Moo-hyun declares that he might quit if the MDP does not make a strong showing at the upcoming parliamentary election.
February   President Roh Moo-hyun tells the press that he hopes that the “voters would give overwhelming support” to the Uri Party and pledges his aid to the party.
March 3    The National Election Commission rules that President Roh Moo-hyun had violated his duty to maintain electoral neutrality. The president declares the following day that the ruling “did not make sense” to him.
March 11   President Roh Moo-hyun refuses to apologize for his violation of the election law. He reveals that the Head of Daewoo Construction, Nam Sang-kuk, had committed suicide after having provided financial support to the president’s older brother.
March 12   The Millennium Democratic Party and the Grand National Party pass a motion in the National Assembly to impeach President Roh Moo-hyun. His presidency is suspended and Prime Minister Koh Gun takes over his mandate.
April 15   The Uri Party wins the parliamentary election.
May 14     The Constitutional Court dismisses the impeachment act.

2005
April      The Uri Party loses its majority in the National Assembly after having lost a by-election.

2006
May 31    In the local elections the ruling Uri Party suffers a severe defeat.

2007
December 19  Lee Myung-bak wins the presidential election.
2008
February 25 President Lee Myung-bak is inaugurated into office.
April 9 The Grand National Party wins the parliamentary election.
April 18 Korea and America sign the U.S. Beef Imports Accord.
May 15-
August 2 More than 2,000 rallies are held protesting the U.S. Beef Imports Accord.
May 22 President Lee Myung-bak takes full responsibility for the public outcry over the resumption of American beef imports.
May 30 President Lee Myung-bak assumes an anti-demonstration position. The food safety campaign changes into an anti-government movement.
May 31-June 1 Police arrest protestors and use force to break up demonstrations.
June 19 President Lee Myung-bak makes an apology reprimanding himself for not having made citizens’ lives secure.
June 28 More than 100 protesters are wounded by water cannons and fire extinguishers. Amnesty International concludes that the police had used excessive force.
July A tax investigation is launched against shoemaker Tae Kwang Company.
December Park Yeon-cha, chairman of Tae Kwang Company, and former President Roh Moo-hyun’s elder brother Roh Gun-pyeong are arrested.
December 26- January 6, 2009 Politicians from the Democratic Party (DP) organize a sit-in in the National Assembly objecting to many of the government’s 95 bills.

2009
April 11 President Roh Moo-hyun’s wife is secretly summoned and admits that she had received $1 million from Park Yeon-cha.
April 30 President Roh Moo-hyun and Park Yeon-cha are both summoned. They confirm that the prosecutor has no evidence for the accusations.
May 14 A Seoul court convicts Roh Gun-pyeong of bribery and sentences him to four years in jail and a fine amounting to $449,810.
May 23 Former President Roh Moo-hyun commits suicide following corruption investigations.

2010
June 2 The ruling GNP suffers a heavy loss in the local elections.

2011
November 22 The GNP unilaterally ratifies the Korea-United States Free Trade Agreement in the National Assembly. Democratic Labor Party lawmaker Kim Sun-dong detonates a tear gas grenade to block the approval.

2012
April 11 The ruling Saenuri Party wins the parliamentary elections.
December 19 Park Geun-hye is elected the first female president.
Appendix III. Elections 1987-2012

a) Presidential elections, 1987-2012. Unit: %.

<table>
<thead>
<tr>
<th>Month</th>
<th>First candidate</th>
<th>Second candidate</th>
<th>Third candidate</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 1987</td>
<td>Roh Tae Woo, DJP</td>
<td>Kim Young Sam, RDP</td>
<td>Kim Dae Jung, PPD</td>
</tr>
<tr>
<td>December 1987</td>
<td>36.6%</td>
<td>28.0%</td>
<td>27.1%</td>
</tr>
<tr>
<td>December 1992</td>
<td>Kim Young Sam, DLP</td>
<td>Kim Dae Jung, DP</td>
<td>Chung Ju-yung, UNP</td>
</tr>
<tr>
<td>December 1992</td>
<td>42.0%</td>
<td>33.8%</td>
<td>16.1%</td>
</tr>
<tr>
<td>December 1997</td>
<td>Kim Dae Jung, NCNP</td>
<td>Lee Hoi-chang, GNP</td>
<td>Rhee In-je, NPP</td>
</tr>
<tr>
<td>December 1997</td>
<td>46.3%</td>
<td>38.7%</td>
<td>19.2%</td>
</tr>
<tr>
<td>December 2002</td>
<td>Roh Moo-hyun, MDP</td>
<td>Lee Hoi-chang, GNP</td>
<td>Kwôn Yong-gil, DLP</td>
</tr>
<tr>
<td>December 2002</td>
<td>48.9%</td>
<td>46.6%</td>
<td>3.9%</td>
</tr>
<tr>
<td>December 2007</td>
<td>Lee Myung-bak, GNP</td>
<td>Chung Dong-young, UDP</td>
<td>Lee Hoi-chang, GNP</td>
</tr>
<tr>
<td>December 2007</td>
<td>48.7%</td>
<td>26.1%</td>
<td>15.0%</td>
</tr>
<tr>
<td>December 2012</td>
<td>Park Geun-hye, Saenuri</td>
<td>Moon Jae In</td>
<td>-</td>
</tr>
<tr>
<td>December 2012</td>
<td>51.6%</td>
<td>48.0%</td>
<td>-</td>
</tr>
</tbody>
</table>


b) Parliamentary elections, 1988-2012. Units: Number of seats, %.

<table>
<thead>
<tr>
<th>Month</th>
<th>First party</th>
<th>Second party</th>
<th>Third party</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 1988</td>
<td>DIP, 125</td>
<td>PPD, 70</td>
<td>RDP, 59</td>
</tr>
<tr>
<td>April 1988</td>
<td>41.8%</td>
<td>23.4%</td>
<td>19.7%</td>
</tr>
<tr>
<td>April 1992</td>
<td>DLP, 149</td>
<td>DP, 97</td>
<td>UNP, 31</td>
</tr>
<tr>
<td>April 1992</td>
<td>49.8%</td>
<td>32.4%</td>
<td>10.4%</td>
</tr>
<tr>
<td>March 1996</td>
<td>NKP, 139</td>
<td>NCNP, 79</td>
<td>ULD, 50</td>
</tr>
<tr>
<td>March 1996</td>
<td>46.5%</td>
<td>26.4%</td>
<td>16.7%</td>
</tr>
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<td>April 2000</td>
<td>GNP, 133</td>
<td>NCNP, 113</td>
<td>ULD, 17</td>
</tr>
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<td>April 2000</td>
<td>48.7%</td>
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<tr>
<td>April 2004</td>
<td>Un Party, 152</td>
<td>GNP, 121</td>
<td>DLP, 10</td>
</tr>
<tr>
<td>April 2004</td>
<td>50.8%</td>
<td>40.5%</td>
<td>3.3%</td>
</tr>
<tr>
<td>April 2008</td>
<td>GNP, 153</td>
<td>UDP, 81</td>
<td>LFP, 18</td>
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<td>April 2008</td>
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<td>27.1%</td>
<td>6.0%</td>
</tr>
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<td>Saenuri, 152</td>
<td>UDP, 127</td>
<td>UPP, 13</td>
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<tr>
<td>April 2012</td>
<td>42.8%</td>
<td>36.4%</td>
<td>10.3%</td>
</tr>
</tbody>
</table>

Sources: Lee, ibid., 2011, p. 158: table 2; The Korea Herald, “19th National Assembly election results map,” April 12, 2012 (http://www.koreaherald.com/national/Detail.jsp?newsMLId=201204120001212); Lee, ibid., 2011, p. 158: table 2; The Korea Herald, “19th National Assembly election results map,” April 12, 2012 (http://www.koreaherald.com/national/Detail.jsp?newsMLId=201204120001212). Notes: a) LFP = Liberal Forward Party, NKP = New Korea Party, ULD = United Liberal Democrats, UPP = United Progressive Party. For other abbreviations see table above. b) Since the parliamentary election in 1992 was held on March 24, the month of the election has been changed from the original.
c) Local elections, 1995-2010. Units: Number of seats, %.

<table>
<thead>
<tr>
<th></th>
<th>First party</th>
<th>Second party</th>
<th>Third party</th>
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<tbody>
<tr>
<td>June 1995</td>
<td>DP</td>
<td>DLP</td>
<td>ULD</td>
</tr>
<tr>
<td></td>
<td>5, 33.3%</td>
<td>4, 26.7%</td>
<td>4, 26.7%</td>
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<td></td>
<td>352, 40.2%</td>
<td>287, 32.8%</td>
<td>86, 9.8%</td>
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<td></td>
<td>84, 36.5%</td>
<td>71, 30.9%</td>
<td>23, 10.0%</td>
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<tr>
<td>June 1998</td>
<td>NCNP</td>
<td>GNP</td>
<td>ULD</td>
</tr>
<tr>
<td></td>
<td>6, 37.5%</td>
<td>6, 37.5%</td>
<td>4, 25.0%</td>
</tr>
<tr>
<td></td>
<td>271, 43.9%</td>
<td>224, 36.3%</td>
<td>82, 13.3%</td>
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<tr>
<td></td>
<td>84, 36.2%</td>
<td>74, 31.8%</td>
<td>29, 12.5%</td>
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<tr>
<td>June 2002</td>
<td>GNP</td>
<td>DP</td>
<td>ULD</td>
</tr>
<tr>
<td></td>
<td>11, 68.8%</td>
<td>4, 25.0%</td>
<td>1, 6.3%</td>
</tr>
<tr>
<td></td>
<td>393, 64.5%</td>
<td>117, 19.2%</td>
<td>28, 4.6%</td>
</tr>
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<td></td>
<td>140, 60.3%</td>
<td>44, 19.0%</td>
<td>16, 6.9%</td>
</tr>
<tr>
<td>May 2006</td>
<td>GNP</td>
<td>DP</td>
<td>Uri Party</td>
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<td>11, 68.8%</td>
<td>2, 12.5%</td>
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<td>557, 76.0%</td>
<td>80, 10.9%</td>
<td>52, 7.1%</td>
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<tr>
<td></td>
<td>155, 67.4%</td>
<td>20, 8.7%</td>
<td>19, 8.3%</td>
</tr>
<tr>
<td>June 2010</td>
<td>DP</td>
<td>GNP</td>
<td>LFP</td>
</tr>
<tr>
<td></td>
<td>7, 43.8%</td>
<td>6, 37.5%</td>
<td>1, 6.3%</td>
</tr>
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<td></td>
<td>360, 57.3%</td>
<td>288, 37.8%</td>
<td>41, 5.4%</td>
</tr>
<tr>
<td></td>
<td>92, 40.4%</td>
<td>82, 8.7%</td>
<td>13, 8.3%</td>
</tr>
</tbody>
</table>

Source: Lee, ibid., 2011, p. 166: Table 3. Note: a) For abbreviations see above tables. b) First row refers to mayors of cities, second to heads of counties and third to heads of urban wards. c) Since Chi, Pyông-mun, Kim, Yong-ch’ol, Ch’ôn, Sông-kwôn, Chi, Ch’ung-nam and Yu, Kyông-hwa (Hyŏndae Han’gug-ui ch’ông-ch’i - ch’ôngae kwajjong-gwa tôngin, Seoul: Pakyoungsa, 2010, p. 294) do not record equivalent data as Lee on the March 25 and June 20, 1991 local elections, they are excluded above. On March 25, the ruling Democratic Liberal Party (DLP) won in 190 of 260 local assemblies (73 percent), whereas the opposition Democratic Party (DP) won only 19 percent. On June 20, in the second round of local elections for provincial council members, the DLP party won 564 of 866 seats, the New People’s Party 165, the DP 21, independents 115 seats and the People’s Party one seat. d) Since the local election in 2006 was held on May 31, the month of the election has been changed from the original.
Appendix IV. President Roh Moo-hyun’s suicide note May 23, 2009

File titled “Many have suffered too much because of me”

(I am) indebted to too many people.
Many have suffered too much because of me.
The pain that will come is unfathomable.
The rest of (my) life would only burden others.
(I) cannot do anything due to bad health.
(I) cannot read nor write.
Do not grieve too much.
Aren’t life and death a piece of nature?
Do not feel sorry.
Do not blame anyone.
It is fate.
Cremate (me).
And just leave a very small stone slab near home.
(I) have thought (about it) for a long time.

Appendix V. The National Security Law

Chapter 1: General Provisions (Article 1 ~ Article 2)
Chapter 2: Crime and Punishment (Article 3 ~ Article 17)
Chapter 3: Special Criminal Procedure (Article 18 ~ Article 20)
Chapter 4: Reward and Relief (Article 21 ~ Article 25)

Chapter 1: General Provisions

Article 1: Purpose
(1) The purpose of this Law is to restrict anti-state activities which endanger the national security, so that the nation’s security and the life and liberty of the citizens can be secured.
(2) Interpretation and application of the provisions of the Law shall be restrictive only to achieve the purposes stated in Section (1), and shall not be liberally construed or applied in a manner which unjustifiably impinges upon the fundamental civil rights of the citizenry protected under the Constitution. (Revised 91.5.31)

Article 2: Definitions
(1) Under this Law, the term Anti-State Organization shall mean an association or a group having a command structure with the purpose of claiming the title of the Government or overthrowing the State.
(2) Deleted. (91.5.31)

Chapter 2. Crime and Punishment

Article 3: Formation of Anti-state Organization
(1) Any person who organizes or joins an Anti-state Organization shall be punished in accordance with the following classification:
   (a) Any person acting as the ring leader shall be punishable by death or life imprisonment
   (b) Any person engaged in the duties of leadership or officers shall be punishable by death, life imprisonment or imprisonment of a term of not less than 5 years; and
   (c) Any person other than those mentioned above shall be punishable by imprisonment for a term of not less than 2 years.
(2) Any person who recommends membership in an Anti-State Organization to a third party shall be punishable by imprisonment for a term not less than 2 years.
(3) Any person found to have attempted acts in Section (1) and (2) shall be punished.
(4) Any person conspiring or preparing the crimes under Sections (1)(a) and (1)(b) shall be punishable by imprisonment for a term of not less than 2 years.
(5) Any person conspiring or preparing to commit the crime under Section (1)(c) shall be punishable by imprisonment for a term not exceeding 10 years. (Revised 91.5.31)

Article 4: Performance of Objectives
(1) If a member of an Anti-State organization or a group receiving orders from such an organization engages in actions of furtherance of said organization’s objectives, said member or person shall be punished in accordance with the following classifications (Revised 91.5.31):
(a) Any person who has committed the acts defined under Articles 92 through 97, Article 99, Section (2) of Article 250, Article 338, or Section (3) of Article 340 of the Criminal Code shall be subject to the punishment prescribed under the applicable Articles.

(b) Any person who has committed the acts defined under Article 98 of the Criminal Code or has detected, collected, divulged, transmitted or intermediated the State’s secrets shall be punishable in accordance with the following classifications:

(i) If the subject involves military secret or the State’s secret is of the kind which must be restricted to select persons in order to avoid material detriment to the national security, or fact, material or knowledge which must be guarded against the enemy states and Anti-state Organizations, then the person shall be punishable by death or life imprisonment.

(ii) In cases involving military secrets or the State’s secrets other than those described under sub-section (i), a person in violation shall be punishable by death, life imprisonment or imprisonment for a term of not less than 7 years.

c) Any person who has committed any of the acts defined under Article 115, Section (1) of Article 119, Articles 147, 148, 164 through 169, 177 through 180, 192 through 195, 207, 208, 210, Section (1) of Article 250, Articles 252, 253, 333 through 337, 339 or Sections (1) and (2) of Article 340 of the Criminal Code shall be punishable by death, life imprisonment or imprisonment of a term of not less than 10 years.

d) Any person who has destroyed the transportation or communication facilities or buildings or any other key facilities used by the State or public organization, or kidnapped or inveigled other persons, or moved or taken away vessels, airplanes, automobiles, weapons and any other goods, shall be punishable by death, life imprisonment or imprisonment of a term of not less than five years;

e) Any person who has committed any one of the acts defined under Articles 214 through 217, 257 through 259, and 262 of the Criminal Code, or destroyed, concealed, forged, or transferred the documents or goods considered the State’s secret shall be punishable by imprisonment for a term of not less than 3 years; and

f) Any person who has instigated or propagandized any one of the acts defined in sub-sections (a) through (e), or fabricated or disseminated false facts or transmitted fabricated facts concerning such matters that might cause social disorder, shall be punishable by imprisonment for a term of not less than 2 years.

(2) Any person who attempts to commit the acts defined under Section (1) shall be punished.

(3) Any person who prepares or conspires to commit the crimes as set forth in sub-sections (a) through (d) of Section (1) shall be punishable by imprisonment for a term of not less than 2 years.

(4) Any person who prepares or conspires to commit the crimes as set forth in sub-sections (e) and (f) of Section (1) shall be punishable by imprisonment for a term not exceeding 10 years.

Article 5: Voluntary Support and Receiving Money or Materials

(1) Any person who has voluntarily committed any of the acts as stipulated in Section (1) of Article 4 for the purpose of aiding an Anti-State Organization or its members or those who had been under instruction from such an organization shall be punished as prescribed in Section (1) of Article 4.

(2) Any person who has received money or materials from members of an Anti-State Organization or a person who had been under instruction from such an organization, with the knowledge that such an action threatens the nation’s existence and security and the
order of liberal democracy, shall be punishable by imprisonment for a term of not exceeding 7 years.

(3) Any person who attempts to commit the crimes as stipulated in Sections (1) and (2) shall be punished.

(4) Any person who prepares or conspires to commit the crimes as stipulated in Section (1) shall be punishable for a term of not exceeding 10 years.

(5) Deleted. (91.5.31)

Article 6: Escape and Infiltration

(1) Any person who has infiltrated into this country from an area controlled by an Anti-State Organization, or illegally escaped to such an area, with the knowledge that such an action threatens the nation’s existence and security and the order of liberal democracy, shall be punishable by imprisonment for a term of not exceeding 10 years. (Revised 91.5.31)

(2) Any person who has escaped or infiltrated after receiving or in order to receive a directive from an Anti-State Organization or its members, or after discussing or in order to discuss the execution of its objectives, shall be punishable by death, life imprisonment or imprisonment for a term of not less than five years.

(3) Deleted. (91.5.31)

(4) Any person who attempts to commit the crimes as stipulated in Sections (1) and (2) shall be punished. (Revised 91.5.31)

(5) Any person who prepares or conspires to commit the crimes as stipulated in Section (1) shall be punishable for a term of not exceeding 7 years.

(6) Any person who prepares or conspires to commit the crimes as stipulated in Section (2) shall be punishable by imprisonment for a term of not less than 2 years. (Revised 91.5.31)

Article 7: Praise, Encouragement, Etc.

(1) Any person who, with the knowledge that such an action threatens the nation’s existence and security and the order of liberal democracy, praises, encourages, advertises or supports the activities of an Anti-State Organization or its members, or advertises or advocates a rebellion against the state shall be punishable by imprisonment for a term not exceeding 7 years. (Revised 91.5.31)

(2) Deleted. (91.5.31)

(3) Any person who organizes an association which purports to commit the acts as stipulated in Section (1) or participates in such an association, shall be punishable by imprisonment for a term of not less than 1 year. (Revised 91.5.31)

(4) Any person who, as a member of the association as mentioned in Section (3), has fabricated or disseminated false facts or transmitted fabricated facts concerning such matters which will likely cause social disorder shall be punishable by imprisonment for a term not less than 2 years. (Revised 91.5.31)

(5) Any person who, for the purpose of committing the acts as stipulated in Sections (1), (3) and (4) has produced, imported, duplicated, kept in custody, transported, disseminated, sold or acquired documents, drawings and any other similar means of expression shall be punishable as described in each applicable Section. (Revised 91.5.31)

(6) Any person who attempts to commit the crimes as stipulated in Section (1) or Sections (3) through (5) shall be punished. (Revised 91.5.31)

(7) Any person who prepares or conspires to commit the crimes as stipulated in Section (3) shall be punishable by imprisonment for a term not exceeding 5 years. (Revised 91.5.31)
Article 8: Meetings, Communication, Etc.
(1) Any person who, with the knowledge that such an action threatens the nation’s existence and security and the order of liberal democracy, has met with or has established liaison with, by communication or any other means, a member of an Anti-State organization or a person who has been under instruction from such an organization, shall be punishable by imprisonment for a term of not exceeding 10 years. (Revised 91.5.31).
(2) Deleted. (91.5.31)
(3) Any person who attempts to commit the crimes defined in Section (1) shall be punished. (Revised 91.5.31).
(4) Deleted. (91.5.31)

Article 9: Providing Convenience
(1) Any person who has provided firearms, ammunition, gunpowder, or any weapon, with the knowledge that the person to whom such weapons are provided has committed or intends to commit the crimes in Articles 3 through 8 of this Law shall be punishable by imprisonment for a term of not less than 5 years. (Revised 91.5.31).
(2) Any person who has provided money, materials or any other benefits in terms of property, or has furnished a place of hiding, meeting, communication, or liaison or has provided convenience or intends to commit the crimes stipulated in Articles through 8 of this Law, shall be punishable by imprisonment for a term not exceeding 10 years. Provided, however, that if the above-mentioned person has a family relationship with the offender of the stipulated crime, the punishment hereunder may be either mitigated or remitted. (Revised 91.5.31).
(3) Any person who attempts to commit the crimes defined in Section (1) and (2) shall be punished.
(4) Any person who prepares or conspires to commit the crimes as stipulated in Section (1) shall be punishable for a term of not less than 1 year.
(5) Deleted. (91.5.31)

Article 10: Failure to Report
Any person who, possessing knowledge of a person who has committed one of the crimes as set forth in Articles 3 and 4, and Sections (1) and (4) of Article 5, has failed to report the matter to an investigation or intelligence authority, shall be punishable by imprisonment for a term of not exceeding 5 years or a fine not exceeding two million Won. Provided, however, that if the above-mentioned person has a family relationship with the offender of the stipulated crime, the punishment hereunder may be either mitigated or remitted. (Replaced 91.5.31).

Article 11: Desertion of Special Duties
Any public official, charged with a duty to investigate crimes or gather intelligence, who has deserted his duty with the knowledge that a person under investigation has committed the crime prescribed in this law, shall be punishable by imprisonment for a term of not exceeding 10 years. Provided, however, that if the aforesaid person has a family relationship with the offender of the stipulated crime, the punishment hereunder may be either mitigated or remitted.

Article 12: False Accusation and Fabrications
a. Any person, who has made false accusations or committed perjury or fabricated evidence of guilt or destroyed evidence of innocence with respect to the crimes as set forth in this
Law for the purpose of producing criminal charges against another person, shall be punished by the same penalty as stipulated in the corresponding Article.

(2) In case a public official who takes charge of criminal investigations or intelligence or any other person who assists or directs such work, has committed such acts as stipulated in Section (1) by abusing his official power, he/she shall be punished by the same penalty as set forth in Section (1).

(3) Provided, however, that the minimum penalty shall be imprisonment for a term of 2 years, if the minimum penalty there under is imprisonment for a term of 2 years.

Article 13: Special Aggravated Penalty
If a person having committed and been convicted of the crimes stipulated in this Law, Article 13 or 15 of the Military Penal Act, Rebellion Chapter I or Foreign Aggression Chapter II of Part 2 of the Criminal Code, commits again the crime stipulated in Article 3, Paragraph 1, Item 3, Paragraphs 2 through 5, Article 4, Paragraph 1, Item 1 (however, only limited to the crimes stipulated in Article 94, Paragraph 2, Articles 97 through 99), Article 4, Paragraph 1, Items 5 and 6, Article 4, Paragraphs 2 through 4, Article 5, Article 6, Paragraphs 1, 4 through 6, Articles 7 through 9 in the course of execution of punishment or within five years after the termination of the execution of punishment or after the final decision not to be executed the punishment, the maximum penalty applicable to such a crime shall be capital punishment.

Article 14: Suspension of Qualification
In cases where the sentence to be imposed is imprisonment with respect to the crimes as set forth in this Law, suspension of qualification for a term not exceeding the maximum term of the imprisonment may be imposed concurrently. (Revised 91.5.31).

Article 15: Confiscation and Forfeiture
(1) If a person, having committed one of the crimes as set forth in this Law, has received any benefit, such a benefit shall be confiscated. However, if it is impossible to confiscate such a benefit, a sum equivalent thereto shall be forfeited.

(2) In cases where no indictment has been made against the offender of the crimes stipulated in the Law, the public prosecutor may order the seized property either to be destroyed or to be reverted to the National Treasury.

Article 16: Mitigation of Penalty
For any person coming under one of the following Sections, the prescribed punishment shall be either mitigated or remitted:

(1) Any person who surrenders oneself after having committed the crime stipulated in the present Act;

(2) Any person who informs the authorities of another person who has committed a crime stipulated in the Law or interferes with commitment of the crimes under this Law after having himself/herself committed the crimes stipulated in the present Act.

(3) Deleted. (91.5.31)

Article 17: Exclusion of Application of Another Act
The provision of Article 39 of the Labor Dispute Adjustment Law shall not apply to the person who has committed the crimes as set forth in this Act. (Revised 91.5.31)
Chapter 3: Special Provisions Governing Criminal Procedure

Article 18: Production and Detention of Witness
(1) Any person who, without justification, fails to appear as a witness to a crime as stipulated in this Law twice or more times after having been served with summons from a public prosecutor or a judicial police official, may be arrested after securing a warrant of detention from a judge over the court having jurisdiction.
(2) In the event a warrant of detention is turned to arrest a witness, such a witness may be temporarily detained in a nearby police station or another proper place, if necessary.

Article 19: Extension of the Detention Period
(1) If a judge of a district court recognized that there is a valid reason to continue investigation of the crimes which fall under Articles 3 through 10, he/she may, upon an application by a public prosecutor who received a request for an extension by a judicial police officer, authorize a single extension of the period of detention as stipulated in Article 202 of the Code of Criminal Procedure.
(2) A judge of a district court, upon determining that there is a valid reason to continue the investigation of the crime as set forth in Section (1), may, upon an application by a public prosecutor, authorize extension of the detention period as stipulated in Article 203 of the Code of Criminal Procedure. Such extension, however, shall be limited to only two times.
(3) The extension of the period stipulated in Sections (1) and (2) shall not exceed ten days.

Article 20: Deterrent of Public Prosecution
(1) A public prosecutor may defer public prosecution against a person who has committed a crime stipulated in this Law upon consideration of the circumstances stipulated in Article 51 of the Criminal Code.
(2) A person against whom public prosecution has been deferred in accordance with the provisions of Section (1) may not be indicted if 2 years have elapsed without institution of any public prosecution against him.
(3) If a person against whom public prosecution has been deferred violates regulations governing surveillance or guidance as stipulated by the Minister of Justice, deferment of public prosecution against him/her may be cancelled.
(4) In cases where the deferment of public prosecution has been cancelled according to the provisions of Section (3), the person concerned may be detained for the identical crime, regardless of the provisions of Article 208 of the Code of Criminal Procedure.

Chapter 4. Reward and Relief

Article 21: Monetary Award
(1) Any person who has informed an investigation or intelligence agency of a person who has committed any crime stipulated in this Law or has arrested such a person shall be given monetary award as stipulated by a Presidential Decree.
(2) Monetary award under Section (1) shall apply also to those personnel working for an investigation or intelligence agency which has recognized and arrested a person who has committed any crime stipulated in this Act.
(3) A monetary award may be given in accordance with the provision of Section (1) to a person who has inevitably killed the offender or has forced the offender to commit suicide because of the offender’s resistance or fighting against him when he was trying to arrest the offender.

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Article 22: Reward for Service
(1) If the property is seized under the Article 21, Monetary Award, valued at one-half of the value of the seized property, may be awarded in those cases where monetary award is given.
(2) A reward for services corresponding to one half of the value of the money or goods may be awarded to any person who turns over to the investigative or intelligence authorities the money or materials received from an Anti-state Organization or its member or upon receiving orders from a member. The same shall apply in cases where a member of an Anti-state Organization or a person upon receiving orders from a member turned over the aforesaid money or goods.
(3) The necessary matters concerning the request for and payment of the reward for services hereunder shall be provided for by Presidential Decree.

Article 23: Relief
The bereaved family of the person injured or killed in the course of informing an investigation or intelligence agency or arresting the offender who has committed any crime stipulated in this Law may be put in the list of the people subject to relief under the Military Relief and Compensation Act. (Full text revised 91.5.31, Revised 97.1.13)

Article 24: Committee to Screen Persons of Meritorious Service for National Security
(1) In order to examine and decide payment of the prize and award for services stipulated in this Law and the persons subject to relief mentioned in Article 23, a Committee to Screen Persons of Meritorious Service for National Security activities (hereafter referred to as the Committee) shall be established. (Revised 91.5.31)
(2) The Committee may, if necessary for its deliberation, summon or investigate the person concerned, and demand the government agency and other public and private organizations for its report on the necessary matters concerned.
(3) Necessary matters concerning organization and operation of the Committee shall be determined by a Presidential Decree.

Article 25: Mutatis Mutandis Application to Persons who are Subject to the Military Law
In cases where a person who has committed a crime provided for in this Law is charged under one of the sub-sections of Section (1) of Article 2 of the Military Court Act, the Judge, the public prosecutor, and the Judicial police officer in proceeding under this Law shall be construed as corresponding personnel in the Military Court. (Revised 87.1.2.4, 94.1.5)

Prepared by the Party for Peace and Democracy on November 13, 1989

Source: Kim, Min-bae, Chŏnt’ujôk minjujuûi -wa kukka poanpôp (Inch’ŏn: Inha taeha kkyo ch’ulp’anbu, 2004), pp. 198-209. The author has checked the text against the Korean original in Kim, ibid., 2004, pp. 189-196. On p. 197 supplementary provisions on day of enforcement, abolition of legislation and revisions of other laws as well as relations to other laws are recorded in Korean, but they are not translated into English and are therefore omitted here. Notes: a) Since in the case of article 9 only provisions 1 and 2 are translated, 3-5 were translated by the author. Supplements were also added in Article 22, provision 2. b) Dates of deletions, replacements and revisions recorded only in the Korean text in brackets have been added to the text to enhance its accuracy. c) Headlines of Articles are written here (but not in the original) in italics for the sake of clarity. d) Some minor linguistic errors in the translation have been corrected.
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