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The Global
Democracy Study

The Collection of
Academic Writings by
2017 Global
Democracy Fellows

2017년
민주주의
글로벌
펠로우

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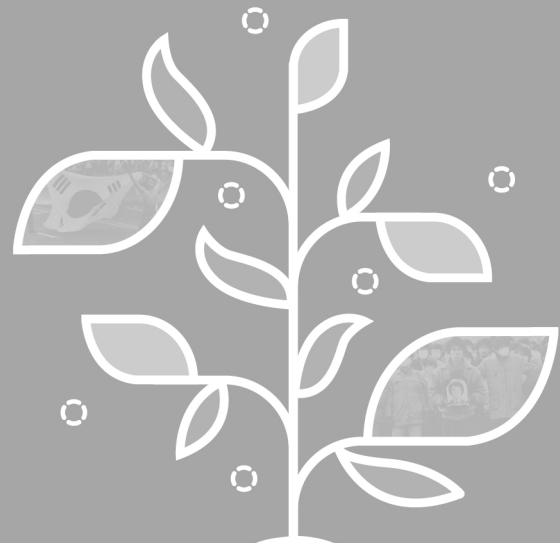
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Study 1

Interpersonal Trust and Confidence in Labor Unions

The Case of South Korea

Byunghwan Son (George Mason University)



01

Interpersonal Trust and Confidence in Labor Unions

The Case of South Korea

Byunghwan Son* (George Mason University)



Abstract

How do ordinary citizens view labor unions? Using five waves of World Value Surveys on South Korea, this paper suggests that public confidence in labor unions is significantly affected by each individual's interpersonal trust. While high-trust individuals are relatively tolerant of social groups—labor unions—demanding redistribution while low-trust individuals view unions as 'distributional coalitions' who seek their interests at the expense of the rest of the society. This difference, the paper also reports, is diluted when a conservative government is in power as the low-trust citizens find the political landscape relatively more hostile to unions than that of liberal governments and, thus, unions more deserving of redistributive demands. The finding is robust to an alternative empirical scenario, namely, the effect of the 1997 financial crisis.

Keywords: Interpersonal Trust, Labor Union, South Korea, Deservingness, Distributional Coalition

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초록

일반대중은 노동조합을 어떻게 인식하는가? 다섯 차례의 World Value Survey 데이터를 이용하여, 본 논문은 노동조합에 대한 대중의 신뢰가 개인의 대인신뢰에 기반한다고 주장한다. 개인 신뢰도가 높은 사람은 노동조합과 같이 사회적 재부분배를 추구하는 조직에 상대적으로 관대한 반면, 개인신뢰가 낮은 사람은 노동조합을 일종의 ‘분배연합’으로 인식한다는 것이다. 이와 같은 개인간 차이는 보수정권하에서 약화되는데, 개인신뢰도가 낮은 사람들도 보수정권에서의 정치적 지형이 노동조합에 불리하다 인지하기 때문이다. 이러한 데이터 분석결과는 1997년 금융위기의 잠재적 효과를 적용하더라도 변함없이 유지되는 것으로 나타났다.

핵심어: 개인신뢰도, 노동조합, 한국, 자격성, 분배연합

1. Introduction

The ontology of organized labor in the age of economic globalization has been a contentious subject in contemporary social science research. Although standard economic theories drawing upon Stolper-Samuelson theorem predict the weakening of labor with increasing economic openness, starkly different empirical observations about the fate of labor unions have been made in the OECD countries in recent years. While some citing the Anglo-American experiences view that increasing capital mobility heralded the end of traditional labor unions (e.g., Ross 2000), others highlight the rise of unions in other advanced economies (e.g., Thelen 2003). The Economist recently reported that the record is fairly mixed as unions are gaining grounds in some European countries while clearly declining in others (The Economist 2015).

Pessimistic or optimistic, common in these observations is the premise that labor unions are institutions interacting nearly exclusively with (potential) members and, to a less extent, business and governments. Rarely, thus, do scholars highlight unions' relationship with other societal actors, particularly, the public. Such a premise implies that the underlying public perceptions on labor unions do not affect their operation. This premise is inconsistent with what a swath of comparative political economy studies has repeatedly reported. As classical literature on political changes establishes, the rise and fall of organized labor occurred almost invariably in their relations with other groups, mostly bourgeoisie (Moore 1966; Rueschemeyer, Stephens and Stephens 1992). In modern democratic politics where median voters' preferences are central to any policymaking, how the rest of the society views labor unions is critical to their viability. Distribution of resources—particularly, adoption of pro-labor

agenda—is heavily affected by public opinions (Burstein 2003; Hobolt and Klemmensen 2005). Perhaps in recognition of this fact, labor unions in democracies are increasingly sensitive to the social ‘audience’ in their behaviors (Kriesi, Tresch and Jochum 2007).

The literature, however, currently lacks a study directly examining the determinants of public attitudes toward labor unions—particularly those in emerging democracies. This paper aims at filling this lacuna. The paper proposes to focus on disaggregate, individual level attributes: the public attitude towards labor unions is a function of 1) interpersonal trust and 2) the perception of deservingness. The paper is in line with the social capital literature, in that interpersonal trust renders individuals tolerant of others’ opinions in general and the demands of labor unions in particular. However, the paper also suggests that this effect of trust is conditional on a contextual political factor, namely, the ideological orientation of the government, which shapes the public perception of labor unions’ deservingness. While citizens’ interpersonal trust is positively correlated with their confidence in labor unions, the low-trust citizens’ skepticism on unions might be abated under conservative governments which they believe are generally hostile to labor unions. Under such circumstances, low-trust citizens deem labor unions relatively deserving of making redistributive demands. When liberal governments are in power, on the other hand, low-trust citizens expect distributional, pro-labor policies to be implemented and, thus, would find labor unions’ demands excessive and undeserving. The effect of interpersonal trust on public confidence in labor unions, therefore, is expected to be smaller under conservative governments than under liberal ones.

South Korea stands out as an interesting case to test this argument. The country is one of the several young democracies where the survey data are available for an extended period time, enabling researchers to observe the temporal variation of the public opinions. More importantly, unlike many nascent democracies where political orientations of ruling parties often do not translate into—or even simply contradict—actual economic policies (Campello 2013; Tavits and Letki 2009), the liberal and conservative governments in South Korea implemented labor policies relatively consistent with their ideologies. Such a clarity helps to make use of government ideology as a proxy of the deservingness perception, one of the central independent variables. In addition, despite the low unionization rate, the country’s manufacturing sectors, where organized labors were naturally born out, are well developed and, thus, union activities are a fairly salient social subject. This wards off the possibility that the public is simply uninformed of labor unions and their activities, thereby forming ‘no opinions’ (Page and Shapiro 1983).

The paper contributes to the existing political economy literature by offering insights into uncharted empirical terrain, namely, public attitudes towards labor unions in emerging democracies. In doing so, it reports findings that defy the popular understanding of how ordinary people view labor unions in South Korea: unlike what commentators and pundits often claim, a personal attribute—interpersonal trust, rather than ‘globalization’ or ‘noble unions,’ is the strongest determinant of public confidence in labor unions. The paper consists of five sections. Following this introduction is a brief survey of

existing studies on the determinants of confidence in labor unions. Testable hypotheses are formulated building on this survey. The third and fourth sections present the research design for testing the hypotheses and the result of the statistical analyses utilizing five waves—2 through 6—of survey data covering the period between 1990 and 2010 (WVS 2015). The last section summarizes the major findings of the paper and discusses their implications.

2. Interpersonal Trust and Confidence in Labor Unions

2.1. Existing Studies (or the lack thereof)

Studies on the general public's attitudes towards labor unions have been surprisingly rare. Instead, the bulk of research program touching upon individuals' evaluation of labor unions has traditionally focused on those with (potential) union membership (e.g., Kochan 1979; Chacko and Greer 1982) as it was prompted by the general decline of unionization in the western world during the 1970s and 80s (Groot and van den Berg 1994). One important implication one can garner from this line of research is that some individuals, perhaps union members and their families, find labor unions to be instrumental to advancing their individual economic interests such as job security and wage increases (Fiorito 1987). Their confidence in unions is largely a function of the performance of unions.

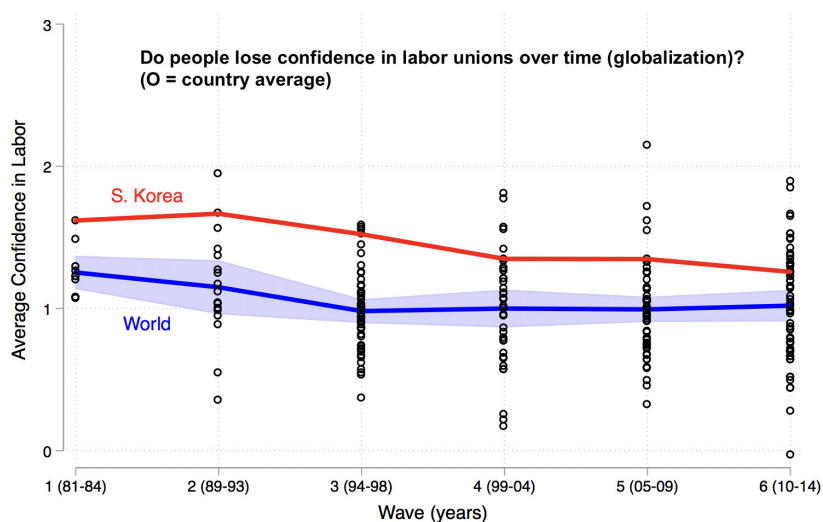
What we should observe if this insight holds empirically is generally declining public support for labor unions over time. Since globalization rendered capital increasingly mobile, thereby curtailing unions' bargaining power in substantively (Hessami and Baskaran 2015; Scruggs and Lange 2002), union performance in the eyes of the public should have also stagnated. Underperforming unions, in other words, might be unpopular. The declining power of organized labor can also be explained by the traditional Stopler-Samuelson framework where expanding exposure to trade tilts the balance of power between capital and labor in favor of the former in capital-abundant, developed societies (Rogowski 1987). Again, faltering political influence of labor would turn the public away from unions.

An alternative prediction emerges from the political sociology literature predicated on the Latin American experience. Labor unions often serve as one of the crucial vehicles for social mobilization against authoritarian regimes in developing societies (Valenzuela 1989). Throughout the course of democratization, thus, unions retain a considerable level of political legitimacy from the public. Furthermore, labor unions that survive harsh authoritarian suppression would have typically cultivated strong mobilization capacities by the time political liberalization begins (Fishman 2017). Such a capacity in turn helps them rise as a major political force after transition where other civil society actors have been substantially weakened. At this 'critical juncture' of political inclusion arises a populist coalition that is explicitly pro-labor (Collier and Collier 2002). In this sense, one should observe over time a rise in public support for labor unions given the increasing depth and scope of

political liberalization around the world.

The literature seems to assume implicitly that a society is a homogeneous group of bystanders watching labor–business (government) interactions. The instrumental approach would posit that citizens always take unions as vehicles for their personal gains whereas the populist approach suggests that individuals uniformly appreciate the political efficacy that a political agent offers. While useful in formulating stylized facts at a theoretical level, such an assumption clearly hampers an empirical inquiry attempting to better understand the reality where attitudinal homogeneity hardly exists on socio-political subject (Anckar 1999).

Figure 1: Popular Confidence in Labor Unions: national trends



Note: Each small circle indicates each country's average level of public confidence in labor unions (ranging between 0 and 3) using the World Value Survey (WVS) data detailed below. The solid line at the bottom represents global yearly means of public confidence in labor unions with 95% confidence intervals expressed as the shaded area. The horizontal axis indicates the 'wave' of each WVS with the years in the parentheses.

Not surprisingly, a quick examination of cross-national public opinion data reveals that neither of these expectations enjoys strong empirical support. To reiterate, the 'instrumental' approach posits a declining trend of public support for unions provided that economic globalization expands over time. The political sociology approach, alternatively, implies an increasing trend of public support for unions given that political liberalization usually intensifies over time. Contrary to these expectations, the modal position of the global public opinion on labor unions, as Figure 1 indicates, has hardly changed over time.

There are at least two plausible ways to explain this lack of a relationship. First, it could be due to the heterogeneity in the sample regarding what union actually is to the public. The role of labor unions is highly contextual of the societies' historical experience. For instance, where unions used to be de facto state apparatus and the membership was compulsory as in most Eastern European

countries, the public expectation of union performance is inherently lower than that in Western Europe where unions have traditionally been viewed to serve public goods (Visser 2006).

Second, it is also possible that the aggregation of opinion survey masks the individual level variations. If the determinants of support for unions lie largely at individual level attributes, the inference based on the country-level means is not free from ecological fallacy unless careful methodological remedies are applied (King 2013). In demand, thus, is an individual-level study on public attitudes toward unions with heterogeneous country-level contexts.

Few existing studies, to the best of my knowledge, meet these two conditions. Given that labor-related governmental policies are often shaped substantively by public opinions (Hobolt and Klemmensen 2005), this lack of understanding of public attitudes toward labor in the comparative politics literature—where microfoundations of distributional policies are usually heavily emphasized (e.g., Burstein 2003)—is simply puzzling.

2.2. Argument

2.2.1. Trust

As an alternative to the existing studies, this paper proposes that one personal attribute, interpersonal trust, helps us construct a framework in which the determinants of public confidence in labor unions can be better delineated. The rationale for this proposition is rooted in the Olsonian, pluralist political economy tradition where politics is portrayed as competition among groups defined by their interests. With their clearly redistributive agenda, labor unions can be seen as a ‘distributional coalition’ (Olson 1982) that seeks their gains at the expense of the rest of the society. A number of opinion survey results—and Olson (1982, 42) himself—lends support to this position. For instance, in a recent survey in the United States, almost seventy percent of the respondents answered that labor unions are a group aimed at redistributing the collective wealth toward themselves (e.g., Yglesias 2012).

But the paper departs from this Olsonian approach by arguing that not everybody reacts negatively to distributional coalitions. Instead, as Andersen and Fetner (2008) demonstrate, individuals can be tolerant of social groups—or find these groups ‘justifiable,’ even when strong cultural stigma is attached to them. Individuals tolerant of social groups that might potentially compromise their personal interests may have stronger confidence in those groups than might those intolerant of such groups. Ascertaining the determinants of individuals’ political tolerance, then, is the analytical key to understanding their attitudes toward labor unions.

While conceptualization of tolerance can take a number of different paths (Gibson and Bingham 1982), one well-established empirical regularity in the political behavior literature is that tolerance is a function of interpersonal trust. As Lipset (1959) famously posited, high-trust individuals compared to low-trust ones tend to believe in the values of coordination among contending social parties. In fact,

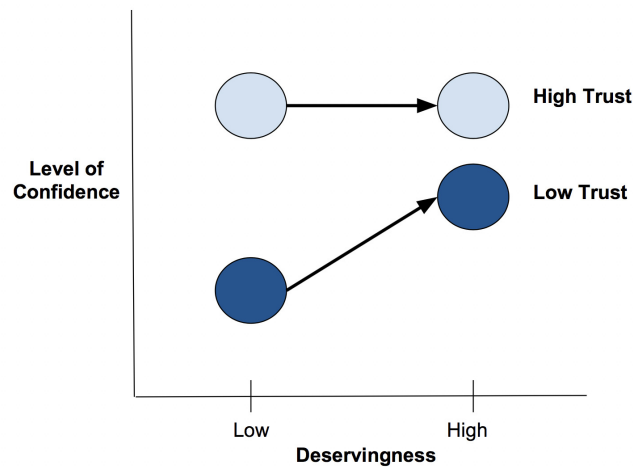
‘social capital’ literature (e.g., Putnam 1995; Sullivan and Transue 1999) contends that trust is one of the prerequisites for a functioning democratic system as it reduces inter-group hostility. On balance, high-trust individuals can be thought of as less hostile than low-trust ones towards other groups’ distributive demands. Low-trust individuals are more likely to align with the Olsonian view, regarding labor unions’ claims as unsubstantiated and their demands as excessive. To the extent that inter-group tolerance (hostility) improves (curtails) public confidence in a social organization (Norris 2011), it is plausible to posit that individuals’ interpersonal trust increases their confidence in labor unions.

2.2.2. Deservingness

The linkage between individuals’ interpersonal trust and their confidence in labor unions can be similarly understood as a function of their perception of the ‘deservingness’ of unions. Low-trust individuals would be skeptical of the intentions of labor unions and find their redistributive demands unduly egoistic and, thus, ‘undeserving.’ The skepticism in turn leads to low confidence in labor unions. This line of reasoning resonates with the literature on the public attitudes toward social welfare policies, where the deservingness perception plays a key role. A number of studies find that interpersonal trust is positively related to public support for expansion of welfare programs, in that high-trust individuals are more likely than low-trust ones to see the welfare recipients as deserving of the social transfer of wealth (Bergh and Bjørnskov 2014; Hacker, Rehm and Schlesinger 2013; Van Oorschot 2006).

While the level of interpersonal trust one might have is fairly stable irrespective of the changes in societal environments (Zolin et al. 2004; Letki 2004), that of deservingness is strongly contextual. The public opinion research on welfare policies suggests that the perception of deservingness is malleable through relevant information cues (Valentino, Hutchings and White 2002), implying that changes in the societal contexts can effectively alter it (Erikson, MacKuen and Stimson 2002). Jeene, van Oorschot and Uunk (2014), in particular, find that Dutch citizens’ attitudes toward welfare deservingness are significantly contingent upon the “national political climate.” When the dominant public opinion leans toward redistributive policies, they report, citizens’ perception of welfare deservingness also increases.

Figure 2: The Argument – Trust, Deservingness, and Confidence



This insight on deservingness in the welfare literature offers a strong implication to how the deservingness perception affects individuals’ approval of labor unions given that in the Olsonian view, both welfare expansion and pro-labor policies would be understood as redistributive ones. Thus, individuals under the context where unions appear deserving of what they claim would be more likely than others to view them favorably. In short, one can posit that interpersonal trust determines individuals’ confidence in labor unions as it renders them tolerant of distributional coalitions. But this relationship can be compounded by contextual factors affecting their deservingness perception as illustrated in Figure 2. *Where labor unions are deemed as deserving of policies accommodating their demands, the effect of trust on popular confidence in unions may be relatively weak* (Hypothesis 1) because the strong deservingness might cancel out some of the negative evaluations a low-trust individual might otherwise have had. By contrast, *when labor unions’ demands are viewed as excessive, the effect of trust should be stronger* (Hypothesis 2) as low-trust citizens skepticism towards unions might not be abated. The views of low-trust individuals toward labor unions are sensitive to the contextual factors relevant to their deservingness perception whereas those of high-trust individuals are stable irrespective of contexts.

2.3. South Korea

South Korea presents itself as an interesting testing ground for the hypotheses put forth above. For starters, the country is one of several cases where the survey data are available for five waves, enabling researchers to trace the temporal variation of the central variables.

More importantly, the country is a less-likely case of the Olsonian view, which, in its pure form, would predict that individual attitudes toward labor unions are generally very low. As shown in Figure

1, the level of citizen confidence in labor unions is significantly high, implying that, on average, Koreans are less likely than others to think that unions are distributional coalitions. The result we obtain from this unlikely case, therefore, would have more generalizable implications than those produced by more likely cases.

South Korea is also one of the few emerging democracies where the public confidence labor unions has stabilized over time, minimizing the possibility that structural factors beyond the scope of this research (i.e., authoritarian reversals or civil war) interrupts our empirical test. Given that personal belief-system usually does not change dramatically in a short time-frame, a drastic rise or decline of confidence in labor unions implies a structural factor is at work altering public attitudes toward social organizations altogether (Lynch, Kaplan and Shema 1997) and constructing the empirical framework in this research would have been more complicated.

Similarly, the country is a case where several structural variables are naturally controlled for, rendering the empirical test more feasible. First, the militantness of labor unions in South Korea, for example, has hardly increased since the mid-1990s. The number of labor disputes reported to the government agency—the Labor Committee²—had mildly decreased from the 1990s to early 2000s and stayed nearly constantly ever since (Lee 2008). Had the unions grown significantly militant over the years, it would be plausible to argue that the public confidence in the unions decreased in reaction, regardless of the effect of interpersonal trust put forth in this paper. Second, the Korean democratic regime has stayed fairly stable since the initial democratization in 1987 without any major authoritarian disruptions. The alternations of governments through elections have been peaceful and the Sixth Constitution that embodies the regime has remained intact since 1987. Had there been major disruptions such as coups and autocratic reversals as in many nascent democracies in the 1980s, the role the labor unions had to play would also have been completely different from the role they actually play and so would the public confidence in them. In addition, the country’s unionization level is extremely low (about 12 per cent). Given that union membership tends to be strongly correlated with individuals’ confident in unions regardless of other socio-political variables (Palley and LaJeunesse 2007), the low unionization rate helps us more easily investigate the effect of trust.

Relatedly, a sizable number of Korean citizens do view labor unions as distributional coalitions, lending empirical validity to the hypotheses put forth above which builds on the Olsonian view. As Choi and Kim (2010) report, on average, slightly more than 60 per cent of Korean citizens in the 2000s either agree or ‘strongly’ agree that the labor unions need to refrain themselves from demanding too much for the sake of the national economic growth.

2) This report is legal obligation for disputing parties.

3. Research Design

3.1. Variables

The data for all individual-level variables used in this paper come from five waves of the World Value Survey (WVS 2015). Ideally, it would best serve our purpose of testing the hypotheses if we had in-depth, longitudinal survey data investigating public attitudes toward labor unions specifically in South Korea. Unfortunately such a data set does not exist to my knowledge. WVS is a reasonably viable alternative given that the variables central to this research have been surveyed consistently over a relatively long time period—from 1990 to 2010.

The dependent variable capturing ordinary South Korean citizens' confidence in labor unions is "Confidence in Labor Unions",³⁾ which is a four-indicator, Likert scale item ranging from 1 ("a great deal") to 4 ("not at all"). This original variable is recoded such that higher numbers represent stronger confidence.

Table 1. Summary Statistics

Variable	Mean	SD	Min	Max
Confidence in Labor	1.476606	0.7236272	0	3
Left ideology	5.352479	2.226299	1	10
Liberal Government	0.3943785	0.4887595	0	1
Interpersonal Trust	0.3069134	0.4612534	0	1
Income Level	4.845845	2.150561	1	10
Male	0.492493	0.4999873	0	1
Age	39.7507	13.3606	17	91
Education	6.301152	1.667462	1	8
Economic Satisfaction	5.761173	2.089297	1	10
Years since 1987	13.43628	6.934662	3	23

One of the central independent variables, Interpersonal Trust, comes directly from a WVS questionnaire that asks respondents if they believe that "most people can be trusted." This is a dummy variable with two possible answers: 1) "most people can be trusted" (i.e., yes) and 2) "can't be too careful" (i.e., no). Again, the variable is recoded such that one indicates a high-trust individual and zero, otherwise.

The other independent variable that captures the structural deservingness factor is the ideological orientation of the government. Concerning how distributive the social policies are, citizens' understandings usually differ drastically between conservative and liberal governments. Liberal

3) The variable codes used in WVS is list in Table A4.

governments are almost universally seen as more redistributive than their conservative counterparts—so much so that policies deviating these expectations cost the government elections (Bagashka and Stone 2013). This general regularity certainly extends to the government-labor relations in South Korea. In the post-transition era, the liberal and conservative governments each presented clearly different labor policies reflecting their ideological orientations (Koo 2000). Indeed, the labor policies of the conservative governments, particularly those of Lee Myungbak government, appear rather repressive in the eyes of civil society groups (Kim 2015). Several anecdotes where such labor policies of the conservative government led to new forms of resistance that attracted wide public attentions (Lee 2015) also adds to this ideological division.

It is plausible, in this sense, to assume that the public formed their perceptions as to how necessary it was for the unions to promote labor rights and pursue pro-labor policies following this ideological division between governments. That is, conservative (liberal) governments would be viewed as relatively hostile (sympathetic) to labor unions. The union activities under conservative (liberal) governments would be likely seen necessary (unnecessary). Consequently, a conservative (liberal) government can be thought of as a proxy of relatively high (low) deservingness of labor unions. Given this reasoning, a dummy variable, Liberal Government, is coded one for the years where the incumbent president was Kim Daejung or Roh Muhyun and zero, otherwise.

A host of control variables capturing each individual's level of income, self-reported political ideology, gender, age, household financial satisfaction, and educational attainment are also used. Given that three of the four conservative governments temporally proceeded the liberal ones, it is possible that the government ideology simply reflects the maturity of democracy. To ward off this possibility, an additional control variable, Year since 1987, is employed. The variable is count of years that have elapsed since the 1987 democratization. The summary statistics for the variables used in the benchmark specification are presented in Table 1.

3.2. Model

Given that the dependent variable is ordinal, an ordered logit model would be best suited for testing our hypotheses. However, as the structure of the data is hierarchical, the error terms are unlikely to be random. Country-specific component of the error term is by definition the same for all individuals, which can lead to biased estimates unless models explicitly addressing this concern are used (Wells and Kriekhaus 2006). Consequently, a multilevel ordered logit model with random intercepts is employed to estimate the benchmark model. A latent form of the benchmark model can be written formally as:

$$\Pr^* (\text{Confidence in Unions}_{ij} = k) = \Pr (\kappa_{k-1} < \beta_0 + \beta_1 \text{Trust}_{ij} + \beta_2 \text{Liberal Government}_i + \beta_3 \text{Trust}_{ij} \times \text{Liberal Government}_i + \beta_4 \text{Years since 1987}_i + \varphi_i + \nu_{ij} + \varepsilon_j \leq \kappa_k),$$

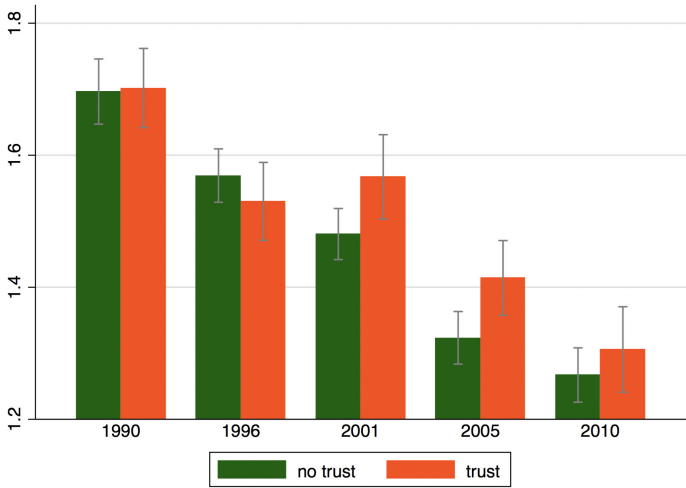
where β s are coefficients for each variable, i indicates each wave of the survey (level-1), j identifies individuals (level-2), and k is each indicator of the dependent variable. ν and ϵ are level-1 and level-2 error terms, respectively. ψ is a vector of individual level control variables. A significant β_3 is a necessary, but not sufficient, condition for the hypotheses to be supported.

Methodological literature has long noted that using multilevel models on a hierarchical dataset where the number of clusters (‘waves’ in this paper) is small risks biased estimates (Stegmueller 2013). Therefore, while I argue that obtaining the multilevel estimates as a benchmark so as to gauge how large the marginal effect of interpersonal trust across different governments is important, I complement it with a set of single-level ordered logit models where the data in each wave are analyzed separately to address this concern. In this set of models, by definition, the country-level variables are excluded.

4. Result

4.1. Main Result

Figure 3: Confidence in Unions by Interpersonal Trust with 90% Confidence Intervals



Y-axis indicates the average level of confidence in labor unions. X-axis represents the year of the survey where 2001 and 2005 are the liberal Kim Daejung and Roh Muhyun governments, respectively.

Figure 3 plots the level of public confidence in labor unions across different governments of South Korea (2001 and 2005 are liberal governments). The figure lends an intuitive support to the hypothesis. Under conservative governments (1990, 1996, and 2010), the level of confidence in labor unions

among low-trust individuals and that of high-trust ones do not exhibit any discernible differences. On the other hand, as the confidence interval bars indicate, the difference during the reign of liberal governments (2001 and 2005) is statistically significant at a traditional threshold. The p-values of difference-of-mean tests (t-test) are 0.086 for 2001 and 0.021 for 2005, suggesting that the level of confidence in unions was significantly higher among the high-trust individuals than among their low-trust counterpart under the two liberal governments.

Table A2: Causal Mediation (1): Full Table

	(1) 1990	(2) 2001	(3) 2005	(4) 2010
DV: Confidence in Union				
Interpersonal Trust	0.007 [0.120]	0.285* [0.134]	0.249* [0.121]	0.076 [0.132]
Left Ideology	0.065* [0.028]	0.138*** [0.030]	0.021 [0.033]	0.140*** [0.032]
Male	-0.090 [0.119]	-0.249* [0.123]	-0.082 [0.116]	-0.044 [0.119]
Age	-0.010 [0.006]	-0.006 [0.006]	-0.005 [0.006]	0.006 [0.005]
Education	-0.058 [0.060]	-0.220*** [0.050]	-0.098* [0.044]	-0.066 [0.047]
Income	-0.102*** [0.025]	0.004 [0.041]	0.009 [0.043]	-0.049 [0.042]
Economic Satisfaction	0.088** [0.034]	0.058 [0.035]	0.005 [0.035]	0.065 [0.043]
life	-0.041 [0.033]	0.010 [0.032]	0.061 [0.040]	0.034 [0.040]
DV: Interpersonal Trust				
life satisfaction	0.146*** [0.034]	0.113** [0.035]	0.156** [0.051]	0.326*** [0.054]
Left Ideology	0.038 [0.029]	-0.020 [0.031]	0.056 [0.036]	-0.005 [0.033]
Male	-0.214 [0.132]	-0.155 [0.139]	-0.070 [0.134]	0.239 [0.135]
Age	0.000 [0.006]	0.009 [0.006]	-0.004 [0.006]	0.003 [0.006]
Education	0.095 [0.059]	0.138* [0.056]	0.107* [0.052]	0.060 [0.053]
Income	-0.012 [0.028]	0.023 [0.043]	-0.010 [0.046]	0.005 [0.046]
Economic Satisfaction	-0.038 [0.035]	0.025 [0.036]	0.056 [0.051]	0.016 [0.048]

	(1) 1990	(2) 2001	(3) 2005	(4) 2010
Constant	-2.031*** [0.559]	-2.969*** [0.576]	-2.919*** [0.619]	-3.829*** [0.645]
Observations	1120	1155	1161	1154
<i>AIC</i>	3922.389	3497.223	3773.079	3810.591
<i>BIC</i>	4017.790	3593.209	3869.162	3906.560
log-likelihood	-1942.195	-1729.612	-1867.539	-1886.296

*p < 0.05, **p < 0.01, ***p < 0.001. Ordered logit (upper panel) and binary logit (bottom panel) estimates with robust standard errors in brackets drawing upon structural equation modeling. The result for 1996 is missing because of the lack of the WVS data for Life Satisfaction in that year.

Table 2. Benchmark Model

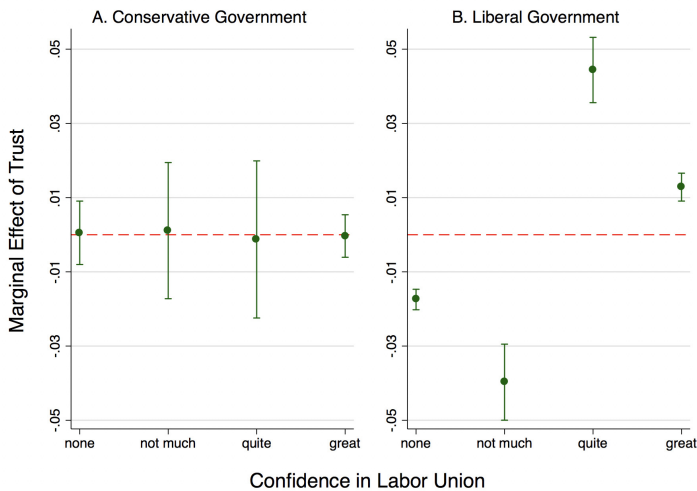
	(1)		(2)	
	Baseline Model		Benchmark Model	
Left Ideology	0.088***	[0.019]	0.088***	[0.019]
Liberal Government	-0.000	[0.067]	-0.075	[0.055]
Interpersonal Trust	0.092	[0.075]	-0.007	[0.058]
Liberal Gov't × Interpersonal Trust			0.250***	[0.063]
Income	-0.049	[0.036]	-0.049	[0.036]
Male	-0.146**	[0.051]	-0.143**	[0.050]
Age	-0.006	[0.004]	-0.006	[0.004]
Education	-0.090**	[0.031]	-0.091**	[0.031]
Economic Satisfaction	0.058***	[0.017]	0.058***	[0.017]
Year since 1987	-0.059***	[0.003]	-0.059***	[0.003]
Level 1 Variance	-3.567***	[0.324]	-3.611***	[0.350]
Level 2 Variance	-1.098***	[0.318]	-1.139***	[0.336]
Observations	5728		5728	
<i>AIC</i>	12103.44		12098.47	
<i>BIC</i>	12130.05		12125.08	
loglikelihood	-6047.72		-6045.23	

* p < 0.05, ** p < 0.01, *** p < 0.001. Multi-level mixed effect ordered logit estimates with robust standard errors in brackets. Cut points are abbreviated to spare space.

Table 2 presents the results of the baseline and benchmark models. The first column reveals that without the interaction term, neither the government ideology nor interpersonal trust on its own has any notable monotonic effect on public confidence in labor unions. This is contrasted with the result reported in the second column (benchmark model), where the multiplicative interaction term for these two variables retains strong statistical significance. Since the regression table alone does not offer much information as to whether this result supports the hypotheses, the marginal effect of interpersonal trust on public confidence in labor when the incumbent government is conservative (A) and when it is liberal (B) is visualized in Figure 4. The marginal effect figure offers evidence strongly supportive

of the hypotheses. In the left panel, under conservative governments, the marginal effect of interpersonal trust—i.e. the difference in the probability of each indicator in the dependent variable (none, not much, quite, or great) between when Trust is zero and when it is one—is not distinguishable from zero. In other words, it turns out that whether an individual is of high- or low-trust does not make any difference in terms of her or his confidence in labor unions at any level when the government is conservative. The result lends a strong support to Hypothesis 2. A diametrically different result is illustrated in the right panel of Figure 4. Under liberal governments, interpersonal trust increases the probability that an individual has ‘quite a lot’ or ‘a great deal’ of confidence in unions by about 6 per cent (= 4.5 + 1.5). Similarly, trust reduces the probability that an individual has weak confidence in unions (‘none’ or ‘not much’) by about 5 per cent (= (-1.5) + (-3.5)). Given that percentages of individuals for each answer do not vary dramatically across surveys as seen in Figure A1, this is a substantial difference.

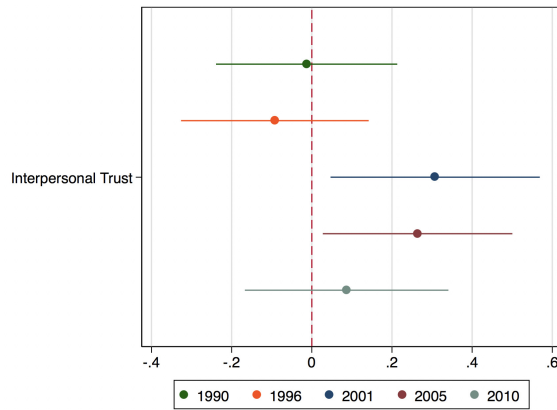
Figure 4: Marginal Effect of Trust on Confidence



Each dot indicates a point estimate of the marginal probability effect of interpersonal trust on each indicator (none, not much, quite, or great) of confidence in labor unions based on the benchmark result. The bars indicate 95% confidence intervals.

The results of ordered logit models disaggregated by each wave of survey (i.e. year) offer evidence corroborative of this finding. As depicted in Figure 5, the effect of interpersonal trust (expressed as coefficients) is positively significant only in the years where the ideological orientation of the government is liberal. In other years where conservative governments were in place, the variable is not statistically significant as the confidence intervals include zero.

Figure 5: The Effect of Trust: Disaggregated

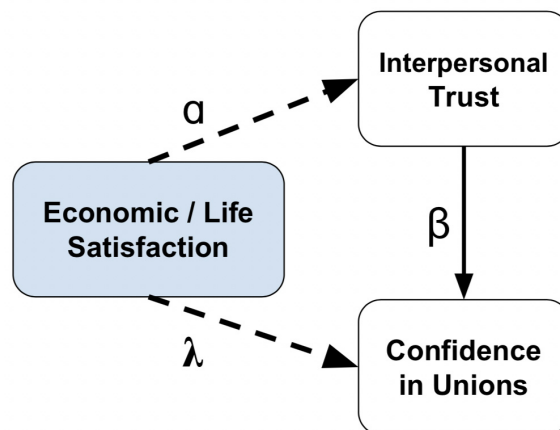


Each dot represents the coefficient of the interpersonal variable while each bar indicates the 95% confidence interval. For the full regression results, see Table A1.

4.2. Alternative Explanations

While the empirical evidence presented above seems to strongly support the hypotheses, the observational nature of the data does not preclude the possibilities of incorrect causal identification. Granted, a reverse causality—i.e., decrease in confidence in labor unions leads to loss of interpersonal trust—does not sound plausible. There is, however, one avenue in which much of the result of the empirical analysis can be explained irrespective of the argument proposed.

Figure 6: Causal Mediation



One such scenario lies in the seismic effect that the 1997 Asian Financial Crisis brought onto the Korean society. The crisis is believed to have upended the existing social order, thereby taking tangible

and intangible tolls on the society. First, the crisis spurred considerable economic insecurity. Not only did the damaging impact of the crisis deteriorate the living conditions of ordinary Koreans, a series of austerity measures set off in its aftermath also significantly curtailed the employment security of Korean workers (Kim and Lee 2014). Second, the crisis also significantly undermined the morale of the society. Traditionally, ordinary South Koreans' "self-image rested on [the country's] economic prowess" (Eichengreen, Perkins and Shin 2012, 270), an idea cultivated during the reign of the developmental state in the 1960s and 1970s. To many, the crisis was a wake-up call to the cruel reality, leading to significantly negative attitudes toward other social actors and institutions (Son 2016).

This poses a serious challenge to the benchmark model. The two liberal governments temporally overlap with the post-crisis period. That is, one could explain the benchmark result by highlighting that the crisis eroded interpersonal trust which in turn reduced confidence in unions. The ten years of the two liberal governments, the story goes, simply happened to be in this devastating period. Since individuals' economic well-being (Catterberg and Moreno 2006; Rahn and Transue 1998) and negative view about the society (Scheufele and Shah 2000) significantly influence their social trust, one could plausibly posit that in the period following the crisis, these factors contributed to the diminishing public confidence in labor through interpersonal trust. The trust's true independent effect on labor, thus, would be much smaller than reported in the benchmark result. If this claim holds empirically, the inference based on the conditional effect of government ideology would prove simply spurious. That is, as in Figure 6, the benchmark result (β) without taking into account the the direct (λ) and, more importantly, indirect ($\alpha \times \beta$) effects of the crisis factors on the Confidence in Unions might tell only a part of the story.

One way to investigate if this concern is warranted is using 'causal mediation analysis' following Preacher and Hayes (2008), who draw upon structural equation modeling.⁴ Following the extant literature on welfare policies (e.g., Blekesaune 2007), I assume that the 'household financial satisfaction' variable (Economic Satisfaction), which is used as a control variable in the benchmark, is an effective proxy for individuals' economic insecurity/well-being. Likewise, I take 'satisfaction in life' (Life Satisfaction) as a proxy for individuals' general attitude to their surroundings (Scheufele and Shah 2000). As implied in Figure 6, the benchmark result reports only β —and λ in the case of Economic Satisfaction. If the benchmark model is robust to the causal mediation effect, β should remain positively significant in 2001 and 2005, two surveys conducted during the two liberal governments, even when α and β are introduced into the model. The indirect effect the Satisfaction variables have on Confidence in Union via Interpersonal Trust can be calculated by combining α and β , which would offer us additional insights as to how much of the benchmark result is in effect the function of the Satisfaction variables.

4) Using an alternative method (Imai et al. 2011) yields virtually identical results.

Table 3. Causal Mediation Summary

	1990	1996	2001	2005	2010
Direct Effect					
Trust → Unions	0.007 [0.120]		0.285* [0.134]	0.249* [0.121]	0.076 [0.132]
Life → Trust	0.146*** [0.034]		0.113** [0.035]	0.156** [0.051]	0.326*** [0.054]
Life → Unions	-0.041 [0.033]		0.01 [0.032]	0.061 [0.040]	0.034 [0.040]
Indirect Effect					
Life → Unions	0.001 [0.018]		0.032 [0.018]	0.039 [0.023]	0.025 [0.044]
Direct Effect					
Trust → Unions	-0.013 [0.115]	-0.092 [0.119]	0.308* [0.133]	0.264* [0.121]	0.087 [0.130]
Ecosat → Trust	0.035 [0.031]	0.135*** [0.036]	0.081* [0.033]	0.135*** [0.040]	0.152*** [0.040]
EconSat → Unions	0.064* [0.031]	0.003 [0.032]	0.066* [0.032]	0.033 [0.035]	0.085* [0.040]
Indirect Effect					
Life → EconSat	-0.001 [0.004]	-0.012 [0.016]	0.025 [0.015]	0.036 [0.019]	0.013 [0.020]

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$. Ordered logit (DV=Unions) and binary logit (DV=Trust) estimates with robust standard errors in brackets drawing upon structural equation modeling. Indirect effect computed following Preacher and Hayes (2008). The result for 1996 is missing in the upper panel because the WVS data for Life Satisfaction are not available in that year.

Table 3 presents a summary of the causal mediation analysis for all five waves (the full regression result is reported in Table A2): the benchmark result is robust to the alternative scenario. In both the upper (Life Satisfaction) and bottom (Economic Satisfaction) panels, the effect of Trust on Confidence in Unions stays positively significant in 2001 and 2005 ($p < 0.05$), analogous to the benchmark result. In all cases, the indirect effect of Satisfaction variables is weak, if not at all absent, barely reaching minimal level of significance only in 2001 ($p = 0.073$ for Life Satisfaction and $p = 0.095$ for Economic Satisfaction) and 2005 ($p = 0.088$ for Life Satisfaction and 0.063 for Economic Satisfaction). Not only are they insignificant, the size of the effect mediated is also substantively small with their coefficient generally about ten percent of the coefficient of Trust. The ways in which the effect of the 1997 crisis operates, in other words, is independent of their interpersonal trust. On balance, the mediation analysis demonstrates that the concern about the effect of a potentially unspecified effect of the economic crisis is likely unwarranted. As suggested above, what the government ideology variable captures in the benchmark model is the public's deservingness perceptions of labor unions.

5. Conclusion

What is the fate of organized labor in the age of economic globalization? The contemporary political economy scholarship does not offer a compelling answer to this question. This paper approaches the issue with regard to how the public views labor unions. By focusing on the case of South Korea, the paper reports that public confidence in labor unions is significantly affected by their interpersonal trust particularly under liberal governments. While high-trust individuals are generally tolerant of social groups—labor unions—demanding redistribution while low-trust individuals view unions as ‘distributional coalitions’ who seek their interests at the expense of the rest of the society. This difference is diluted when a conservative government is in power as the low-trust citizens find the political landscape relatively more hostile to unions than that of liberal governments and, thus, unions more deserving of redistributive demands.

The paper contributes to our understanding of contentious labor politics in several ways. First, the paper is one of rare attempts to investigate ordinary citizens’ attitudes toward labor unions. While recurrent economic turmoil and their dire consequences on ordinary people in the past decades rendered the studies on organized labor particularly important, the empirical purview of such studies has been confined mostly to the corporatist framework (e.g., Avdagic 2010), where public opinions hardly play a role. Given that government policies are affected heavily by median voters’ preferences, this line of research overlooked the microfoundation of labor-government interactions. The paper fills this lacuna by identifying attitudinal level determinants for public confidence in labor unions. Second, the paper challenges the existing narratives on the effect of economic liberalizations on labor. While increasingly nuanced theoretical frameworks have been proposed in the literature recently (e.g., Scheve and Slaughter 2001; Walter 2017), the gist of these studies remains that liberalizations invariably hurt (certain type of) labor. In the context of post-crisis South Korea, the paper suggests that such a negative effect does not translate directly into public opinions. It reveals that as opposed to the aggressive reforms adopted in the aftermath of the crisis (e.g., Kim and Lee 2014), what directly contributed to negative public attitudes towards labor unions was low-trust individuals’ deservingness perception during liberal governments.



References

- Anckar, Dag. 1999. "Homogeneity and smallness: Dahl and Tufte revisited." *Scandinavian Political Studies*. 22(1):29-44.
- Andersen, Robert and Tina Fetner. 2008. "Economic Inequality and Intolerance: Attitude toward Homosexuality in 35 Democracies." *American Journal of Political Science*. 52(4):942-958.
- Avdagic, Sabina. 2010. "When Are Concerted Reforms Feasible? Explaining the Emergence of Social Pacts in Western Europe." *Comparative Political Studies*. 43(5):628-657.
- Bagashka, Tanya and Randall W. Stone. 2013. "Risky Signals: The Political Costs of Exchange Rate Policy in Post-Communist Countries." *International Studies Quarterly*. 57:519-531.
- Bergh, Andreas and Christian Bjørnskov. 2014. "Trust, welfare states and income equality: Sorting out the causality." *European Journal of Political Economy*. 35(2):183-199.
- Blekesaune, Morten. 2007. "Economic conditions and public attitudes to welfare policies." *European Sociological Review*. 23(3):393-403.
- Burstein, Paul. 2003. "The impact of public opinion on public policy: A review and an agenda." *Political research quarterly*. 56(1):29-40.
- Campello, Dainela. 2013. "The Politics of Financial Booms and Crises: Evidence from Latin America." *Comparative Political Studies*. 47:260-286.
- Catterberg, Gabriela and Alejandro Moreno. 2006. "The individual bases of political trust: Trends in new and established democracies." *International Journal of Public Opinion Research*. 18(1):31-48.
- Chacko, Thomas I and Charles R Greer. 1982. "Perceptions of union power, service, and confidence in labor leaders: A study of member and nonmember differences." *Journal of Labor Research*. 3(2):211-221.
- Choi, Youngi and Dongbae Kim. 2010. "Nosaguangye Kukmineuisikjosa (An Analysis of Public Opinion Survey on Industrial Relations)." *Jeongchaek Yeongu (Policy Studies)*. 53:1-118.
- Collier, Ruth Berins and David Collier. 2002. *Shaping the political arena: Critical junctures, the labor movement, and regime dynamics in Latin America*. New York, NY: Notre Dame University Press.
- Eichengreen, Barry, Dwight H. Perkins and Kwanho Shin. 2012. *From Miracle to Maturity: the Growth of the Korean Economy*. Cambridge: Harvard University Press.
- Erikson, Robert S, Michael B MacKuen and James A Stimson. 2002. *The Macro Polity*. Cambridge University Press.

- Fiorito, Jack. 1987. "Political Instrumentality Perceptions and Desires for Union Representation." *Journal of Labor Research*. 8(3):271–289.
- Fishman, Robert. 2017. "How Civil Society Matters in Democratization." *Comparative Politics*. 49(3):391–409.
- Gibson, James L and Richard D Bingham. 1982. "On the conceptualization and measurement of political tolerance." *American Political Science Review*. 76(3):603–620.
- Groot, Wim and Annette van den Berg. 1994. "Why union density has declined." *European Journal of Political Economy*. 10(4):749–763.
- Hacker, Jacob S., Philipp Rehm and Mark Schlesinger. 2013. "The Insecure American: Economic Experiences, Financial Worries, and Policy Attitudes." *Perspectives on Politics*. 11(1):23–49.
- Hessami, Zohal and Thushyanthan Baskaran. 2015. "Has Globalisation Affected Collective Bargaining? An Empirical Test, 1980–2009." *The World Economy*. 38(12):1880–1911.
- Hobolt, Sara Binzer and Robert Klemmensen. 2005. "Responsive government? Public opinion and government policy preferences in Britain and Denmark." *Political Studies*. 53(2):379–402.
- Imai, Kosuke, Luke Keele, Dustin Tingley and Teppei Yamamoto. 2011. "Unpacking the black box of causality: Learning about causal mechanisms from experimental and observational studies." *American Political Science Review*. 105:765–789.
- Jeene, Marjolein, Wim van Oorschot and Wilfred Uunk. 2014. "The dynamics of welfare opinions in changing economic, institutional and political contexts: an empirical analysis of Dutch deservingness opinions, 1975–2006." *Social Indicators Research*. 115(2):731–749.
- Kim, Andrew Eungi and Choong-Mook Lee. 2014. "Neoliberalism and Insecure Employment in Korea: Emergence of the Working Poor and Worsening Socio-Economic Polarization." *Korea Observer*. 45(2):255–273.
- Kim, Yuseon. 2015. *Hankukui Nodong 2016 (Working Korea 2016)*. Seoul, Korea: Korean Labor & Society Institute.
- King, Gary. 2013. *A solution to the ecological inference problem: Reconstructing individual behavior from aggregate data*. Princeton, NJ: Princeton University Press.
- Kochan, Thomas A. 1979. "How American workers view labor unions." *Monthly Labor Review*. 102:23–46.
- Koo, Hagen. 2000. "The Dilemmas of Empowered Labor in Korea: Korean Workers in the Face of Global Capitalism." *Asian Survey*. 40(2):227–250.

- Kriesi, Hanspeter, Anke Tresch and Margit Jochum. 2007. "Going public in the European Union: Action repertoires of Western European collective political actors." *Comparative Political Studies*. 40(1):48-73.
- Lee, Sunghee. 2008. "2000nyun ihooui nosabunjang balsang chuiwa nosa guangyue byunhwa (Labor Dispute Trend and Changing Labor-Business Relationship since 2000)." *Issue Bunseok*. Available at https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwifyZzIvoTVAhXIRiYKHWJyBxQQFggoMAA&url=https%3A%2F%2Fwww.kli.re.kr%2FdownloadBbsFile.do%3FatchmfnlNo%3D8559&usg=AFQjCNFbVy_MalN0hcgbsthBINxMh4Wyew.
- Lee, Yoonkyung. 2015. "Sky Protest: New Forms of Labour Resistance in Neo-Liberal Korea." *Journal of Contemporary Asia*. 45(3):443-464.
- Letki, Natalia. 2004. "Socialization for participation? Trust, membership, and democratization in East-Central Europe." *Political Research Quarterly*. 57(4):665-679.
- Lipset, Seymour Martin. 1959. "Democracy and Working-Class Authoritarianism." *American Sociological Review*. 24(4):482-501.
- Lynch, John W., George Kaplan and Sarah J. Shema. 1997. "Cumulative Impact of Sustained Economic Hardship on Physical, Cognitive, Psychological, and Social Functioning." *New England Journal of Medicine*. 337:1889-1895.
- Moore, Barrington. 1966. *Social origins of democracy and dictatorship*. Boston, MA: Beacon.
- Norris, Pippa. 2011. *Democratic Deficit: Critical Citizens Revisited*. New York: Cambridge University Press.
- Olson, Mancur. 1982. *The rise and decline of nations: Economic growth, stagflation, and social rigidities*. New York, NY: Yale University Press.
- Page, Benjamin I and Robert Y Shapiro. 1983. "Effects of public opinion on policy." *American political science review*. 77(1):175-190.
- Palley, Thomas I. and Robert M. LaJeunesse. 2007. "Social attitudes, labor law, and union organizing: Toward a new economics of union density." *Journal of Economic Behavior & Organization*. 62(2):237-254.
- Preacher, Kristopher J. and Andrew F. Hayes. 2008. "Asymptotic and resampling strategies for assessing and comparing indirect effects in multiple mediator models." *Behavior Research Methods*. 40(3):879-891.
- Putnam, Robert D. 1995. "Bowling alone: America's declining social capital." *Journal of democracy*. 6(1):65-78.
- Rahn, Wendy M and John E Transue. 1998. "Social trust and value change: The decline of social capital in American youth, 1976-1995." *Political Psychology* 19(3):545-565.

- Rogowski, Ronald. 1987. "Political Cleavages and Changing Exposure to Trade." *American Political Science Review*. 81(4):1121-1137.
- Ross, George. 2000. "Labor versus globalization." *The Annals of the American Academy of Political and Social Science*. 570(1):78-91.
- Rueschemeyer, Dietrich, Evelyne Huber Stephens and John D Stephens. 1992. *Capitalist Development and Democracy*. Chicago: University of Chicago Press.
- Scheufele, Dietram A and Dhavan V Shah. 2000. "Personality strength and social capital: The role of dispositional and informational variables in the production of civic participation." *Communication Research*. 27(2):107-131.
- Scheve, Kenneth F. and Matthew J. Slaughter. 2001. "What determines individual trade-policy preferences?" *Journal of International Economics*. 54(2):267 - 292.
- Scruggs, Lyle and Peter Lange. 2002. "Where have all the members gone? Globalization, institutions, and union density." *The Journal of Politics*. 64(1):126-153.
- Son, Byunghwan. 2016. "Are the Poor the Weak Link? Democratic Support and Income Levels in Post-Crisis South Korea." *Journal of East Asian Studies*. 16(2):219-237.
- Stegmueller, Daniel. 2013. "How many countries for multilevel modeling? A comparison of frequentist and Bayesian approaches." *American Journal of Political Science*. 57(3):748-761.
- Sullivan, John L and John E Transue. 1999. "The psychological underpinnings of democracy: A selective review of research on political tolerance, interpersonal trust, and social capital." *Annual Review of Psychology*. 50(1):625-650.
- Tavits, Margit and Natalia Letki. 2009. "When Left Is Right: Party Ideology and Policy in Post-Communist Europe." *American Political Science Review*. 103(4):555-569.
- The Economist. 2015. "Why trade unions are declining." Available at: <https://www.economist.com/blogs/economist-explains/2015/09/economist-explains-19>.
- Thelen, Kathleen. 2003. "The paradox of globalization: labor relations in Germany and beyond." *Comparative Political Studies* 36(8):859-880.
- Valentino, Nicholas A, Vincent L Hutchings and Ismail K White. 2002. "Cues that matter: How political ads prime racial attitudes during campaigns." *American Political Science Review*. 96(1):75-90.
- Valenzuela, J. Samuel. 1989. "Labor Movements in Transitions to Democracy: A Framework for Analysis." *Comparative Politics*. 21(4):445-472.
- Van Oorschot, Wim. 2006. "Making the difference in social Europe: deservingness perceptions among citizens of European welfare states." *Journal of European Social Policy*. 16(1):23-42.

- Visser, Jelle. 2006. "Union membership statistics in 24 countries." *Monthly Labor Review*. 129:38-49.
- Walter, Stefanie. 2017. "Globalization and the Demand-Side of Politics: How Globalization Shapes Labor Market Risk Perceptions and Policy Preferences." *Political Science Research and Methods*. 5(1):55-80.
- Wells, Jason M. and Jonathan Kriekhaus. 2006. "Citizen Support for Democracy: Does National Context Matter?" *Political Research Quarterly*. 59(4):569-578.
- WVS. 2015. "World Value Survey Longitudinal 1981-2014 Data." Available at <http://www.worldvaluessurvey.org/WVSContents.jsp>.
- Yglesias, Matthew. 2012. "Labor Unions and Public Opinion." *Slate*. Available at http://www.slate.com/blogs/moneybox/2012/06/16/labor_unions_and_public_opinion.html.
- Zolin, Roxanne, Pamela J Hinds, Renate Fruchter and Raymond E Levitt. 2004. "Interpersonal trust in cross-functional, geographically distributed work: A longitudinal study." *Information and organization*. 14(1):1-26.

Appendix

Table A1. Disaggregated by Years

	(1)	(2)	(3)	(4)	(5)
	1990	1996	2001	2005	2010
Interpersonal Trust	-0.013 [0.115]	-0.092 [0.119]	0.308* [0.133]	0.264* [0.121]	0.087 [0.130]
Left Ideology	0.062* [0.028]	0.093*** [0.028]	0.129*** [0.030]	0.024 [0.033]	0.140*** [0.032]
Income	-0.107*** [0.025]	-0.000 [0.031]	0.008 [0.040]	0.017 [0.042]	-0.050 [0.042]
Economic Satisfaction	0.064* [0.031]	0.003 [0.032]	0.066* [0.032]	0.033 [0.035]	0.085* [0.040]
Male	-0.086 [0.118]	-0.285* [0.115]	-0.240* [0.122]	-0.085 [0.116]	-0.054 [0.118]
Age	-0.010 [0.006]	-0.009 [0.006]	-0.007 [0.006]	-0.006 [0.006]	0.006 [0.005]
Education	-0.062 [0.059]	-0.049 [0.043]	-0.215*** [0.050]	-0.104* [0.044]	-0.064 [0.046]
Observations	1117	1197	1097	1162	1155
<i>AIC</i>	2515.328	2520.774	2172.826	2386.283	2474.318
<i>BIC</i>	2565.512	2571.650	2222.829	2436.862	2524.837
log-likelihood	-1247.664	-1250.387	-1076.413	-1183.141	-1227.159

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$. Ordered logit estimates with robust standard errors in brackets. Cut points are abbreviated to spare space.

Table A2: Causal Mediation (1): Full Table

	(1)	(2)	(3)	(4)
	1990	2001	2005	2010
DV: Confidence in Union				
Interpersonal Trust	0.007 [0.120]	0.285* [0.134]	0.249* [0.121]	0.076 [0.132]
Left Ideology	0.065* [0.028]	0.138*** [0.030]	0.021 [0.033]	0.140*** [0.032]
Male	-0.090 [0.119]	-0.249* [0.123]	-0.082 [0.116]	-0.044 [0.119]
Age	-0.010 [0.006]	-0.006 [0.006]	-0.005 [0.006]	0.006 [0.005]
Education	-0.058 [0.060]	-0.220*** [0.050]	-0.098* [0.044]	-0.066 [0.047]
Income	-0.102*** [0.025]	0.004 [0.041]	0.009 [0.043]	-0.049 [0.042]
Economic Satisfaction	0.088** [0.034]	0.058 [0.035]	0.005 [0.035]	0.065 [0.043]
life	-0.041 [0.033]	0.010 [0.032]	0.061 [0.040]	0.034 [0.040]
DV: Interpersonal Trust				
life satisfaction	0.146*** [0.034]	0.113** [0.035]	0.156** [0.051]	0.326*** [0.054]
Left Ideology	0.038 [0.029]	-0.020 [0.031]	0.056 [0.036]	-0.005 [0.033]
Male	-0.214 [0.132]	-0.155 [0.139]	-0.070 [0.134]	0.239 [0.135]
Age	0.000 [0.006]	0.009 [0.006]	-0.004 [0.006]	0.003 [0.006]
Education	0.095 [0.059]	0.138* [0.056]	0.107* [0.052]	0.060 [0.053]
Income	-0.012 [0.028]	0.023 [0.043]	-0.010 [0.046]	0.005 [0.046]
Economic Satisfaction	-0.038 [0.035]	0.025 [0.036]	0.056 [0.051]	0.016 [0.048]
Constant	-2.031*** [0.559]	-2.969*** [0.576]	-2.919*** [0.619]	-3.829*** [0.645]
Observations	1120	1155	1161	1154
<i>AIC</i>	3922.389	3497.223	3773.079	3810.591
<i>BIC</i>	4017.790	3593.209	3869.162	3906.560
log-likelihood	-1942.195	-1729.612	-1867.539	-1886.296

* $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$. Ordered logit (upper panel) and binary logit (bottom panel) estimates with robust standard errors in brackets drawing upon structural equation modeling. The result for 1996 is missing because of the lack of the WVS data for Life Satisfaction in that year.

Table A3: Causal Mediation (2): Full Table

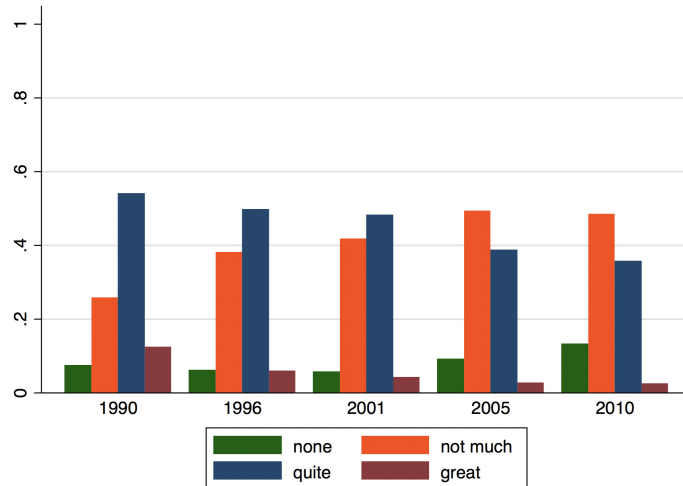
	(1)	(2)	(3)	(4)	(5)
	1990	1996	2001	2005	2010
DV: Confidence in Union					
Interpersonal Trust	-0.013 [0.115]	-0.092 [0.119]	0.308* [0.133]	0.264* [0.121]	0.087 [0.130]
Left Ideology	0.062* [0.028]	0.093*** [0.028]	0.129*** [0.030]	0.024 [0.033]	0.140*** [0.032]
Male	-0.086 [0.118]	-0.285* [0.115]	-0.240* [0.122]	-0.085 [0.116]	-0.054 [0.118]
Age	-0.010 [0.006]	-0.009 [0.006]	-0.007 [0.006]	-0.006 [0.006]	0.006 [0.005]
Education	-0.062 [0.059]	-0.049 [0.043]	-0.215*** [0.050]	-0.104* [0.044]	-0.064 [0.046]
Income	-0.107*** [0.025]	-0.000 [0.031]	0.008 [0.040]	0.017 [0.042]	-0.050 [0.042]
Economic Satisfaction	0.064* [0.031]	0.003 [0.032]	0.066* [0.032]	0.033 [0.035]	0.085* [0.040]
DV: Interpersonal Trust					
Left Ideology	0.017 [0.028]	0.001 [0.030]	-0.024 [0.031]	0.064 [0.035]	-0.001 [0.033]
Male	-0.209 [0.131]	0.107 [0.129]	-0.176 [0.137]	-0.060 [0.132]	0.150 [0.132]
Age	-0.001 [0.006]	0.002 [0.006]	0.010 [0.006]	-0.005 [0.006]	0.004 [0.006]
Education	0.110 [0.058]	0.015 [0.047]	0.137* [0.055]	0.104* [0.051]	0.073 [0.052]
Income	-0.001 [0.027]	-0.028 [0.036]	0.034 [0.043]	-0.008 [0.044]	0.028 [0.045]
Economic Satisfaction	0.035 [0.031]	0.135*** [0.036]	0.081* [0.033]	0.135*** [0.040]	0.152*** [0.040]
Constant	-1.461** [0.535]	-1.687*** [0.495]	-2.631*** [0.563]	-2.375*** [0.583]	-2.601*** [0.589]
Observations	1129	1209	1167	1163	1161
<i>AIC</i>	3973.444	3999.858	3543.972	3794.125	3879.988
<i>BIC</i>	4058.939	4086.516	3630.030	3880.124	3965.958
log-likelihood	-1969.722	-1982.929	-1754.986	-1880.063	-1922.994

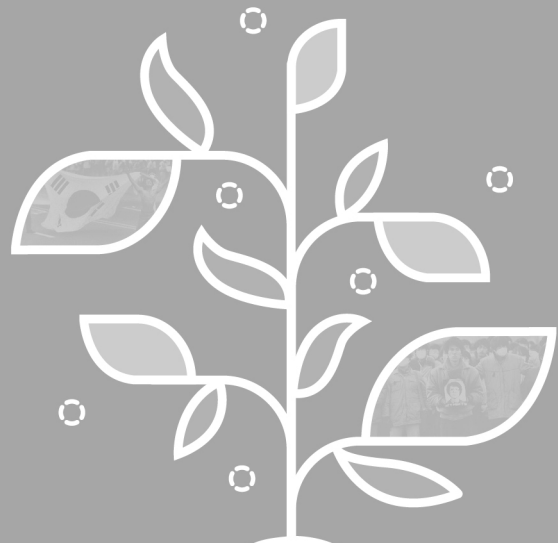
*p < 0.05, **p < 0.01, ***p < 0.001 Ordered logit (upper panel) and binary logit (bottom panel) estimates with robust standard errors in brackets drawing upon structural equation modeling.

Table A4: WVS Questionnaires

Variable Name	Code	Questionnaire \hline
Confidence in labor unions	E069_5	Confidence: the labor unions
Income	X047	Scale of income
Economic satisfaction	C006	Satisfaction with financial situation of household
Interpersonal trust	A165	Most people can be trusted
Interest in politics	E023	Interest in politics
Ideology	E033	Self positioning in political scale
Gender	X001	gender
Age	X003	age

Figure A1: Makeup of Opinions: Confidence in Labor Unions

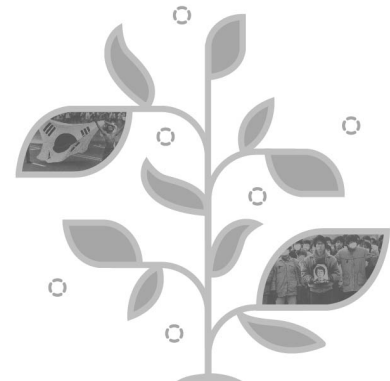




Study 2

Party Law and Challenges to Democracy in East Asia

Erik Mobrand (Seoul National University)



02

Party Law and Challenges to Democracy in East Asia

Erik Mobrand* (Seoul National University)



Abstract

How does the legal regulation of parties affect parties and party systems in Asian democracies? The question of party regulation has received scant attention in the Asian region. Scholars of European politics have in recent years directed substantial research to this issue. Research has shown that parties in Europe have increasingly been regulated, and that this trend can have implications for party system institutionalization, party formation, and party decline, among other consequences. Moreover, regulation raises questions of whether parties can serve mass interests. This paper reports on constitutional references to political parties in East Asia.

Keywords: Political Parties, Constitutions, Party Law, Democracy, East Asia

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초록

아시아 민주주의에서 정당의 법규정이 정당 및 정당 제도에 어떻게 영향을 주는가? 아시아 지역에서는 정당 규정에 대한 문제가 거의 제기되지 않았다. 유럽 정치 학자들은 최근 몇 년간 이 문제에 대한 실질적인 연구를 이끌어 냈다. 연구에 따르면 유럽의 정당은 점차 더욱더 규제를 받고 있으며 이러한 추세는 정당 제도의 제도화, 정당 형성 및 정당 쇠퇴 등 여러가지 방면에 영향을 주고 있다. 또한 이러한 규정으로 인해 정당들이 대중의 이익을 대변하는지 질문이 제기되고 있다. 이 보고서는 동아시아에서 헌법상의 정당 관련 조항에 대한 연구에 초점을 맞추고 있다.

핵심어: 정당, 헌법, 정당법, 민주주의, 동아시아

Introduction

Constitutions reflect the central role of political parties in modern democracy. While classic liberal visions of democracy gave little attention to parties, a transformation occurred after the Second World War. Public law began to make direct reference to parties as crucial for democracy. These references portray parties as essential for the aggregation of interests, or they insist that the preservation of a multi-party system is imperative for democracy, or they uphold the importance of parties as reflections of the freedom to organize. In Europe, the constitutional codification of parties, or “party constitutionalization,” proceeded rapidly in the second half of the twentieth century (Van Biezen, 2012; Van Biezen and Borz, 2012). Most new democracies, including those formed after the fall of the Soviet Union, wrote clauses on parties in their constitutions. Constitutional references to parties can set the basis for further state regulation of parties through other legal codes, which in turn shape parties and party systems (Avnon, 1995; Janda, 2005; Karvonen, 2007).

While party constitutionalization in Europe has been well-documented, far less is known about the same issue in Asia. Most constitutions in democratic Asia now include articles on political parties. Every new democracy has a constitution featuring reference to parties. Parties are not merely extra-constitutional bodies which form in response to social interests or electoral incentives. They are also enshrined in constitutions as organizations of significance for the operation of democracy. While a great deal is known about parties in Asia as electoral actors or as patronage organizations, they have rarely been studied in relation to public law. What does the constitutional codification of parties suggest for how democracy is envisioned in Asia? An investigation of party constitutionalization in

Asia may shed new light on what political parties in the region are and what roles they play in democracy.

This paper replicates research on party constitutionalization in Europe. I adopt the framework and methods of the pioneering study by Van Biezen (2012). This approach allows for comparison between Europe and Asia. Following that study, I compiled a complete set of constitutional references to political parties for democracies in East and Southeast Asia. Since the number of democracies in this region is far fewer than Europe, identification of regional patterns is more difficult. In order to gain a fuller picture, I have collected references not just in current constitutions but from all past constitutions as well. This database of references forms the core material for this paper.

Constitutions and the study of party democracy in Asia

Constitutions can yield insight into the position parties hold in a political system. As documents articulating the polity's main principles, constitutions serve as reference points for public understanding of what democracy is and how it should operate. Constitutional clauses on parties may thus reflect how parties are imagined – if at all – as components of the democratic system. Constitutions may reveal that parties are central to the realization of democracy, for example as aggregators of mass interests. Parties may require protection so as to better represent these interests. Constitutions can also constrain parties to ensure they actually serve public interests. These possibilities suggest contrasting views of where parties fit in democracy. On one hand, parties might be vehicles of democratic interest articulation, while on the other, they may be public institutions which require government oversight. Put more roughly, parties may be treated as being closer to society or closer to the state.

Beyond these symbolic or discursive functions, constitutions can also play a direct role in regulation of political parties. They can delineate the extent of state control over parties, as well as any oversight mechanisms. They can proclaim the government's right or obligation to enact further laws on political parties. References to parties are likely also to serve as foundations of legal decisions related to parties. When parties are dissolved or otherwise punished, constitutional articles can become important in arriving at judicial decisions. A study of party constitutionalization can provide a window onto regulation of parties and judicialization of politics, though separate regulatory laws may hold greater significance for parties.

The position of parties in law has gained sustained attention in regions outside of Asia, and especially in the study of European politics. The literature on the party-law nexus is linked to a conceptual shift in thinking about parties. Legal regulation of parties now lies at the heart of understandings of political parties in advanced democracies. While parties were traditionally understood as emanations from society, Katz and Mair (1995) point out that parties in Europe had developed deep

links with the state. Major parties had pushed for legislation on parties, especially related to public funding of parties, in ways that raised barriers to entry to the electoral arena. In this conceptualization, parties are defined less as mass organizations reaching out to voters and more as public agencies connected to the state (Van Biezen, 2004). Legal codes on parties constitute a major component of this state-party relationship (Mair, 1994; Van Biezen and Kopecky, 2014). We know now that state regulation of parties shapes parties and party systems (Avnon, 1995; Janda, 2005; Karvonen, 2007; Norris, 2004; Gauja, 2014). Legal codes can govern party formation and registration, funding, organization, membership requirements, internal procedures, values and principles, and dissolution, and they are located in party laws or in the constitution.

Scholarship on constitutional provisions on parties makes up a crucial strand of research in this agenda. Van Biezen (2012) traces the history of the incorporation of parties into European constitutions. She refers to this incorporation as “party constitutionalization.” She uncovers “waves” of constitutionalization that have shaped the status of parties, as well as variation in models of party constitutionalization across Europe (Van Biezen and Borz, 2012). Research drawing on evidence from Europe has explored the sources of shifts in constitutional clauses on parties. A set of studies examines the ways post-authoritarian regimes in eastern and southern Europe have made constitutional adjustments to protect broader or narrower ranges of parties (Van Biezen and Casal Bértoa, 2014; Ilonszki and Varnagy, 2014). Other work elucidates the consequences of party constitutionalization for party systems in Europe (Popescu and Soare, 2014; Rashkova and Spirova, 2014; Casal Bértoa and Taleski, 2015).

In contrast to the recent growth in research on European parties from a legal perspective, fewer works on Asian parties have started with law. Law has not been a basis for comparing parties in the region. One body of work documents electoral and constitutional engineering across the region (Reynolds, 2002; Reilly, 2006; Reilly, 2007). Regulation of parties is mentioned in this research but it is not a focus (the exception is Reilly 2006, ch.6). The literature on Asian party politics includes a small number of excellent case studies of constitutional revisions that incorporate new laws on parties (Manikas and Thornton, 2003; Kuhonta, 2008; Horowitz, 2013). Such studies provide valuable insight into processes of legal reform in particular places, but there has been no systematic, comparative research on the legal position of parties in Asia. By looking at how much constitutions have to say about parties and at the aspects of parties that are addressed, party constitutionalization offers a promising means of comparison.

The research agenda on party constitutionalization was developed for the study of European democracy. Is it reasonable to take these concerns to Asia? Historical differences may make the agenda less relevant or imprecisely specified for inquiry into the Asian context. One reason for skepticism is that the constitutionalization of parties in Europe was tied to the above-mentioned historical shift from mass parties to cartel parties (Katz and Mair 1995). While parties once relied on mass memberships for financing, the larger parties now depend more on state support. For the democratic parts of Asia,

one could question the fit of this narrative. To begin with, in these countries, parties were historically not mass organizations. In Japan, parties have done less than individual politicians and their support organizations for electoral mobilization (Curtis 1971). South Korea's parties were, from the 1950s, mostly sets of elite politicians. In the Philippines, informal networks rather than parties have organized interests for elections. Taiwan's KMT stands out in the region for its mass membership and its propagation of ideology. However, the KMT was a Leninist organization established for revolution and war on the Chinese mainland, and so is different from Europe's mass parties. The trend toward state financing of parties is also less certain in Asia. Public subsidies have been introduced in some countries such as South Korea but this has not yet become a norm. Given these differences with Europe, the rationale for party constitutionalization may be weaker.

It is unnecessary to assume that party constitutionalization reflects the same shift in parties in Asia as in Europe. Rather, party constitutionalization can be a useful lens for comparison, while keeping in mind that the concerns driving constitutional codification of parties in Asia may diverge from those in Europe. Two further reasons make an examination of party constitutionalization in Asia promising. First, in research on Asia's parties, there has been an expectation that, with democratization, parties would become mass organizations. Taking the historic formation of democracy in Europe as a reference point, scholars as well as citizens have anticipated that parties would connect with mass constituencies and channel interests to government. This expectation, which has not been fully realized, fails to consider how parties have transformed in Europe. Examination of party constitutionalization can help build an explanation for why many parties have diverged from the mass party model. Second, for much of democratic Asia, there is a legal tradition of viewing parties as regulated bodies. This tradition stems less from public subsidies and more from factors such as the models of public law (especially Germany's) consulted by lawmakers, Cold War anticommunism, and the considerations of powerful external actors (namely, the United States). Parties, in this tradition, should be subject to regulation and their position in the political system should be acknowledged directly. In light of this view, it is reasonable that systematic analysis of constitutions can provide insight into the positions of parties in democracy in the region.

The emergence of party constitutionalization in Asia

A first task is to determine which regimes should be considered in a study of party constitutionalization in East and Southeast Asia. In order to establish comparability with Van Biezen's European study, a similar range of regimes should be included. Given that there are fewer democracies in Asia, and more regimes that have oscillated between democracy and authoritarianism, identifying this range requires some care. Taking all the regimes currently classified as "free" by Freedom House, as Van Biezen does, would yield just four democracies: Japan, Mongolia, South Korea, and Taiwan.

This strict definition means excluding large countries that are widely understood as democracies, albeit imperfect ones. There would be no Southeast Asian democracy. To exclude the large democracies of Indonesia and the Philippines, which Freedom House has previously scored as “free” but which are currently “partly free,” does not accord with common sense. An alternative would be to include all “partly free” regimes. Doing so brings the two Southeast Asian archipelagic nations into the fold, but it also places Malaysia and Singapore in the study set. The latter two regimes, which have decades-long ruling parties or coalitions and few guarantees on liberties, are frequently referred to as “electoral authoritarian” or hybrid regimes rather than democracies (Case, 2006; Levitsky and Way, 2010; Slater 2010). While studying how these countries’ constitutions codify parties may have value, the perception that ruling parties may manipulate public law means that including them would shift the study away from one focused on democracies.

I propose to introduce Polity scores, as they can help to differentiate the electoral democracies from the hybrid regimes. Polity is useful because it incorporates indicators of regime competitiveness in its system of scoring countries between -10 (most authoritarian) to 10 (most democratic). I include countries that are “partly free” or “free” according to Freedom House, and score at least a 7 on the Polity scale. Following this rule, both Indonesia and the Philippines are included, as is East Timor. Singapore is excluded and so is Malaysia, with its score of 6. A good feature of this definition is that it produces a list of seven countries all of which have continuous experience to the present of meeting the definition. I leave out the regimes that previously met the criteria but currently do not. The most prominent example is Thailand, which met the criteria in 1992-2005 and 2011-13, but does not today. Cambodia holds elections but is not classified as democratic. Myanmar has seen power peacefully transferred but is yet to be rated far along the democracy scores of Freedom House or Polity.

For the seven countries on the list, I gathered their current and prior constitutions. I catalogued every reference to “political party” in the constitutions of these countries. In order to be considered a reference, there must be use of the term “party” or a variation on it. Where possible, I used the original language constitutions in order to identify the word “party” and its variants. Only for the Mongolian constitution did I rely on an unofficial English translation. The task of identifying references to parties was usually straightforward, with a few exceptions. In the case of Taiwan, I include all references not just to “zhengdang” (political party) but also to “dangpai” (party faction). The latter term can be rendered in English as “partisan” or “party affiliation.” In either case, it refers to links to parties. Articles with implications for parties but which do not explicitly mention parties, such as clauses on freedom of assembly, are excluded from the analysis. Assembling these articles allows me to determine how many constitutional references to parties there were in any country in a given year.

Table 1 indicates years of party constitutionalization in the region. This table reflects party constitutionalization in democracies only. The column for party constitutionalization thus refers to the year of the first version of a constitution that was relevant under the conditions of the second column.

Earlier constitutional references are excluded from this table.

Table 1: Party constitutionalization in East and Southeast Asian Democracies

	Party constitutionalization	FH classification as 'partly free' and Polity score 7+	FH classification as 'free'
Indonesia	2001	1999	2005
Japan	-	*1952	n/a
Mongolia	1992	1992	1991
Philippines	1987 [1935]	1987	1987
South Korea	1987 [1948]	1988	1988
Taiwan	1991 [1947]	1992	1996
Timor Leste	2002	2006	-

Japan, the region’s oldest continuous democracy, has no reference to parties in the constitution. This finding is in keeping with Europe, where some of the earliest democracies only constitutionalized parties in more recent decades. The absence of references to parties in Japan’s constitution also presumably relates to the fact that it was written by Americans, who, thinking of their own constitution, may not have conceived of democracy in terms of parties. Unlike in the other countries, in Japan no amendment has been made to the constitution since 1946.

Japan aside, some early East and Southeast Asian constitutions mention parties. These can be found in the constitutions of a selection of countries in the region that have discontinuous democratic histories. In the Philippines, South Korea, and Indonesia, a greater degree of openness characterized parts of the 1950s and 1960s than the harsher authoritarian regimes that had appeared by the 1970s. The constitutions of the early period contained commitments to pluralist democracy and, in the cases of the Philippines, Taiwan, and South Korea, reference to parties.

The Philippine constitution of 1935 – which pre-dates independence – was the first Asian constitution to make reference to parties. The references in that constitution reflect a recognition of parties as legitimate actors who share responsibility in oversight. Article 6 of that constitution, for example, states that “The National Assembly shall elect from among its Members, on the basis of proportional representation of the political parties therein, a Commission on Appointments and a Commission on Impeachment, each to consist of twenty-one members.” Another article gave parties in the National Assembly rights to be involved in appointing members to the election commission. These articles were removed in 1940 but new articles giving parties in the National Assembly similar powers were put in place and remained there until Marcos dissolved the constitution in 1972. For example, Article 6, Section 12 of the 1940 constitution states: “There shall be a Commission on Appointments consisting of twelve Senators and twelve Members of the House of Representatives, elected by each

House, respectively, on the basis of proportional representation of the political parties therein.” On the basis of participation in legislative bodies, parties had rights to oversee government decision-making. They all give powers to parties that have representation in legislative bodies.

The next case of party constitutionalization came in Taiwan. Taiwan’s 1947 (ROC) constitution has multiple clauses separating party from official offices. Article 138, for example, “The land, sea and air forces of the whole country shall be above personal, regional, or party affiliations, shall be loyal to the state, and shall protect the people.” Article 7 on equality before the law, regardless of party affiliation. The Republic of China has a long constitutional history. The first constitution went into force in 1912. The 1947 constitution was written with a claim to cover all of China but by 1949 the war with the Communists was lost and the KMT was left with Taiwan. The constitution was based on Sun Yat-sen’s Three Principles of the People. Among its features was Sun’s five branches of government. The “Temporary Provisions during the Period of Communist Rebellion” (not accurate trans.) were added in 1948, making much of the constitution irrelevant. The Temporary Provisions made no direct reference to parties but they effectively suspended rights guaranteed in the constitution.

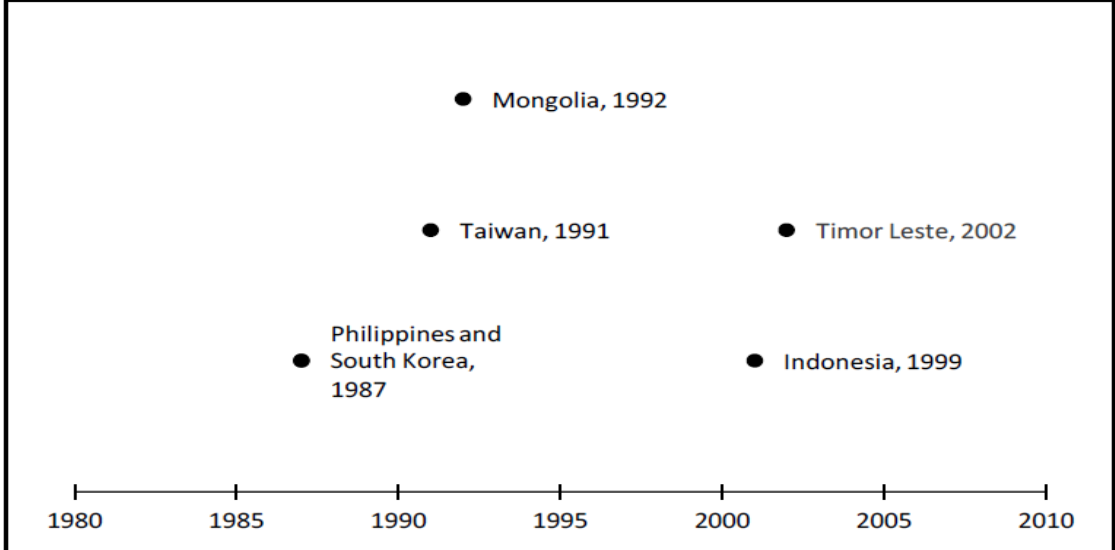
South Korea’s 1948 constitution also mentions parties. While this constitution grants the “freedom to organize,” the article on the subject does not refer directly to parties. The reference comes in the preamble and it is oblique: the preamble notes that the constitution is promulgated by “political parties and the freely elected representatives who form the National Assembly.” A constitutional revision in 1960, made after the expulsion of president Syngman Rhee, gave fuller recognition to parties. Six articles did this. The article on freedom to organize added clauses explicitly protecting the right to form parties but also giving the government the power to dissolve them. Article 13 states: “Parties receive protection from the state according to law. But, if the party’s aims or actions threaten the basic democratic order, then the government, with the president’s approval and the decision of the Constitutional Court, can order the party to be dissolved.” Another article on the same matter granted the Constitutional Court the right to make decisions related to dissolving parties. Korean lawmakers had borrowed ideas about “militant democracy” (Loewenstein, 1937) from Germany and adapted them to their context.

None of these examples of early party constitutionalization occurred in a country with a continuous history of democracy. While democratic institutions, weak as they were, experienced rollback in subsequent decades, the idea of incorporating parties into public law can be found well before democratization. Democratic reforms re-shaped – to varying degrees, as shall be seen – how constitutions addressed parties, but party constitutionalization was not new with democratization.

Democratization and party constitutionalization

In Europe, it has been observed that postwar party constitutionalization proceeded in waves (Van Biezen, 2012). In part, the diffusion of ideas drove this pattern. Countries revised their constitutions to incorporate articles on parties; some did so as they finally produced their own constitutions. Another source of party constitutionalization was democratization. As countries in the 1980 and early 1990s made democratic transitions, most added laws on parties into their constitutions. In Asia, this latter pattern of party constitutionalization has dominated. There is no case of a long-standing democracy later incorporating reference to parties in the constitution. In every instance, party constitutionalization preceded transition or came in amendments at the time of transition. In one case, East Timor, independence, democratic formation, and party constitutionalization occurred simultaneously.

Figure 1: Year of first party constitutionalization in East and Southeast Asian democracies

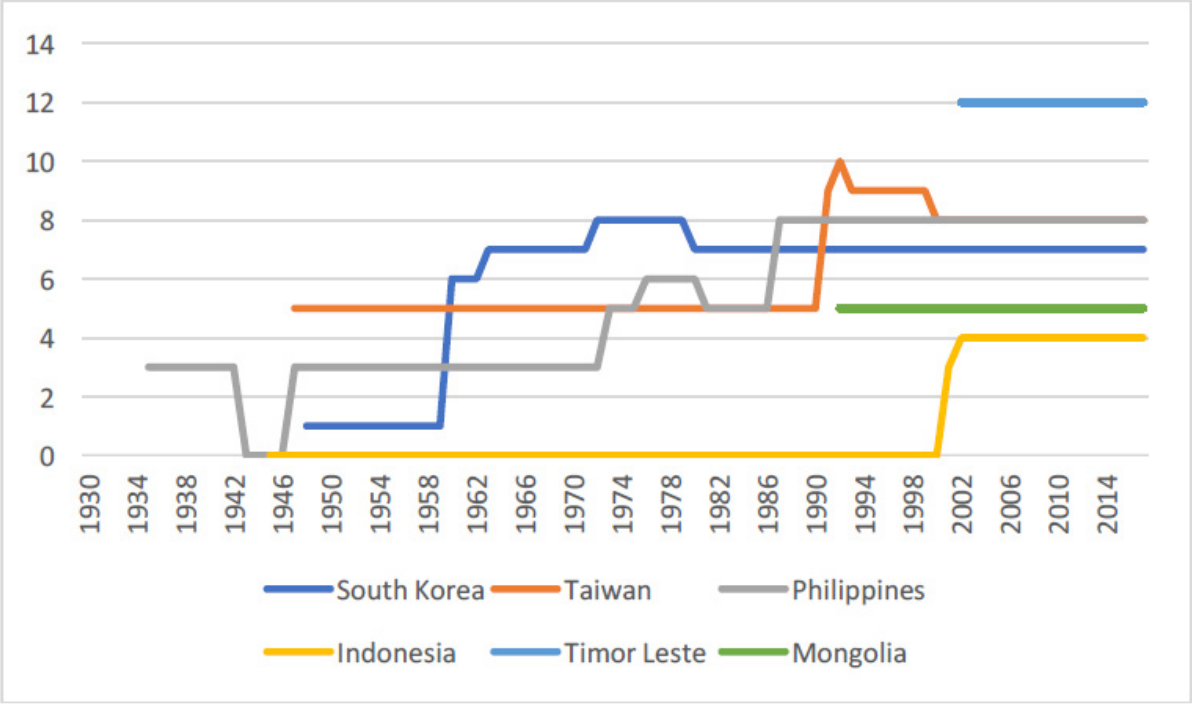


Four countries transitioned to democracy between 1987 and 1992; post-transition constitutions included laws on parties. The other two cases, a decade later, resulted from Indonesia’s democratization and Timor Leste’s subsequent departure from Indonesia.

Of the six countries, three wrote new constitutions for the democratic transition. These are the Philippines, East Timor, and Mongolia, the only Asian postcommunist country. In Taiwan, South Korea, and Indonesia, the existing constitutions were revised. The extent of revision varies in these cases. While East Timor and Mongolia wrote entirely new constitutions, the newly-promulgated constitution of the Philippines drew heavily on earlier constitutions. South Korea has formally had only one constitution since 1948, but multiple revisions have altered the document fundamentally. The democratic reform of 1987 is the most recent of these revisions. Indonesia, too, continues to follow the “1945 constitution” but a series of four revisions between 1999 and 2002 marked a sharp departure

from the founding document. In Taiwan, the democratic transition left the constitution fully intact but a set of new articles were added. As the island had been under emergency rule from the late 1940s, most articles of the Republic of China constitution had little bearing on politics in the one-party state.

Figure 2: Number of constitutional articles that make reference to parties, 1945-2017



Many of the constitutional clauses on parties are tied to the problem of democratization. Figure 2 shows the number of articles with references to parties. It is clear that the number increases over time, and that this holds true for most countries. In Mongolia, as in postcommunist Europe, protecting space for parties was crucial to the democratic transition. The constitution of 1992 guarantees rights to organize and join parties, while also giving the state the authority to deny the right to party membership to some civil servants (Article 16). The Philippines constitution of 1987, introduced in the wake of “people power” movement that overthrew Ferdinand Marcos, included several new references to parties, including a statement of the significance of a multi-party system (Article 6 and 9C in particular). In South Korea, the number of articles referring to parties did not change with democratization but the description became stronger. The place of parties in Taiwan’s constitutional reform is prominent. Of the ten extra articles added to Taiwan’s constitution in 1991, five make reference to parties.

Other references to parties continued from before the democratic transition. South Korea and the Philippines both had histories of multi-party elections, and prior constitutional clauses on parties continued into the new democratic era. Article 12 of the Philippines constitution continues from the

1981, Marcos-era constitution. The article separates parties from electoral management, and puts some limits on changing party membership. (confirm if number is same in 1987 constitution). In South Korea, the state's right to dissolve parties remained in place from the earlier era. In Taiwan, where multi-party elections had not been held, the references to parties also remained intact.

The wider set of countries in East and Southeast Asia confirms the tendency for new democratizing regimes to codify the position of parties in constitutions. Thailand, for example, is currently run by a military government but the kingdom has had multiple democratic periods. The numerous Thai constitutions since 1932 have traditionally contained references to parties. During the more democratic periods, this has also been the case. Besides the right to form parties, the 1997 constitution also stipulates key points that should be in the organic act on political parties, including such crucial issues as conditions for formation, dissolution, and state subsidy of parties. Cambodia offers another example. In the early 1990s, Cambodia began a transition from authoritarian rule. It also wrote new constitutional clauses on parties, including a commitment to multi-party democracy (Preamble) and a guarantee of rights to form parties (Article 42). Myanmar began a democratic transition in the early 2010s, but the constitution of 2008 was not revised before new elections were held in 2015.

Dimensions of party constitutionalization

In order to assess what was being addressed in constitutionalization, I examine the dimensions of party constitutionalization. My method here again is Van Biezen (2012: 200-01). This framework begins with four dimensions of party constitutionalization. The first, principles and values, links references to parties to broader statements about the values of the political system. In the second, constitutions set out the rights and duties as they relate to parties. This dimension may include rights to organize as parties and obligations on parties to avoid certain views or actions. A third dimension positions parties within the institutional structure of the polity, including how parties operate as electoral actors, what roles they may play in the legislature, any special position for a ruling party, and the organizational structure of parties themselves. Fourth, constitutions may contain meta rules for how parties might be further regulated or how judicial bodies might exercise oversight in relation to parties. These dimensions are further divided into multiple categories to capture more specific aspects of each. This gives a total of eleven categories. Table 2 shows the results of coding the current constitutions of the Asian democracies.

Table 2: Dimensions of party constitutionalization

Country	Articles	Principles and values			Rights and duties			Institutional rules			Meta rules			Magnitude	Range
		Democratic principles	Rights and freedoms	Activity and behavior	Programme and identity	Extra-Parliamentary party	Electoral party	Parliamentary party	Government party	Media access	Party finance	External oversight	Secondary legislation		
Indonesia	4					11.1 (1)	44.4 (4)				33.3 (3)	11.1 (1)	9	4	
Mongolia	5		9.1 (1)	27.3 (3)	18.2 (2)	9.1 (1)	9.1 (1)	27.3 (3)					11	6	
Philippines	8	8.3 (2)		16.7 (4)	16.7 (4)	12.5 (3)	16.7 (4)	20.8 (5)		4.2 (1)	4.2 (1)		24	8	
South Korea	7	6.5 (3)	2.2 (1)	6.5 (3)	4.3 (2)	21.7 (10)	6.5 (3)	4.3 (2)		4.3 (2)	34.8 (16)	8.7 (4)	46	10	
Taiwan	8	8 (2)		16 (4)	12 (3)	20 (5)	4 (1)	20 (5)			8 (2)	12 (3)	25	8	
Timor Leste	12	22.2 (6)	14.8 (4)			11.1 (3)		18.5 (5)			18.5 (5)	14.8 (4)	27	6	
Total		N=4 (66.7)	N=3 (50)	N=4 (66.7)	N=5 (83.3)	N=6 (100.0)	N=4 (66.7)	N=4 (66.7)			N=2 (33.3)	N=5 (83.3)	N=4 (66.7)		6
Mean		7.5	4.3	11.1	8.5	14.3	13.5	15.2	0.0	0.0	1.4	16.5	7.8		

Besides the categories, the table also notes the number of articles as well as the magnitude and range of party constitutionalization. Following Van Biezen and Borz (2012), magnitude refers to the total number of codes assigned to provisions on parties in a given constitution. This figure gives an idea of the extent to which constitutions refer to parties. The range is the number of separate categories that provisions fell under, revealing how broad the area of reference is. The number of articles is included as well. While a constitution may have only a few articles related to parties, those articles might make many stipulations. For example, Article 8 of South Korea’s constitution has several sub-clauses and covers a range of items for a total of 17 references to parties in just one article. The ratio is very different for Indonesia and Mongolia, where four or five articles produce fewer references to parties. It can also be seen that there is variation in the range of categories covered, from just four in Indonesia to eight in three other constitutions to ten in South Korea.

Two-thirds of constitutions make mention of parties when setting out the values of the political system. In the region’s most recent new democracy, Timor Leste, the position of parties in that vision is clearest. Article 7.2 holds that “The State shall value the contribution of the political parties for the organized expression of the popular will and for the democratic participation of the citizen in the governance of the country.” This statement directly links parties to the formation of a popular will and democratic values. South Korea’s constitution less directly makes a similar point, stipulating that parties must “participate in the creation of the political will of the citizens” (Article 8.2). While in Europe, many constitutions, especially in the postcommunist countries, enshrine parties in the preamble, only one preamble in an Asian constitution mentions parties. They are also not privileged in the region’s postcommunist country, Mongolia. Parties are also mentioned in half of the constitutions in

connection with freedom of association. Nearly all grant citizens the right to form and or participate in parties. In many others, clauses on freedom of association clearly apply to parties but parties are not explicitly incorporated.

Another two-thirds of constitutions offer possibilities for or limits on the orientations of parties in terms of what goals they have and what they do. Most constitutions give attention to rights and duties associated with parties. They also tend to grant the state the right to regulate parties. In several of the cases, constitutions also reserve a right for the state to dissolve parties. In 1992, Taiwan's constitution held a provision allowing the Judicial Yuan to dissolve parties and further noted that "A political party shall be unconstitutional if its goals or activities jeopardize the existence of the Republic of China or free, democratic constitutional order." Article 46 of the Timor Leste constitution both grants the right to form parties and the state the right to regulate them. In the Philippines Article 9C upholds a multiparty system then sets the conditions for refusing registration: "Those which seek to achieve their goals through violence or unlawful means, or refuse to uphold and adhere to this Constitution, or which are supported by any foreign government shall likewise be refused registration." Article 8 in South Korea states that "there is freedom of political party formation" but also sets out a legal procedure for state dissolution of parties. Indonesia's Article 24C sets out when the Constitutional Court can decide over party dissolution. Constitutional clauses on rights and duties tend also to be related to sanctions, as violation of the stipulations can be grounds for dissolution or denial of registration.

In terms of institutional structure, the most common categories relate to parties as extra-parliamentary organizations, as parliamentary bodies, and as electoral agents. Every constitution includes a reference on extra-parliamentary parties. Many such references relate to limits on partisanship for select groups, such as members of the judiciary and certain categories of state officials. Others relate to the representative function of parties. Of the five new articles on parties in Taiwan's 1991 constitution, four relate to representation including the incorporation of women into government through parties. Party-list systems are also part of the electoral parties. A major role for parliamentary parties is in contributing to making appointments. In the Philippines constitution, for examples, most articles on parties relate to this role, eg in the election commission. It is a main theme in the Mongolian constitution as well. It is notable, in contrast with Europe, that only two constitutions make reference to public funding for parties.

References are clustered around meta-rules on parties. In two-thirds of countries, bodies or legal codes are given further authority to rule on parties. In some cases, these clauses make provisions for separate party laws, or empower constitutional courts to make decisions related to parties. Four of these countries have separate party laws, which spell out in further detail how parties can operate. There are several clauses stating conditions for punishment. Article 46 of the Timor Leste constitution grants people the right to establish parties and the state the right to regulate parties.

In the dimensions of party constitutionalization, there is broad similarity with Europe as well as

some differences. In both regions, most constitutions regulate the institutional structure of parties; this category also covers the largest proportion of party references (the European figures are from Van Biezen, 2012: 202). In Europe, the principles and values dimension accounts for the second-largest number of references (23 per cent) while this figure is lower in Asia (12 per cent). Meta rules gain relatively more emphasis in Asia, making up 26 per cent of references compared to the 11 per cent in Europe. These findings suggest that European constitutions highlight the roles of parties in the democratic political system, while Asian constitutions treat parties more as bodies that should be regulated.

Political parties and the state

This analysis of party constitutionalization can yield insight into how parties are understood in democratic Asia. On one hand, parties are granted freedoms as private associations. On the other hand, given their special ties to the state, they are also regulated. There is tension here: When do regulations undermine democratic rights to speech and organization? The same tension can be found in democratic Asia. Parties are protected for the sake of making democracy function, both for the whole and for the individuals involved. Yet parties are in many contexts also treated as entities requiring special scrutiny. The multiple directions in which parties are pulled deserve attention.

Three modes of party constitutionalization have characterized the European experience (Van Biezen 2012). One mode, most common in the older democracies, preserves the electoral functions of parties. A second mode, seen more in the re-established democracies, emphasizes the need to keep the democratic order stable. The third mode treats parties as public utilities. These modes can be explored in Asia. In keeping with the first mode, constitutions such as the South Korean and Philippine indicate that parties are important in the context of democratic elections. However, no constitution in democratic Asia limits its treatment of parties to their electoral roles. The constitution most devoted to parties as electoral units is Indonesia's, where three-quarters of articles on parties deal with parties as organizations that field candidates. Yet Indonesia's constitution was promulgated alongside a detailed party law in which parties are treated precisely as bodies requiring regulation. This pattern represents a departure from Europe. Given that the first mode is found in Europe's older democracies, especially in the Nordic countries, it may be less surprising that in a region with a shorter history of democracy this mode is rarer.

The second mode is on full display in democratic Asia. Nearly every constitution places the state as the guarantor of democracy. Parties can be a threat and they must be prevented from subverting democracy. This is the model of West Germany, "the heartland of party law" (Müller and Sieberer, 2006: 435). After the West German Basic Law of 1949, the "militant democracy" approach spread. Later, after the fall of communism, it became attractive to those seeking to limit former ruling parties.

How did the German model arrive in Asian countries that were neither post-fascist nor postcommunist? Intellectual influence before democratization certainly played a role. South Korean legislators, for example, tended to have exposure to German legal ideas, either directly through experiences studying in Germany or indirectly through knowledge of Japanese public law. They brought such exposure into the 1960 constitution's provision on party dissolution (Yi 2014). Internal conflicts in the context of the Cold War also made state actors attracted to the notion that parties could be legally dissolved. South Korea could ban those suspected of sympathizing with Pyongyang (Song, 2010). Mongolia follows the examples of other postcommunist countries that have seen what happens when one party becomes dominant. The biggest surprise is perhaps that the country with the most similarities to Germany did not embrace this model. Despite having a legal system inspired by Germany and a post-fascist setting, Japan did not adopt laws of the militant democracy sort. Recognition of the need to protect democracy from parties is weakest in Indonesia and Timor Leste but elements can be seen in the other constitutions.

A third mode of constitutionalization indicates parties as public agencies. As officially-supported entities, parties should be subject to regulation. In Europe, the rise of this mode is connected to state subsidies for parties (Van Biezen 2004). In Asia, too, oversight is a major component of constitutionalization of parties. States can make new rules on parties and can subject them to public scrutiny. There is growing state and judicial encroachment on internal party operations in Asia. Other legislation reflects this. Indonesia, Mongolia, South Korea, and Timor Leste have separate laws specific to parties. Taiwan and the Philippines have draft versions of such laws which have not yet been enacted. There are requirements that parties have democratic internal procedures. However, public financing is only loosely connected to the state's oversight role. Parties are conceived as being components of the public interest, even apart from any subsidies available to them. One reason may be that parties have historically played a role in contributing to public security. Further, the idea that parties are special bodies distinct from other private associations is widespread in the region. Constitutional clauses demanding partisan neutrality of public officials reflects this idea. Many constitutions in the region suggest a logic in which partisan affiliation could make bureaucrats, judges, election commissioners, and even state executives disloyal to the state. The idea that parties are like public agencies can also be found in initiatives to expand representation of women. The introduction in Taiwan of constitutional requirements that parties nominate women serves as an example. South Korea's constitution makes no mention of women's representation, but the country also used the Political Parties Act to require parties to nominate women for office. These moves are consistent with a model of parties as regulated bodies. Besides Taiwan and South Korea, this mode of party constitutionalization is found in Indonesia and Timor Leste, and it is weaker in the Philippines and Mongolia.

Conclusion

Most constitutions in democratic Asia have clauses on parties. Constitutions acknowledge that parties are crucial for democracy. The significance of parties comes from distinct concerns. One is the need to protect space for multiple parties, as can be seen especially in countries with histories of single-party rule. Another concern is that anti-democratic parties do not subvert democracy. This concern relates to the problem of “militant democracy,” which some governments in the region interpreted through the filter of the Cold War. Anticommunist regimes banned socialist parties on the grounds that they sought to upend democracy; such concerns could remain beyond democratization. Constitutions in the region also treat parties as bodies that ought to be regulated because of their public significance. The logic behind this concern is that since parties fulfill public functions, such as interest aggregation and representation, the state should ensure that parties remain dedicated to their public missions. Leaving parties to be shaped entirely by their members and by electoral competition is, in this view, insufficient for their purposes in a democratic context.

Party constitutionalization in Asia can be compared with Europe. While the emphases and origins of party constitutionalization in Asia are not identical to those in Europe, in both regions parties have become defined increasingly in relation to public law. As in Europe, democratization has tended to bring a reconsideration of the role of parties and this reconsideration has gained constitutional formulation. Similar to postcommunist Europe, Asia’s former one-party regimes have been especially attentive to protecting a multi-party system. Such protection is understood as a cornerstone of democracy. On the other hand, the need to regulate parties and place them in a special legal category is largely divorced from reasons related to public financing of parties. Oversight of parties and the state’s right to impose sanctions are especially prominent themes in Asia’s constitutions.

This study has implications for thinking about political parties in Asia. The constitutional design of democracy in Asia places parties in a prominent position. Party organization and, perhaps especially, a multi-party system are treated as crucial to the operation of modern democracy. The region’s constitutions imagine parties not mostly as electoral bodies but as organizations that need to be limited so as not to undermine democracy, or as public bodies that should be regulated so as to serve public interests. Both of these views depart from common ways parties in Asia have been studied. The research presented here suggests that parties in the region ought to be understood in relation to public law. Thinking this way about parties is significant for theoretical, legal, and regulatory dimensions of parties and party democracy. First, theoretically, since constitutions treat parties as components of democracy, public debate about the meaning of democracy invites reflection on the role of parties. Second, legally, because constitutional articles refer to parties, parties can be involved in legal disputes that reach high courts. Constitutional or supreme court decisions on parties can thus be avenues for the judicialization of politics. Third, in relation to regulation, the imposition of rules on parties and state oversight over them means that state regulation can be crucial for shaping parties and the party

system. Not all of these dimensions are relevant for every East and Southeast Asian democracy, but each is relevant for many. Furthermore, viewing parties in relation to public establishes a basis for comparisons and contrasts of party democracy in the region.

There are several directions for further research here. A first is to examine the consequences of party constitutionalization. How has party constitutionalization affected party systems and party organization? The constitutional codification of parties may have impacts on party formation and dissolution. Clauses that raise barriers to entry may deter party formation. Articles protecting a multi-party system may lead to fewer instances of party dissolution, while those which allow the state to ban particular sorts of parties may contribute to more cases of party dissolution. Identifying these impacts is important for understanding the practical significance of party constitutionalization.

Another area of investigation concerns other legal codes that relate to political parties. Constitutions represent only one type of code through which parties are regulated. Separate party laws govern parties with more exhaustive rules. Four of the countries discussed here have party laws. There are also separate pieces of legislation that regulate parties, such as Taiwan's Civil Associations Act. Political finance laws also have direct implications for parties. A full understanding of the legal position of parties should consider these types of laws. Future research could also search for the consequences of these laws for party organization and party systems.

Finally, there is a need to identify and elaborate on dimensions of party regulation that remain under-emphasized in the framework employed here. By replicating research on European contexts, this study is able to offer cross-continental comparison but this method also means that other themes of significance in Asia may become overlooked. For example, partisan neutrality among government officials appears repeatedly in Asia. These articles stem from a view that parties should be carefully separate from public office. This concern does not map exactly onto the framework borrowed here from the study of Europe. Subsequent studies might systematically identify the range of visions in Asia for the roles parties play. Such work would help refine the understanding developed here of party constitutionalization in the region.

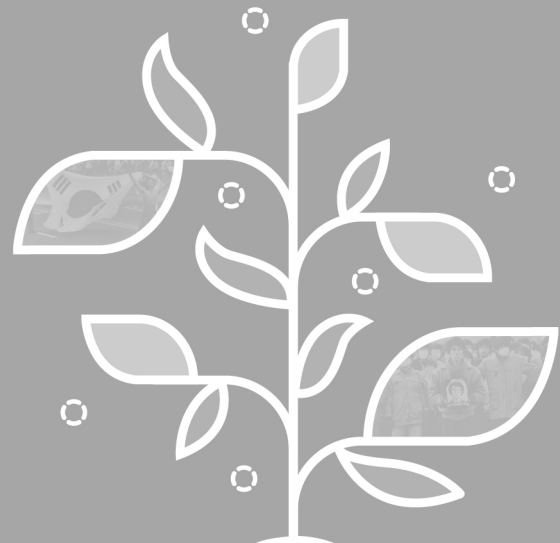


References

- Avnon, D. 1995. "Parties laws in democratic systems of government." *Journal of Legislative Studies* 1(2): 283-300.
- Casal Bértoa, F. and D. Taleski. 2015. "Regulating party politics in the Western Balkans: The legal sources of party system development in Macedonia." *Democratization* April: 1-23.
- Case, William. "Manipulative Skills: How Do Rulers Control the Electoral Arena?" in *Electoral Authoritarianism: The Dynamics of Unfree Competition*, 95-112. Boulder, CO: Lynne Rienner, 2006.
- Curtis, G.L. 1971. *Election Campaigning, Japanese Style*, New York: Columbia University Press.
- Gauja A. 2014. "Building competition and breaking cartels?: The legislative and judicial regulation of political parties in common law democracies." *International Political Science Review* 35(3): 339-354.
- Gauja, A. 2011. "Comparative gatekeeper provisions in party and electoral law: Sustaining the cartel?." Working Paper Series on *the Legal Regulation of Political Parties*. No. 10, available at <http://www.partylaw.leidenuniv.nl/uploads/wp1011.pdf>.
- Hicken, A. 2009. *Building Party Systems in Developing Democracies*, New York: Cambridge University Press.
- Hicken, A. and E. Kuhonta (eds.). 2015. *Party System Institutionalization in Asia: Democracies, Autocracies, and the Shadows of the Past*, Cambridge: Cambridge University Press.
- Horowitz, D. 2013. *Constitutional Change and Democracy in Indonesia*, Cambridge: Cambridge University Press.
- Ilonszki, G. and R. Várnagy. 2014. "From party cartel to one-party dominance. The case of institutional failure." *East European Politics* 30(3): 412-27.
- Janda, K. 2005. "Political parties and democracy in theoretical and practical perspectives: Adopting party law." Washington, DC: National Democratic Institute for International Affairs.
- Karvonen, L. 2007. "Legislation on political parties: A global comparison." *Party Politics* 13(4): 437-55.
- Katz, R.S. and P. Mair. 1995. "Changing models of party organization and party democracy: The emergence of the cartel party." *Party Politics* 1(1): 5-28.
- Kuhonta, E. 2008. "The paradox of Thailand's 1997 'people's constitution': Be careful what you wish for." *Asian Survey* 48(3): 373-92.

- Levitsky, S. and L. Way. 2010. *Competitive Authoritarianism: Hybrid Regimes after the Cold War*. New York: Cambridge University Press.
- Levitsky, Steven, and Lucan Way. 2010. "Competitive Authoritarianism: Hybrid Regimes After the Cold War." *Problems of International Politics*. New York: Cambridge University Press, 2010.
- Lijphart, A. 1994. *Electoral Systems and Party Systems*. New York: Oxford University Press.
- Loewenstein K. 1937. "Militant democracy and fundamental rights I." *American Political Science Review* 31(3): 417-432.
- Mair, P. 1994. "Party organizations: From civil society to the state." in *How Parties Organize: Change and Adaptation in Party Organizations in Western Democracies*, edited by R.S. Katz and P. Mair, 1-23. London: Sage.
- Manikas, P.M. and L.L. Thornton, eds. 2003. *Political Parties in Asia: Promoting Reform and Combating Corruption in Eight Countries*. Washington, DC: National Democratic Institute for International Affairs.
- Müller WC and Sieberer U. 2006. "Party law." In Katz RS and Crotty W (eds) *Hand Book of Party Politics*. London: Sage, pp. 435-46.
- Norris P. 2004. *Building political parties: Reforming legal regulations and internal rules*. Stockholm: International IDEA.
- Popescu, M. and S. Soare. 2014. "Engineering party competition in a new democracy: Post-communist party regulation in Romania." *East European Politics* 30(3): 389-411.
- Rashkova, E.R. and M. Spirova. 2014. "Party regulation and the conditioning of small political parties: Evidence from Bulgaria." *East European Politics* 30, no. 3 (July): 315-29.
- Reilly, B. 2006. *Democracy and Diversity: Political Engineering in the Asia Pacific*, Oxford: Oxford University Press.
- Reilly, B. 2007. "Democratization and electoral reform in the Asia-Pacific region: Is there an 'Asian model' of democracy." *Comparative Political Studies* 40: 1350-71.
- Reynolds, A. e. 2002. *The Architecture of Democracy: Constitutional Design, Conflict Management, and "Democracy."* New York: Oxford University Press.
- Slater, D. and J. Wong. 2013. "The strength to concede: Ruling parties and democratization in developmental Asia." *Perspectives on "Politics."* 11(3): 717-733.
- Slater, Dan. 2010. *Ordering Power: Contentious Politics and Authoritarian Leviathans in Southeast Asia*. New York: Cambridge University Press.
- Song SY. 2010. "Chõngdang haesan simp'an ùi silch'ejõk yogõn: Chõngdang haesan simp'an

- chedo ũi chwap'yo wa kwallyŏn hayŏ," (The actual conditions for ruling that a political party should be dissolved: Guidelines for the system of ruling on the dissolution of political parties). *Sŏul taehakkyo pŏphak* (Seoul National University legal studies) 51(1): 27-65.
- Trocki, C.A. 1998. *Gangsters, Democracy, and the State in Southeast Asia*, Ithaca, NY: Southeast Asia Program, Cornell University.
- Tushnet, M. 2015. "Authoritarian constitutionalism." *Cornell Law Review* 100, no. 2 (January): 391-462.
- Van Biezen, I. 2004. "Political parties as public utilities." *Party Politics* 10, no. 6 (November): 701-22.
- Van Biezen, I. 2012. "Constitutionalizing party democracy: The constitutive codification of political parties in post-war Europe." *British Journal of Political Science* 42, no. 01 (January): 187-212.
- Van Biezen, I. and F. Casal Bértoa. 2014. "Party regulation in post-authoritarian contexts: Southern Europe in comparative perspective." *South European Society and Politics* 19, no. 1 (January): 71-87.
- Van Biezen, I. and G. Borz. 2012. "Models of party democracy: Patterns of party regulation in post-war European constitutions." *European Political Science Review* 4, no. 03 (November): 327-59.
- Van Biezen, I. and P. Kopecky. 2014. "The cartel party and the state: Party-state linkages in European democracies." *Party Politics* 20(2): 170-182.
- Yi, CH. 2014. "Chŏnt'ujŏk minjujuŭi (militant democracy) robutŏ ũi minjujuŭi suho: Han'guk hŏnbŏpsang chŏngdang haesan simp'an chedo ũi ũiŭi wa silch'ejŏk yogŏn ũl chungsim ōro," (Protecting democracy from militant democracy: The meaning and essential conditions of the Korean constitution's adjudication system for the dissolution of political parties). *Hŏnbŏphak yŏn'gu* (Constitutional studies) 15(2): 105-141.

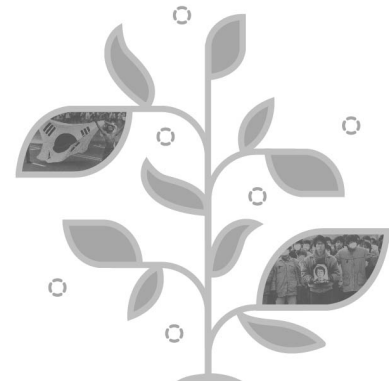


Study 3

The Politics of North Korean Human Rights Fields

How Activists Strategize Human Rights?

Hyuk Jung (Free University of Berlin)



03

The Politics of North Korean Human Rights Fields

How Activists Strategize Human Rights?

Hyuk Jung* (Free University of Berlin)



Abstract

This paper explores the social process through which a specific framework, namely, the civil and political rights-focused framework, has prevailed as dominant conception of the North Korean situation, whereas alternative ideas have failed and faded away. Deviating from both the institutional and the actor-centric approach, it looks at the field-level process of political dynamics produced by heterogeneous advocacy NGOs in South Korea and abroad, who exploit the exogenous events with strategic actions. Based on series of in-depth interviews and document analysis, this study firstly identifies four types of advocacy groups concerning North Korean rights advancement: infiltrator, reformer, engager, and denier. After mapping out the field with relative positions taken by these competing actors and explaining the patterns of contentions among them, secondly, it examines how the key frames of the field shifted over the last two decades. Reviewing the three critical junctures of the periods, the paper finds that after

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Abstract

The North Korea famine in 1994, a new social space emerged as a humanitarian space paved by those actors who prioritize social and economic aspect of the North Korean crisis. Since the UN resolution of 2003, the field entered a crisis, as the civil and political rights-focused NGOs took advantage of the international intervening events, which in turn, enabled those actors to expand their coalition to a transnational scale. In 2013 when the UN launched the Commission of Inquiry, the field of North Korean human rights finally crystallized as a ‘field of justice’. Consequently, the civil and political rights framework became dominant within the field through the co-constitution of external events and strategic actions employed by challenger activists.

Keywords: North Korean Human Rights, Strategic Action Fields, Civil and Political Rights, Social and Economic Rights, Advocacy NGOs



초록

본 연구는 북한인권문제를 접근하는 특정한 방식, 즉 시민적, 정치적 권리 중심의 프레임워크가 지배적인 개념 틀로 자리잡게 된 반면, 다른 대안적 아이디어들은 약화되고 사라지게 된 사회적 구성의 과정을 탐색한다. 또한 이 연구는 국제인권규범의 확산을 자연스러운 과정으로 보는 제도적 접근, 그리고 이상적인 행위자 (NGO) 상을 가정하는 행위자 중심적 접근과 같은 수직적 접근들과 궤를 달리한다. 대신 북한인권을 투쟁의 장 (field) 으로 개념화하여, 이 장에서 이뤄지는 이질적인 행위자들 간의 전략적 행위에 주목한다. 특히, 이들이 외인적 사건들을 전략적으로 활용하는 과정에서 드러나는 정치적 동학에 대해 기술한다. 심층 인터뷰 및 문헌 분석을 통하여, 본 연구는 먼저 북한인권문제에 관련되어 있는 조직을 네 가지 유형, 즉 침입형, 개혁형, 연계형, 부인형으로 분류한다. 이어서, 북한인권필드 내에서 경쟁하고 있는 이들 행위자들이 차지하고 있는 상대적 위치를 매핑해본 후, 그들 사이의 다툼의 패턴이 어떠한 지 설명한다. 이러한 바탕 위에서 본 연구는 지난 20년간 북한인권필드의 핵심 프레임이 어떻게 변화했는지 살펴본다. 세 가지 결정적 분기점을 분석한 결과는 다음과 같다. 첫째, 1994년 북한의 대기근으로 인해 새로운 사회적 공간이 발생하게 되는데 이 공간은 북한의 위기 중에서도 사회 경제적 측면을 우선시한 행위자들에 의해 채워지면서 인도주의적 공간으로 형성되어간다. 둘째, 2003년 유엔의 대북인권결의안으로 인해 기존 행위자들과는 다른 새로운 이해 방식을 지닌 도전자들, 즉 시민적 정치적 권리에 중점을 둔 신흥 NGO들이 부상하게 되면서 필드에 균열이 발생하게 된다. 이러한 필드의 위기는 특히 이들 NGO들이 국제사회가 간여해오는 사건들을 전략적으로 활용하는 과정에서 더욱 증폭 (정치화) 되게 된다. 이러한 국제 수준의 간여적 사건들은 다시 이들 NGO



초록

들이 초국적 수준으로 연합을 확대해 나갈 수 있는 기회 구조가 되었다. 셋째, 2013년 유엔의 북한인권조사위원회 (COI) 구성은 북한인권필드가 마침내 ‘사법적 필드’로 결정(結晶)화되었음을 의미한다. 결과적으로 (필드) 바깥의 사건들과 전략적 행위를 구사하는 (필드 내부의) 도전하는 활동가들, 이 둘의 공동의 (사회적) 구성 과정 속에서 시민적 정치적 권리 중심의 프레임워크는 북한인권을 다루는 지배적 개념 틀로 자리잡게 되었다.

핵심어: 북한인권, 전략적 행위의 장, 시민적 정치적 권리, 사회적 경제적 권리, 옹호NGO

1. Introduction

For decades, the international discussions on the North Korea Question had been limited to security concerns, and most scholars as well as policy makers, gave higher priority to the traditional security issues such as nuclear disarmament. Today, North Korea’s human rights issues became the most hotly debated topic due to the widespread concern about serious violations. One might simply assume that the issue characteristics themselves, which involve serious bodily harm, brought the changes in the process (Keck & Sikkink 1998). Arguably, the human rights condition in North Korea is perceived to be “systematic, widespread, and grave”, as the UN’s Commission of Inquiry confirmed in 2014.

In this study, however, I argue that the rise of international discourse and activity regarding human rights improvement in North Korea needs to be understood as a social construct rather than a taken-for-granted process of norm diffusion. While the concept of human rights has gained acceptance as a universal language throughout the world, the practices of human rights have never been far from political negotiations which involve local actors as well as international institutions (Donnelly 1999; Ramcharan 2015). Recognizing this contingent nature of human rights, this study deviates from the mainstream depiction of the North Korean human rights problem, whereby technical facts are documented to be served as resources for mobilization or policy development. Instead, this research zooms out and locate the question of North Korean Human Rights on a broader context, tracing how it emerged, how it was contested by multiple actors, and eventually how it became an established international agenda. Particularly, it asks why and how a certain understanding of the North Korean rights issue has gained widespread recognition: *the civil and political rights-focused framework*. In other words, this research explores the social process through which the liberal rights framework has prevailed as dominant conception of the North Korean situation, whereas alternative efforts have failed and faded away (Evans 2005; Nash 2009;2015; Stammer 1999).

Previous studies on the politics of North Korean human rights tend to focus on either the structural

dimensions driving the development of the issue, or ideational dimensions representing the potential power of ideas and norms. Unlike these deterministic perspectives, this paper seeks to understand the open-ended and bottom-up process of political changes mobilized by different groups of actors in South Korea and abroad. Taking a field approach, which emphasizes “the complex interplay between the internal and the external” (Fligstein & McAdam 2012:32), it analyzes the co-production between the political openings for actors and the strategic actions employed by those actors. However, the concept of field adopted here does not treat those actors as a homogeneous category. Instead, it takes seriously the conflictual nature of the human rights fields, whereby divergent social actors vying for “strategic advantage in and through interaction with other groups” (Fligstein & McAdam 2011:4).

Conceptualizing human rights as a field of struggle, I identify four types of advocacy groups concerning North Korean rights advancement, that is, infiltrator, reformer, engager, and denier, based on my empirical findings. Also, I analyze the field-level dynamics that explain changes in both the relative positions of actors, and the key field frames during three distinct periods: (1) formation of the field, 1994 - 2002, (2) rupture of the field, 2003 - 2012, and (3) settlement of the field, from 2013 and onward. Based on a series of in-depth interviews with activists and relevant experts, and the document analysis of archival resources, this paper argues that the mainstreaming of liberal framework regarding the North Korean rights protection should be understood within the context of field-level transformation driven both by external shocks and internal dynamics. In what follows, I justify my choice of field approach after reviewing the up-to-date literature on North Korean human rights.

2. Three Approaches to the Politics of North Korean Human Rights

Scholarship on the politics of North Korean human rights can roughly be divided into three categories: top-down, bottom-up, and critical approach. First, based on rationalist and (neo)institutional assumptions, IR scholars focus on the taken-for-granted process of institutional development. Emphasizing the role of the international law and regimes such as the UN human rights mechanisms, they search for conditions under which the situation in North Korea can be advanced (eg., Baek & Kim 2014; Chan and Schloenhardt 2007; Cohen 2013; Dam 2013; Goedde 2010;2017; Howe 2012; Kirby 2014; Lee sang-soo 2012; Lee Wonwoong 2007; Oh Young-Dahl 2015; Soh Changrok 2005). Especially for those seeking international solution of North Korean rights problem, this model offers some limited possibilities of norm diffusion in the country. Legal development such as the referral North Korea to the International Criminal Court (ICC) in 2014 is one significant example for those students. Although it hardly seems to have an actual “deterrence effect” on North Korea (Wolman 2015), the ongoing development is marked by the fact that “the international community...is exploring all the means available to address North Korean human rights situation.” (Oh Young-Dahl 2015:88). However, this institution-centered approach has problems in explaining how the current global efforts

on North Korean human rights has been constructed as it is today. Overemphasizing the inevitable process of human rights diffusion, it often brackets the social processes through which a certain way of conceiving human rights becomes mainstreaming (Moon Chung-in 2014:18).

Second strand of North Korean human rights studies highlights the role played by non-state actors such as Transnational Advocacy Networks (TANs). Taking constructivist assumptions, this actor-centered approach analyzes the process of how actors from below can exert power over setting agendas, proliferating norms, and changing state behaviors (Finnemore & Sikkink 1998, Keck & Sikkink 1998, Hafner-Burton & Pollack 2002, Carpenter 2007). Series of studies attempt to identify the conditions under which these relatively weak actors can have influence on the issue of North Korean human rights (eg., Cohen 2013; Chubb 2014; Goedde 2010;2017; Heo Man-ho 2014; Kwak & Lee 2009; Kim Hyuk-Rae 2006; Moon Kyong-yon 2014; Soh and Kim 2014; Yoon Yeo-Sang 2011). For instance, Kwak and Lee (2009) argue that the TANs played a significant role in China's decision not to repatriate North Korean asylum seekers who fled to Shenyang in 2002. Roberta Cohen (2013) shares a similar view that despite the informational challenge posed by the world's most secretive and inaccessible country, NGOs helped to develop understandings about the human rights situation in North Korea and fostered international responses by compiling and disseminating the first-hand experience of defectors. Heo Man-ho (2014) applies the "spiral model" by Risse et al. (1998), which is an extended version of boomerang model by Keck and Sikkink (1998), to the case of Mongolia, from which he draws an implication that an engagement policy with the North Korean regime is necessary to "accelerate the formation and enlargement of the civil society in North Korea."¹) While this bottom-up perspective demonstrates the potential effectiveness of advocacy NGOs, it does not go further to examine how far there might be divergent actors within the same field, as it often assumes those actors as 'sharing principled ideas and values' (Keck & Sikkink 2014).²)

Third approach to North Korean human rights refuses to accept the liberal framing of the issue. Instead, this critical approach takes issue with the current international environment where human rights are "politicized" (Song & Hong 2014:58; Yeo 2014:11), "securitized" (Kim Mikyoung 2012; Smith 2014:129), and "militarized" (Suh Bo-hyuk 2014:10) mostly by state actors. In this stream, human rights are conceived as a means to promote states' interests defined in terms of power (eg., Hong 2014; Kim Keun-sik 2001; Kim Nami 2016; Liem 2014; Park Sunsong 2005; Smith 2000, 2014; Song 2017, Suh Bo-hyuk 2014, 2015, Song & Hong 2014). Accordingly, the promotion of human

1) Most empirical studies on human rights change in repressive states thus far have confirmed that transnational pressure, the so-called "boomerang effect," starts with domestic groups' partnering with international allies. (Keck & Sikkink 1998; Risse, Ropp, & Sikkink 1999). Given the absence of domestic activists in North Korea, the applicability of the theory is quite limited.

2) Some exceptions need to be noted. Andrew Yeo (2014) addresses two opposing approaches (within the US civil society) to the human suffering inside North Korea: one being pursued by humanitarian aid workers and the other by human rights activists. Moon Kyong-yon (2014) argues that these two different NGO groups "selectively adopted humanitarian and human rights norms" into each of their advocacy campaigns and influenced the South Korean government policy towards North Korea, a move that resulted in different policy outcomes. Daniel Chubb (2014) also investigates the South Korea's conflicting discourses (driven by political activists) over the Inter-Korean relations, showing how the interactions influence state policy.

rights by external actors, particularly by those powerful states, is described as an attempt to lay the Western-style democracy and liberalism on the country. For example, linking the “human rights project” toward North Korea with the U.S. soft power strategy, Christian Hong (2014:39) argues that those work (including NGOs) should be seen as “part of a much larger strategy of destabilizing the North Korean government”. However, this structural perspective cannot move beyond its deterministic and static account as it largely ignores the agency in the very process of politicization of human rights.

To some extent, my research follows the latter two, that is, the bottom-up and the critical approach to North Korean human rights. Even so, it differs from them at least on two grounds. First, in contrast to the conventional actor-centered model, this research does not agree with the conceptualization of advocacy networks as ideally harmonious actors. Rather, my empirical findings direct our attention to the conflictual relationship between actors working toward similar objectives. Indeed, existing NGO theorists tend to assume as if NGO sectors are without disagreement. Still, critics point out that there is often a great deal of dispute within non-state fields (Bob 2005, 2012; DeMars 2005; DeMars & Dijkzeul 2015; Prakash & Gugerty 2010; Schmitz 2010). Smith (2007:21) describes advocacy networks as “decentralized and fluid”, and Bob (2012:8) indicates that they are “shifting and loose-knit.” Keck and Sikkink (1998:3) also add that there are “political spaces, in which differently situated actors negotiate – formally or informally – the social, cultural, and political meanings of their joint enterprise.” Therefore, in order to, particularly understand how certain actors gain control over a given field, we need to take the political dynamics among non-state actors seriously.

Second, it should be noted that my objective is not to contend that a certain understanding of human rights is more appropriate than the others, as many critical scholars do. Neither do I intend to reduce the whole variety of phenomena into simple terms, such as ‘neoliberal’ or ‘neocolonial’. Rather, the aim of this research is to comprehensively review the historical development of those competing actors by treating them (including those critical researchers who themselves challenge the liberal framework) as equally strategic actors operating within the same field. This bird’s eye view provides more integrated and reflexive implications for better practices of North Korean human rights advocacy, which has been unproductively polarized for the last two decades. In the following section, I explain the key concepts of field theory and their usefulness for my research agenda.

3. Key Concepts of Field Theory

The critical evaluations of previous studies lead us to a new direction of considering North Korean human rights as a field of struggle where different actors compete for each other to advance their position in the field. Among sociological field theories, this research adopts the concept of Strategic Action Fields (SAF) to analyze the emergence and evolution of the North Korean Human Rights field since the mid-1990s. The SAF model was devised by Fligstein and McAdam (2011, 2012) to explain

how mesolevel social worlds are created and sustained by skilled strategic actors. The SAFs are the fundamental units of collective action in society, where actors “interact with knowledge of one another under a set of common understandings about the purposes of the field, the relationships in the field (including who has power and why), the rules of the field, and a situation where actors have frames that produce an understanding of what other actors’ moves in the field mean” (Fligstein & McAdam 2011:3). However, while a given social order provides the basis for strategic action, the SAF model does not assume that there is consensus within the field (Magrath 2013:25). Although actors may agree on the rules governing their interaction, they act upon the knowledge of how their position relates to that of others in the strategic action field, because actors come into a field with different understandings of goals and objectives. (Fligstein & McAdam 2012:11; Pettinicchio 2013:82). Therefore, social actors within given fields are in constant competition, vying for “strategic advantage in and through interaction with other groups” (Fligstein & McAdam 2011:4).

While these collective actors are embedded within, and thus made up of SAFs, it is important to note that SAFs are themselves embedded within broader environments, that is, other fields, like traditional Russian dolls. This is where the SAF theory sets apart from the extant theory of social movement, as it seeks to theorize the link between micro (i.e., strategic actors) and macro (i.e., the structure that enables or constrains individual choices). As building blocks of social, political and economic life, SAFs thus reside in a complex web of interconnections and relationships with other fields (Fligstein & McAdam 2012:58, Taylor et al. 2016:256). In turn, embedded within various layers of fields, actors are constantly searching for opportunities to improve their positions and even change the rules of the game (Fligstein & McAdam 2012:20). This dynamic nature of fields is further elaborated by the notion of incumbents and challengers. Dividing field actors into “incumbents” – groups with power and accumulated advantages – and “challengers” – groups with seeking to disrupt fields to move up the pecking order, the authors highlight the dynamics of how change (and stability) in fields is achieved either through a hierarchical or coalition fashion. In this dynamic process, actors employ specific “social skills” such as “reading people and environment, framing lines of action, and mobilizing people in the service of broader conceptions of the worlds and of themselves.” (Fligstein & McAdam 2012:17)

Changes within fields occur not only from internal contention but also from external or exogenous shocks, such as natural disasters or changes in government (Fligstein & McAdam 2012:19; Taylor & Rees 2016:257). Exogenous shocks facilitate new intersections of actors and thus new normative contexts for interactions, resulting in “disorganized social space” (Fligstein & McAdam 2012:113; Pettinicchio 2013:82). This disorganized or unorganized social space provides an opportunity for new players to emerge, or for existing players to propagate new understandings about the field by building coalitions or creating hierarchies to produce new mesolevel social order. This mobilization by strategic actors typically triggers episodes of contention, defined as “period of emergent, sustained contentious interaction between . . . [field] actors utilizing new and innovative forms of action vis-à-vis one another” (McAdam 2007:253). In the end, during the process of emergent mobilization, a new strategic

action field can be formed if the interaction between actors, who wish to occupy previously unorganized social space, is sustained (Fligstein & McAdam 2012:91).

Field perspective provides unique advantages for studying the social construction of human rights in two ways. First, paying attention to the mesolevel social space, it enables researchers to overcome the long-held dichotomy of structure and agency problem. Simply put, structural openings, widely known as political opportunity structures, cannot act as determinants if skilled social actors do not seize and act upon them, and vice versa. Seeing human rights as being produced at the crossroad of mobilization and societal structuring, it provides a unique analysis that reconstructs the historical process where multiple actors (producers) position themselves vis-à-vis other agents within a field (Madsen 2011). Second, compared to the (transnational advocacy) ‘network’ theory, which “downplays the internal conflicts”, this approach takes the very context of internal dynamics as its starting point (Madsen 2011:266). Mapping the field with relative positions taken by competing actors, it highlights the contingent nature of human rights and thus provides a historically informed explanation of how an open-ended process unfolded as it did. In other words, the approach taken here allows for an in-depth analysis of the “earlier stage” of norm dynamics, or the “problem construction”, which is usually taken for granted by network theorists: the process of how a certain understanding becomes dominant, whereas others remain subordinate (Allan 2017, Ferns & Amaeshi 2017).

Before I delve into the emergence and transformation of the North Korean human rights field, I will map out the ‘constellation of relevant actors’ (Scharpf 1997), based on my six months of fieldwork in South Korea. During the fieldwork, I have conducted in-depth interviews with 40 activists (including five informal interviews), three experts, and five government officials. Most interviews lasted between 90 and 120 minutes. As a secondary source, I relied on 1) NGO reports, statements, press releases, and publications, 2) news articles, memoirs, websites information, and 3) government documents, UN documents. To triangulate the collected data, I also conducted approximately 60 hours of participant observations in 20 domestic as well as international events.

4. The Structure of Contentions over North Korean human rights

What are the patterns of contention among South Korea’s advocacy organizations jockeying for control over the North Korean human rights issues? What is exactly at stake? Who are the key actors and which human rights frameworks do they employ? Some answers already have been submitted (e.g., Chubb 2014; Moon Kyong-yon 2014; Park Hyun Ok 2009; Suh Bo-hyuk 2006; Yeo 2014). Suh Bo-hyuk (2006) finds that there are three different perspectives on North Korean human rights issues in the South Korean civil society: progressive, centrist, conservative. Placing these views on a soft versus hard continuum, he shows how the two opposing poles hold their opinions and take actions accordingly. As an interim conclusion, Suh suggests that it is necessary to strengthen the centrists to

depoliticize and make “actual improvement” of the issue (Suh 2006:16). However, this fixed view on the political positions, which is derived from the long-standing ideological conflict in South Korea, hardly adds values to our knowledge. Although analyzing belief systems explains why it is difficult to reach agreement among different actors, it does not go deeper to investigate whether and how interactions between actors take place and in turn, have effects on their standings in the field. I emphasize that even if we take the constant antagonism among actors into account, they are still “engage in strategic action to make changes in response to what others are doing in the field” (Fligstein 2013:41). In short, we need to bring actors back in, focusing not just on their ideas or claims but also on their practices.

Figure 1. Typology of Advocacy Organizations on North Korean human rights

	<i>Infiltrator</i>	Confrontational (to North Korea)
<i>Engager</i>	<i>Reformer</i>	
<i>Denier</i>		Collaborative
Relativity (of Human Rights)	Universality	

I propose four types of advocacy organizations concerning North Korean rights advancement: *infiltrator*, *reformer*, *engager*, and *denier*. The typology was inductively derived from my fieldwork analysis, which focused on two dimensions of how organizations strategize for the North Korean rights issue (see **Figure 1**). The vertical axis refers to the extent to which organizations would impinge upon the North Korea’s sovereignty for the purpose of human rights advancement. For example, if the practices (rather than rhetorical actions) of an organization include strategies for undermining the stability of the regime, I put it into the category of confrontational group: *infiltrator*.³⁾ Whereas, if the practices reflect respecting state sovereignty of the regime (meaning that human rights are considered as domestic affairs of the concern country), the organization falls into the category of collaborative

3) I borrowed the idea of confrontation versus cooperation from the conflict resolution theory.

group: *denier*. In this way, two opposing poles were discerned. Also, more important, the middle ground was identified, which is occupied by those organizations who wish to make changes to the regime but in a gradual and non-combative manner: *reformer* and *engager*. However, my findings suggest that these two should not be bundled into a single category, such as centrists – which is why we need another categorization as to which human rights conceptions are employed by them. Because, even if they seem to agree with the need for moderate changes inside the country, they still may not agree on what the changes actually mean for their practices.

The horizontal axis, therefore, is devised to classify actors depending on their preferences of human rights understandings. Majority of civil society organizations (CSOs) in South Korea converge on the conception that human rights are culturally relative and should not be applied to North Korea without ‘contextualization’ (Moon Chung-in 2014:19-21).⁴⁾ In fact, this distinctive view is widely shared by the progressive sections of civil society. It is also backed by the so-called “immanent approach” introduced as an epistemological paradigm for studying the North Korea’s unique system (e.g., *juche* ideology) from insiders’ point of view (Ko Yu-hwan 2009; Song Du-Yul 1995). Taking the contextualist perspective, these dovish activists emphasize the social and economic aspects of human rights improvement, which requires long-term processes but can lay the groundwork for peaceful reunification (Moon Chung-in 2014:22). In theory, social and economic rights (SER) include a list of so-called “positive rights” such as nondiscrimination, equality, and public health, which can only be claimed against the duty bearer, the state (Fabre 1998; Fried 2013). Yet, in this case, it is typically framed as the “right to survival”, implying that the confrontational approach to the country threatens people’s safety in North Korea. Accordingly, economic sanctions by the UN or the powerful states are claimed to be a source of rights violations. Moreover, forceful measures in the name of human rights should not be acceptable because then “all the people in the Korean Peninsula” could be in jeopardy (Kim et al. 2014). Agreed upon this idea, two somewhat different groups, that is, the peace and humanitarian movements (including traditional human rights movements) and the nationalist (unification) movements were able to, albeit temporarily, coalesce around the concept of ‘*hanbando Ingwon*’ (Human Rights of the Korean Peninsula).

As opposed to the social rights-focused actors, politically conservative groups gathered around the universal framework of human rights. For them, the ‘unique’ culture and politics of the North is not something to be recognized, but need to be remedied as soon as possible. Despite — or perhaps because of — the “special relationship”⁵⁾ between two Koreas, they argue that it is a duty to protect the fundamental rights of all people in North Korea (Kim Seung-Dae 1998). Particularly, thus, their utmost concern is to protect the physical integrity of individuals. From the beginning, they have prioritized the issue of political prison camps, which the North Korean government have denied the

4) This ‘contextualization’ argument, in fact, faced severe criticism for having a “double standard”, meaning that they “did not take as universal and principled stand toward North Korea as it had done toward authoritarian rule in South Korea in the past” (Cho Hyo-Je 2010:317).

5) The special relationship between North and South Korea stems from the ideas that two Koreas are in the process of unification, not being a relationship between states, as stated in the Preamble of the Basic Agreement signed in 1994 (Kim Seung-Dae 1998:2).

existence for decades (Hawk 2003). Nonetheless, the universal rights, or the civil and political rights (CPR) framework functioned as a powerful tool especially when they strategize for naming and shaming campaigns, and it also helped them to gain political support around the world including the US, the UK, Japan, and the EU. (Moon Kyoung-yon 2014; Yeo 2014). However, they did not (and could not) purely act as a universal or neutral player, at least in the South Korean context. In fact, these relatively new actors often engaged in contentious debates over which frameworks are better suitable for the improvement of human rights for North Koreans. They also challenged the efficacy of government projects such as food aid to North Korea, or the Sunshine Policy (engagement policy toward North Korea) in general. They claim that the humanitarian aids without strings attached are doing more harm than good to the people suffering under the despotic rule, where food is being used “as a method of control” (Fifield 2017). Around this set of ideas, these challenger groups, albeit loosely, coalesced under the banner of *Bukhan Ingwon* (North Korean Human Rights).

Table 1. List of Advocacy Organizations for North Korean human rights

Type	Organizational Base	Rights Framework	Main Activities	Representative Examples
Infiltrator	North Korea Democratization Movements	CPR	smuggling information to undermine the regime	NKnet, CDNK, NKIS, FFNK, NK Watch, NKSC, ISFIN, NKRR
Reformer	Transnational Advocacy Networks		naming and shaming to socialize the regime	NKHR, NKDB, TJWG, CHNK, NKHRTW, ICNK, JFNK
Engager	Peace and humanitarian NGOs	SER	advocating for ending the division of the Korean Peninsula	Good Friends, PSPD, SARANGBANG CHRC, KHRF, PN, KSM, MINBYUN
Denier	Unification Movements		Counteracting against North Korean human rights movements	KAPM, Hanchongryun, Tongilyeondae, PKAR, CAIRD

- **Infiltrators:** CDNK stands for the Committee for the Democratization of North Korea, NKIS for the North Korea Intellectuals Solidarity, FFNK for the Fighters for Free North Korea, NKSC for the North Korea Strategy Center, ISFINK for the International Solidarity for Freedom of Information in North Korea, and NKRR for the North Korea Reform Radio
- **Reformers:** CHNK for the Citizens' Coalition for Human Rights of Abductees and North Korean Refugees, NKHRTW for the North Korean Human Rights the Third Way, ICNK for the International Coalition to Stop Crimes Against Humanity in North Korea, and JFNK for the Justice for North Korea.
- **Engagers:** CHRC stands for the Catholic Human Rights Committee, KHRF for the Korea Human Rights Foundation, PN for the Peace Network, KSM for the Korean Sharing Movement, and MINBYUN for the Lawyers for a Democratic Society.
- **Deniers:** Tongilyeondae stands for the Solidarity for Unification, PKAR for the Pan-Korean

Alliance for Reunification, and CAIRD for the Corean Alliance for Independent Reunification and Democracy.

5. Advocacy Organizations for North Korean human rights

The combination of two variables, namely, the attitude toward the North Korea's sovereignty and the choice of rights framework reveals four types of advocacy organizations for North Korean human rights. This section details the generic features of each type of organizations. (see **Table 1**) The organizational level of analysis will help to lay the foundation for understanding the field-level dynamics, which I elaborate in the next section.

First type of organizations is termed as *infiltrator*, as they explicitly pursue regime change of North Korea. Their actions include not only public campaigns but also notably, secretly recruiting North Korean dissidents as prospective democratization activists, and smuggling subversive information into the country (Baek 2016) This guerrilla-like choice of tactics stems from their conviction that the only solution for human rights improvement in North Korea is to overthrow the Kim regime (Jhe Sungho 2006, Cho Hyo-Je 2010:316). For them, persuasive forms of human rights engagement are not sufficient for making changes inside North Korea, which they deem to be totalitarian in nature (Hong Jinpyo 2006). Their goal appears unrealistic and difficult to guide actions. However, the clear and unconstrained political vision has enabled them to mobilize anti-communist and conservative sections of civil society and to expand their organizational scope. In effect, most defector-led NGOs (e.g., NK Watch, North Korea Strategy Center) and (propagandizing) radio broadcasting organizations (e.g., Unification Media Group), have been influenced or incubated by The Network for North Korean Democracy and Human Rights (NKnet), the first and largest *infiltrator*-type NGO.

Second type of organizations is *Reformer*, a term implies their focus on institutional change, but without seeking revolutionary change (Lee Wonwoong 2007; Woo Seongji 2006). Acting as 'transnational norm entrepreneurs', their geographical boundary is not confined to the Korean Peninsula, but cuts across the global North and South (Chubb 2014; Florini 2000; Keck & Sikkink 1998). Using established norms strategically, their main tactic revolves around the naming and shaming campaigns to gain and apply international pressure on North Korea (Kwak & Lee 2009). Thus, the most effective venue for their action is the UN Human Rights institutions. This institutional orientation provides them with opportunities for closely networking with influential INGOs, such as Amnesty International, Human Right Watch, and Anti-Slavery International. With the success of transnational networking, the *Reformers* were able to push the UN institutions to move beyond "merely fact-finding to applying the [international] law" to hold the country accountable (Goedde 2017:8). Over the course of nearly two decades, they have evolved into a more professionalized NGOs, and today they act as a key agenda-setter in the transnational field of North Korean human rights. Notable examples are

Citizens Alliance for North Korean Human Rights (NKHR), Database for North Korean Human Rights (NKDB), and Transitional Justice Working Group (TJWG).

Third type of organizations is *Engager*, coined according to their preference for the engagement policy, which was implemented under the progressive governments in South Korea (Kim Hyuk-Rae 2006, Moon Chung-in 2012;2014). During those ten years, namely, from 1998 to 2007, the relations between two Koreas thawed and significant agreements were made, showing signs of a promising future for peaceful unification. However, the human rights issues were relegated to a back seat or handled through “quiet diplomacy” (Moon Chung-in 2014:24). This was due to a conviction that incremental changes would eventually bring out human rights enhancement. This functionalist idea was widely shared by the progressive sections of South Korean civil society. While this political position seems strangely contradictory to their own historical record (e.g., democratization movement in the 1980s), it is understood (and defended) as a strategic choice of giving priority to peaceful solutions (Cho Hyo-Je 2011). It is against this backdrop that the progressive civil organizations not only take side with the then governments but also work at the forefront of the policy implementation including humanitarian aid and cultural exchange projects (Moon Kyoung-yon 2014). Exemplary organizations are Good Friends, People's Solidarity for Participatory Democracy (PSPD), and SARANGBANG Group for Human Rights (SARANGBANG).⁶⁾

Fourth type of actors is *Denier*, indicating that their main actions are to undermine the truthfulness of human rights claims regarding North Korea. Why then do these radically progressive activists act as a counter-movement to the cause of human rights? For them, the most urgent issue across the Peninsula is ‘Tongil’ (reunification) between two Koreas, which has long been impeded by super powers (Kang Jungku 2005). It is also argued that the actual source of human rights crisis in North Korea is the decades-long hostile policy of the US, such as economic sanctions. Following this logic, interventions from outside the Peninsula are deemed as “politically motivated” as well as “anti-unification” (Kang Jungku 2005). Indeed, this nationalist group vehemently opposed to all kinds of framing of the issue. Moreover, they targeted other movements regardless of them being regime change-style or institutional activism, not to mention the IGOs such as the UN Human Rights Council. Denials even extended to the individuals, such as those defectors who testify their own experiences, by asserting that the stories are doubtful and unverifiable (Park Sukjin 2010). However, they have failed to keep the North Korean human rights discourses from thriving due to changing political climates that were unfavorable for them, which I discuss later. Many unification movement organizations are classified as Deniers, including Korea Alliance for Progressive Movement (KAPM) and South Korean Federation of University Students Councils (Hanchongryun).

6) For a critical evaluation on the South Korean traditional human rights movements in relation to the North Korean human rights issue, see Cho Hyo-Je (2011) Lessons for global human rights Movement: The response of South Korean human rights movement to the North Korean situation, in *Strangeness and Familiarity: Global unity and diversity in human rights and democracy*. Forum, Institute for Multicultural Affairs, Utrecht., edited by Harbers, JA 2011, pp.207-232

6. Dynamics of North Korean Human Rights Fields

The analysis thus far has shown the heterogeneity of diverse actors and their relational patterns that are created based on their chosen mode of engagement with the North Korean human rights issue. However, over the last two decades, the relative positions (power) of actors markedly shifted. While some began to have the upper hand in taking control of the field, others languished and vanished away. Concurrently, key field frames (i.e., what is at stake?) have also shifted and evolved. What dynamics explain this change? This last part of my paper discusses the diachronic development of the North Korean human rights field by teasing out the interplay between external forces and internal dynamics. Based on the chronological analysis of major events, I identify three critical junctures: *North Korean Famine in 1994*, *the UN Resolution in 2003*, *the COI establishment in 2013*. Each of the subsequent changes in the field of North Korean human rights is discussed below.

1) Formation of the Field, 1994 - 2002: emerging humanitarian space

Since the late 1980s, North Korea started to suffer from “severe economic decline”, which led to chronic food shortage and malnutrition, and eventually famine (Lankov 2002). The collapse of Soviet Bloc on which North Korean economy had been heavily dependent for decades, also contributed to making the famine one of the worst. As millions of people died from starvation and hunger-related diseases, some individuals decided to escape North Korea and cross the border to search for food in China. News of famine-induced refugees, together with heartbreaking stories of extreme hunger, greatly struck a chord with many South Koreans, who had long been indoctrinated for treating North Korea as their enemy. Against this backdrop, some South Korean civil organizations, many of which had been actively involved in the democratization movement in the past, collaborated campaigning for food aid to North Korea. Moon Kyoung-yon (2014) finds that it is these groups’ efforts that influenced government policy as well as public opinion to support aid to North Korea by “grafting norms” of humanitarianism onto the issue of food crisis. This was in many ways remarkable, not least because such civil society actors could play a role to impact state policy. Up until then—namely, until the late 1990s, the North Korea issues were exclusively handled by government actors such as the Ministry of Unification or the intelligence agencies. Moreover, legal as well as (geo)political barriers did not allow for any type of participation from the civil society when it comes to North Korea’s “internal” matters (Kim Hyuk-Rae 2013). Even within the civil society, raising issues of humanitarian crisis in North Korea was not really welcomed. In effect, it was often condemned, particularly by the unification movement sector, as being politically naïve or incorrect, because framing North Korea as poor and failed state would only strengthen the claims of the ‘North Korea collapse theory’ (Hong Sunghee 2004). Nevertheless, with the improved political environment, especially since the new progressive government took power in 1998, this pioneering group had developed into North Korea-specific relief

NGOs, partnering with the then government's engagement policy (Moon Kyoung-yon 2014).

The first period of North Korean human rights fields is marked by the transition from a state-dominated domain to emerging humanitarian space. In Fligstein and McAdam's terms, the North Korean Famine in 1994 acted as an exogenous shock to the existing North Korea policy field and rendered it disorganized and unstable (Fligstein and McAdam 2011). Despite the unfavorable socio-political environment, the new actors utilized this exogenous shock as an opportunity for the realization of their goals. For instance, they succeeded to find an institutional "niche" (e.g., government's inaction) and started to fill it with new ideas and norms (Fligstein & McAdam 2012:98-99). Furthermore, they also succeeded to get other actors to cooperate on the basis of shared understandings and appropriate socially available resources (e.g., former democratization movements networks) for much larger mobilization. However, it should be noted that we cannot confirm that this newly emerged social space was 'fielded' enough to be defined as a strategic action field. Because any significant sign of competent challengers was not in sight yet, not to mention the episodes of contention. Also, because, the actions or ideas of the humanitarian NGOs were not yet strategized vis-à-vis other actors.

2) Rupture of the Field, 2003 - 2012: from Politicization to Transnationalization

Since the mid-1990s, new actors who take a more fundamental approach to the nature of human suffering in North Korea has started emerged (Yeo 2014). Rather than focusing on humanitarian aspect of the situation, they tried to bring attention to the human rights violations committed in North Korea and abroad (mostly in China). The first North Korea-specific human rights organization in South Korea was launched in 1996 (NKHR), followed by the first establishment of North Korean democratization movement organization (NKnet) in 1996. This was made possible in large part due to the growing influx of North Korean defectors⁷⁾ into South Korea. In 1999, for the first time, the annual number of defectors entering the South increased from two digits to three digits and then soared to over 1,000 as of 2002, allowing for a more systematic investigation of the human rights situation in North Korea (Ministry of Unification 2017).

The emergence of CPR-focused NGOs bears significant implications for the emerging field of North Korean human rights. First, it signifies a rupture or crisis of the social space, which was until then largely governed by humanitarian norms. No longer can the field be defined by a single frame or constituted by homogeneous participants. However, the rise of challengers does not necessarily mean that a conflict among actors will inevitably follow.⁸⁾ Because both the SER and CPR-focused actors

7) Moon Chung-in (2014) differentiates the term of defectors from that of refugees, by clarifying that it means those "North Koreans in China who want to come to South Korea". This research follows his definition of the defectors.

8) While Bordieuan field theorists tend to focus on the conflictive nature of fields, the new institutionalist theorists emphasize the cooperative aspect. However, I argue that the nature of field (dynamics) cannot be predicted as either conflictive or cooperative *a priori*.

basically aim to improve the life of all people in North Korea, it rather means that an open-ended social process of “human rights politics” has just begun, concerning how to interpret, intervene, and engage the situation.

Secondly, the presence of CPR-oriented NGOs in South Korea has essentially actualized the transnational link between domestic and international NGOs, which are commonly assumed to be prerequisites for transnational pressure to work, often called the “boomerang effect,” (Keck & Sikkink 1998; Risse, Ropp, & Sikkink 1999). Despite the limits of direct access to North Korea, the South Korean NGOs have tactfully exploited testimonies of defectors, ranging from laymen to those who were at the chain of command such as a former political prison guard (Ahn Myong Chol 2007). In the end, based on this targeted and systematic accumulation of information, the South Korean NGOs became to operate not just as transmitters (who rely on INGOs) but also as agenda-setters.

The transnationalization of North Korean human rights activism was also strengthened by (and in turn strengthened) the recurring resolutions adopted by the UN agencies since 2003, and the appointment of UN Special Rapporteurs since 2004 (Han Dong-ho 2017). By using insiders’ tactics⁹⁾, the activists, mostly *reformers* but also *infiltrators*, concentrated¹⁰⁾ on the campaigns around the UN venues and institutions, utilizing them as a platform for the promotion and dissemination of their information and agendas around the world. Over the years, the transnational networks have expanded to the Global South such as Indonesia and Brazil, aiming to overcome the criticism leveled against them as being Western-centric (Lee 2017). In 2011, the enlargement of TAN for North Korean human rights culminated in the formation of the International Coalition to Stop Crimes against Humanity in North Korea (ICNK), which involves over 40 organizations around the world, intending to bring the issue to the ICC.

However, domestically, the mainstreaming of CPR framework was not straightforward. Acute episodes of contention between the two camps in South Korea initiated, especially when the US Congress began to consider the legislation of the North Korean Human Rights Act of 2004 (NKHRA) (Park Hyun Ok 2009). Interpreting this exogenous event as a threat to the existing field, SER-focused groups coalesced and acted against the US law including those who defended it (PSPD 2004). The clash between CPR and SER groups peaked in 2005 when the two international conferences on North Korea human rights were held in Seoul (Chubb 2014). Faced with oppositional demonstrations staged against the events, the CPR groups in return accused the SER groups of being ‘hypocritical’ and ‘coward’ for not acting on suffering in North Korea (DailyNK 2005). Although it was the fundamental disagreement between *deniers* and *infiltrators*, both of which mainly depended on extra-institutional strategies, that had potentially driven the whole confrontation, the others, namely, *reformers* and

9) It is noteworthy that domestically the CPR-focused NGOs, especially *infiltrators*, mainly use outsider tactics such as demonstration and direct action.

10) This was an intentional as well as a strategic choice made by those organizations, especially *reformers*, who tried to avoid unnecessary politicization within the South Korean civil society (Chubb, 2014; Kim and Lee, 2006).

engagers, also toed the party line as drawn by the extremes.

Amid the polarization, actors from the middle ground approached each other to discuss a possibility of compromise between disparate approaches to the North Korean issue (Chubb 2014). From 2006 to 2007, series of both informal and formal meetings were convened by the Peach Foundation (an umbrella organization of Good Friends), participated by activists mostly from the *reformer* and *engager* organizations. Although the meetings did not produce a meaningful settlement, the very participation of SER groups in the event of *Bukhan Ingwon* (North Korean human rights, a term that had long been tabooed among the progressives) in parallel with the CPR framers, represents a significant development for the field (Chubb 2014). It would be exaggerating to suggest that the SER group changed their perspectives due to some discussions, but since the late 2000s, it became clear that an outright denial or the *denier* groups in general were marginalized. Of course, this rearrangement of actor relations and the stabilization of the field need to be understood in tandem with the changing (abovementioned) international environments, as well as the domestic ones. In sum, the CPR framework, initially introduced as disruptive ideas, became dominant within the field of North Korean human rights through the co-production of external events and strategic actions taken by challengers.

3) Settlement of the Field, 2013 and onward: Crystallized as Justice Field?

As the former incumbent, the SER group lost their control of the field, the CPR framework began to flourish and spread. One indication is that the number of NGOs which adopt similar strategies, organizational forms, and practices has increased since the late 2000s. Also, regardless of their goals being democratization or human rights improvement in North Korea, many NGOs began to follow the logic of the *reformer*, the model that has been proven to be the most effective both at the international and domestic arenas. With increased actors, and by mimicking similar tactics, namely, bringing the issue to the international venues, the CPR-focused NGOs were able to set various agendas, such as the issues of overseas workers and abductees (KBA 2014).

Since early 2010, this institution-oriented, or the “legal mobilization” (Goedde 2010;2017) took aim at urging the UN to establish the Commission of Inquiry (COI) for the investigation of the crimes against humanity committed by the North Korean regime (ICNK 2017). In 2013, the coordinated international efforts, eventually contributed to launching the COI, which published a detailed report in the next year, concluding that the North Korea government has committed “systematic human right abuses at a scale that has no parallel in the contemporary world”, which amounted to crimes against humanity (UN 2014).

The COI establishment and its confirmation of crimes against humanity signals a critical turning point not only in that it serves as an authoritative guideline for the field, but also in that it represents that once again the key frame of the field has changed: from ‘how to socialize North Korea’ to ‘how to hold them accountable’. Goedde (2017:9) also assesses that “[t]he COI shifted the human rights

discourse on North Korea from investigation and monitoring of human rights violations to legal accountability.” Considering the recent increasing discussions that seek measures of accountability, it can be safely said that the field has been crystallized as a ‘field of justice’. And this also means that it has become even more difficult for the SER framework to find its place within the field. However, whether the social and economic framework can be revisited remains an open-ended question.



References

- Ahn, M. 2007. 『완전통제구역: 북한 정치범수용소 경비대원의 수기』. 시대정신.
- Allan, B. 2017. “Producing the Climate: States, Scientists, and the Constitution of Global Governance Objects.” *International Organization*. 71(1), 131-162. doi:10.1017/S0020818316000321
- Baek, B., Kim. Y. 2014. 『북한인권 문제의 새로운 접근, 서울국제법연구』. 21(1). 43-99, 서울국제법연구원.
- Baek, J. 2017. *North Korea's hidden revolution: How the information underground is transforming a closed society*. London: Yale University Press.
- Baik, T. 2016. “Nonjudicial Punishments of Political Offenses in North Korea—With a Focus on Kwanriso.” *The American Journal of Comparative Law*. 64(4), pp.891-930.
- Chan, E. and Schloenhardt, A. 2007. “North Korean Refugees and International Refugee Law.” *International Journal of Refugee Law*. 19(2), pp.215-245.
- Charles Fried. 2013. *Right and wrong*. Cambridge: Harvard Univ Press.
- Cho, H. 2010. “Two Concepts of Human Rights in Contemporary Korea.” *Development and Society*. 39(2), pp.299-325.
- _____. 2011. “Lessons for global human rights Movement: The response of South Korean human rights movement to the North Korean situation,” in *Strangeness and Familiarity: Global unity and diversity in human rights and democracy*. Forum, Institute for Multicultural Affairs, Utrecht., edited by Harbers, JA 2011, pp.207-232
- _____. 2013. *Contemporary South Korean society*. Abingdon, Oxon: Routledge.
- Chubb, D. 2014. *Contentious activism & inter-Korean relations*. Columbia University Press.
- _____. 2015. “North Korean Human Rights and the International Community: Responding to the UN Commission of Inquiry.” *Asia-Pacific Journal on Human Rights and the Law*. 15(1-2), pp.51-72.

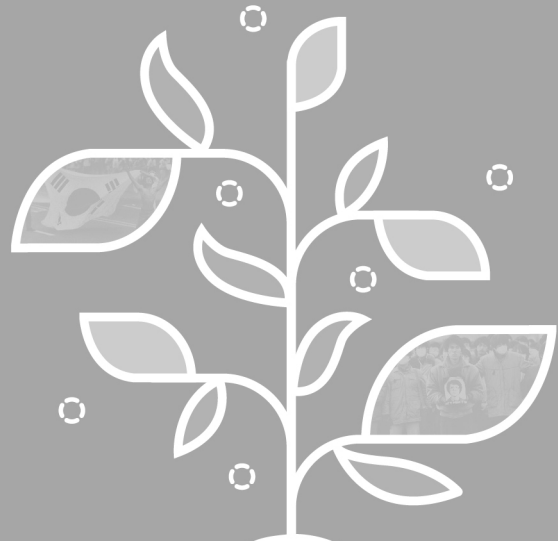
- Clifford Bob. 2005. *The Marketing of Rebellion: Insurgents, Media, and International Activism*, Cambridge: Cambridge University Press.
- _____. 2012. *Global Right Wing and the Clash of World Politics*, Cambridge University Press.
- Cohen, R. 2013. "Human Rights in North Korea." *International Journal of Korean Unification Studies*. 22(2), pp.29-62.
- Dam, Philippe. 2013. *Commission of Inquiry and Its Implications for North Korea*. 통일연구원 학술회의 총서, 73-85.
- DeMars, W. 2005. *NGOs and transnational networks*. London: Pluto Press.
- DeMars, W. and Dijkzeul, D. (2015). *The NGO challenge for international relations theory*. Routledge.
- Donnelly, J. 1999. The Social Construction of International Human Rights, In *Human Rights in Global Politics*. (ed). Tim Dunne and Nicholas J. Wheeler. Cambridge: Cambridge University Press. Pp. 71-102.
- Evans, T. 2005. *The politics of human rights*. London: Pluto Press.
- Fabre, C. 1998. Constitutionalising Social Rights. *Journal of Political Philosophy*. 6(3), pp.263-284.
- Ferns, G. and Amaeshi, K. 2017. Struggles at the summits: Discourse coalitions, field boundaries, and the shifting role of business in sustainable development. *Business & Society*. pp. 1-39.
- Finnemore, M. and Sikkink, K. 1998. "International Norm Dynamics and Political Change." *International Organization*. 52(4), pp.887-917.
- Fligstein, N. and McAdam, D. 2011. "Toward a General Theory of Strategic Action Fields." *Sociological Theory*. 29(1), pp.1-26.
- Fligstein, N. and McAdam, D. 2012. *A theory of fields*. New York: Oxford University Press.
- Florini, A. M. 2000. *The Third Force: The Rise of Transnational Civil Society*. Ed. A. M. Florin. Carnegie Endowment for International Peace.
- Gelézeau, V., De Ceuster, K. and Delissen, A. eds. 2013. "De-bordering Korea: Tangible and Intangible Legacies of the Sunshine Policy." Routledge.
- Gerring, J. 2007. *Case study research*. New York: Cambridge University Press.
- Goedde, P. 2010. "Legal Mobilization for Human Rights Protection in North Korea: Furthering Discourse or Discord?" *Human Rights Quarterly*. 32, pp.530-574.
- GOEDDE, P. 2017. "Human Rights Diffusion in North Korea: The Impact of Transnational Legal Mobilization." *Asian Journal of Law and Society*, pp.1-29.

- Heo, M. 2014. "Mongolia's Political Change and Human Rights in Five-Phase Spiral Model: Implications for North Korea." *Pacific Focus*. 29(3), pp.413-438.
- Hong, C. 2013. "Reframing North Korean Human Rights." *Critical Asian Studies*. 45(4), pp.511-532.
- Hafner-Burton, E.M, Tsutsui, K. 2005. "Human Rights in a Globalizing World: The Paradox of Empty Promises." *American Journal of Sociology*. 110, 1 pp.373-1411.
- Hafner-Burton, E.M, Tsutsui, K, Meyer, J.W. 2008. "International Human Rights Law and the Politics of Legitimation Repressive States and Human Rights Treaties." *International Sociology*. 23, pp.115-141.
- Hawk, D.R. 2003. *The hidden gulag: exposing North Korea's prison camps: prisoners' testimonies and satellite photographs*. U.S. Committee for Human Rights in North Korea.
- Hong, J. P. 2006. "Organizing and focusing North Korean human rights movement into anti-Kim Jong-il regime." *North Korea*. 412: pp.59-64.
- Jhe, Seong-ho. 2011, "South Korea's Internal Division over Humanitarian Aid to North Korea and North Korean Human Rights," *Strategic Studies*. March 2011, Vol. 51, the Korea Research Institute for Strategy, Summer 2011.
- Keck, M.E. Sikkink, K. 1998. *Activists beyond borders: advocacy networks in international politics*. Cornell University Press, Ithaca, N.Y.
- _____. 1999. Transnational advocacy networks in international and regional politics. *International Social Science Journal*. 51, pp.89-101.
- Khagram, S., Riker, J. and Sikkink, K. 2002. *Restructuring world politics*. Minneapolis: University of Minnesota Press.
- Kim, H. 2013. *State-centric to contested social governance in Korea*. Routledge.
- Kim, M. 2012. *Securitization of human rights*. Santa Barbara, CA: Praeger.
- Ko, Yu-hwan. 2009. "특집: 북한연구 방법론의 현황과 과제", 통일과 평화/1(1), 서울대학교 통일평화연구원, pp.29-71,
- Kwak, Sun-Young, and Lee Yong Wook. 2009. "Using Norms Strategy: Transnational Advocacy Networks' Operation for North Korean Human Rights." *Asian Perspective*33.1: pp.33-74.
- Lankov, A. 2002. *From Stalin to Kim Il Sung*. New Brunswick, N.J.: Rutgers University Press.
- Moon, C, Bae. J. 2014. South Korea's Engagement Policy., *Critical Asian Studies* Vol. 46(1), pp.15-38
- Moon, K. 2014. "South Korean Civil Society Organizations, Human Rights Norms, And North

- Korea.” *Critical Asian Studies*, 46(1), pp.65-89.
- Nash, K. 2009. *The Cultural Politics of Human Rights*. Cambridge: Cambridge University Press.
- Oh, Y. 2015. “The United Nations and North Korean Human Rights Situation.” *The Journal of Peace Studies*. 16(2), pp.75-91.
- Park, H. 2009. “The Politics of Unification and Neoliberal Democracy: Economic Cooperation and North Korean Human Rights.” (ed) Ryang, S. *North Korea*. Lanham, MD: Lexington Books.
- Pettinicchio, David. 2013. “Strategic Action Fields and the Context of Political Entrepreneurship: How Disability Rights Became Part of the Policy Agenda.” in Patrick G. Coy (ed.) *Research in Social Movements, Conflicts and Change*. (Research in Social Movements, Conflicts and Change, Volume 36), Emerald
- Prakash, A. and Gugerty, M. 2010. *Advocacy organizations and collective action*. Cambridge: Cambridge University Press.
- Price, R. 2003. “Transnational Civil Society and Advocacy in World Politics.” *World Pol.* 55(04), pp.579-606.
- Ramcharan, B. 2015. *Contemporary Human Rights Ideas*. Florence: Taylor and Francis.
- Reimann, K. 2008. “Security issues and new transnational peace-related movements in East Asia, the 1990s and 2000s.” *International Journal of Peace Studies*. pp.59-85.
- Risse-Kappen, T, Ropp, S.C, Sikkink, K. 1999. *The Power of Human Rights: International Norms and Domestic Change*. Cambridge University Press.
- Risse, T. 1999. “International Norms and Domestic Change: Arguing and Communicative Behavior in the Human Rights Area.” *Politics Society*. 27, pp.529-559.
- Risse, T, Risse-Kappen, T, Ropp, S.C., Sikkink, K. 2013. *The Persistent Power of Human Rights: From Commitment to Compliance*. Cambridge University Press.
- Ron, J., Ramos, H. and Rodgers, K. 2005. “Transnational Information Politics: NGO Human Rights Reporting, 1986-2000.” *International Studies Quarterly*. 49(3), pp.557-588.
- Scharpf, F. 1997. *Games real actors play*. Boulder, Colo.: Westview Press.
- Sell, S. and Prakash, A. 2004. “Using Ideas Strategically: The Contest Between Business and NGO Networks in Intellectual Property Rights.” *Int Studies Q.* 48(1), pp.143-175.
- Sikkink, K. 1993. “Human Rights, Principled Issue-Networks, and Sovereignty in Latin America.” *International Organization*. 47(3), pp.411-441.
- Smith, H. 2014. “Crimes Against Humanity?” *Critical Asian Studies*. 46(1), pp.127-143.
- Smith, J. 2004. “Transnational Processes and Movements.” *In The Blackwell Companion to*

Social Movements. Blackwell Publishers, Malden, MA.

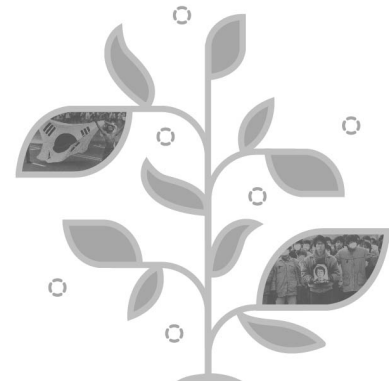
- Song, J. 2010. *Human Rights Discourse in North Korea: Post-Colonial, Marxist and Confucian Perspectives*. Routledge.
- Song, Dae-Han, and Christine Hong. 2014. "Toward "The Day After": National Endowment for Democracy and North Korean regime change." *Critical Asian Studies* 46 (1): pp.39-64.
- Song, D. 1995. "역사는 끝났는가", 1995., 당대
- Suh, B. 2006. 『국내외 북한인권 동향 평가와 인권개선 로드맵』. KINU 정책연구시리즈 ; 1-3, 통일연구원, pp.69-73
- Suh, B. 2014. "The Militarization of Korean Human Rights." *Critical Asian Studies*, 46(1), pp.3-14.
- Woong Lee, W. 2007. "Politics of Human Rights in North Korea." *Journal of Asian and African Studies*. 42(3-4), pp.233-244.
- Yeo, A. 2014. "Alleviating Misery: The Politics of North Korean Human Rights in U.S. Foreign Policy." *North Korean Review*, 10(2), pp.71-87.
- Yoon, Yeo-sang. 2011. "South Korea's Policies on North Korean Human Rights and Legislation of the North Korean Human Rights Act," *Quarterly Zeitgeist (Sidae Jeongsin)*. Summer 2011.



Study 4

Pegida as Challenge of Democracy and the Meaning of Democracy

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04

Pegida as Challenge of Democracy and the Meaning of Democracy

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Abstract

This research aims to elucidate that the Pegida-movement isn't merely a problem, but a challenge, which raises a question on the meaning of democracy. Pegida is the organization, which leads the anti-islamic manifestations in Germany. For the understanding of Pegida, this research refers to the empirical documents on this populist movement, as well as to the theoretical and philosophical texts on the definition of democracy. The Pegida movement shows that the democracy has substantially two meanings – in ordinary use, it means the respect for the liberal values such as tolerance to minorities, rule of law, freedom of the press, etc., but it signifies also the rule(cracry) of the citizens(demos). These two meanings collide with each other, when the Pegida demonstration demands the exclusion of immigrants in the name of democracy. In this sense, the present research considers the Pegida problematics as a challenge to the the meaning of democracy. To say more precisely, the Pegida movement is the challenge of the democracy, not the challenge to the democracy. Even though the liberal order is commonly

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Abstract

understood as democratic, the democracy is distinguishing itself from the liberalism, as the people on the street claim the rule of the people(as sovereign) against the human rights(of immigrants). We are today in confronting the separation of liberalism and democracy with the Pegida and other far-right movements. In opposition to the exclusive democracy, this research proposes to enlighten the aspect of equality in the concept of democracy. For this, this article refers to Hannah Arendt's concept of isonomy, which guarantees the division of powers and resists to the formation of a demos as a exclusive unity.

Keywords : Pegida, democracy, liberalism, isonomy, Hannah Arendt



초록

본 연구는 드레스덴을 중심으로 2014년 말-2015년 초에 집중적으로 일어난 페기다 시위에 대해 분석한다. 페기다 (Pegida)는 독일의 이민자 정책에 대해 반대하며 반이민, 반이슬람, 반EU 등을 기치로 내건 극우 대중운동 조직이다. 시리아 내전으로 인해 대량 난민 사태가 발생하였고, 이 난민들의 대부분이 독일로 유입되면서 독일 내에서 많은 논란을 일으킨 바 있다. 페기다 그룹은 난민 사태에 대한 극우적 반응으로, 독일 정부 그리고 EU가 독일 시민들의 의사에 반하는 이민정책을 추진한다고 비판, 이에 대한 항의시위를 주도했다. 그러나 본 연구는 단순히 페기다 운동에 대한 도덕적 비판을 목적으로 하지 않는다. 오히려 본 연구는 페기다 운동을 민주주의적 대중운동으로 바라본다. 페기다 시위는 민주주의에 대한 도전이 아니라, 민주주의의 도전인 셈이다. 이 운동은 민주주의에 대한 우리의 고정관념적 이해와 충돌함으로써 민주주의의 의미 자체에 대한 문제를 제기하고 있다. 민주주의는 한편으로 법치주의, 언론의 자유, 소수자에 대한 관용 등의 자유주의적 가치에 대한 존중을 의미한다. 그러나 다른 한편으로 정치권력이라는 차원에서 민주주의는 주권자인 대중들이 지배하는 체제를 의미하기도 한다. 페기다 시위가 민주주의적 기치인 “우리가 국민이다”라는 슬로건을 내걸고 이민자를 배제하는 이민정책을 요구할 때, 민주주의의 두 가지 의미는 서로 충돌하게 된다. 소수자에 대한 관용을 위한 민주주의와 주권자 시민들의 결단으로 운영되는 민주주의가 상호 갈등하는 것이다. 자유주의는 습관적으로 민주주의와 동일시되고 있지만, 보편적 인권에 대한 요구(이민자 배려)와 대중들의 국민주권에 대한 요구(이민자 배제)가 충돌하는 상황에서, 그 상이성이 드러나게 된 것이다. 자유주의는 이데올로기로서 프랑스 혁명으로부터 생성되었던 것에 비해, 민주주의는 그보다 훨씬 오래 전인, 고대 그리스에서 정치체제의 한 가지 종류로 시작되었다. 두 가지 가치는 그 기원에서부터 동일하지



초록

않았으며, 근대에 들어, « 개인 » 개념이 등장하면서 자유주의와 민주주의는 결합될 수 있었다. 페기다 운동은 이러한 결합을 다시 해체하고 있다. 이러한 자유주의와 민주주의의 분리는 단지 페기다 운동만이 아니라, 브렉시트 및 도널드 트럼프 대통령 당선 등 서구 선진 사회에 공통적으로 나타나는 현상이다. 서구의 자유 민주주의는 과거 전체주의, 공산주의와의 대결에서 승리했지만, 현재 내부로부터, 시민들의 우익 대중운동으로부터 그 자유주의적 가치를 도전받고 있다.

본 연구는 이러한 서구 사회에서의 자유주의와 민주주의의 분리를 비추는 특징적 모습으로 페기다 시위를 바라보며, 이를 위해 이 운동에 대한 신문, 잡지 등의 르포 기사는 물론, 설문조사 결과와 같은 경험적, 통계적 자료와 최근의 연구서적 등과 함께, 민주주의의 본질에 관한 이론적, 철학적 텍스트 역시 검토한다. 페기다 및 서구의 극우 대중운동에 대한 새로운 시각을 제시하는 것과 함께, 본 연구는 이에 대한 대안으로서 한나 아렌트의 이소노미 개념을 중심으로, 민주주의에 내재한 평등의 의미를 강조하고자 한다. 극우 대중운동이 민주주의에서 시민의 정치적 권리를 강조하는 것과는 달리, 민주주의의 원형에는 내부에서의 평등을 강조하는 사상적 전통 역시 존재했다. 이 때의 평등이란 산술적 평등이 아닌, 정치적 평등으로서 시민들 상호간의 대화와 토론을 통한 정치권력의 행사를 의미한다. 민주주의에 내재한, 평등을 강조한 고전적 정치개념은 근대에 와서 권력분립이라는 형태로 부활하게 되었고 이는 중앙과 지방 사이의 분권형 권력제로 제도화되어 시민들의 정치참여를 보장하는 역할을 하고 있다. 이러한 정치참여 그리고 그 참여공간에서의 자유로운 의사표현을 통해, 개인들의 관계에 기반한 정치의 형성이 가능해 진다. 본 연구는 이러한 관계로서의 정치를 정치의 본질로 이해했으며, 이러한 개인 상호간의 관계적 정치가 대중동원적, 배타적 민주주의 개념에 대한 대안이 될 수 있을 것으로 기대한다.

키워드 : 페기다, 민주주의, 자유주의, 이소노미, 한나 아렌트

1. Introduction : For the *Interpretation* of Pegida

The Pegida movement in Germany makes worry the postwar World, which is founded on the liberal values, anti-nationalism, anti-racism, anti-colonialism, because these are the preventions against the violent national movement which caused two World Wars. Pegida is the acronym for « Patriotic Europäer gegen die Islamisierung des Abendlandes » (Patriotic Europeans Against the Islamisation of the West); it is a nationalist German organisation which leads the populist movement since 2014. It organizes a in Dresden centered, but nation-wide supported movement against the immigration policy of German government. In a point of view, Europe holds the ideal of humanity with its highly developed civilization – since the Enlightenment, this continent has been the universal model for the democracy, knowledge, progress, prosperity. In another point, Europe showed the cruelty of human

race, such as genocide, racial discrimination, colonialism, etc. Germany is the example of such a two-faced Europe. It has the humanities of Goethe, Kant, Hegel, etc., but it has also formed the colonialism, genocide, totalitarianism. The postwar liberal World order is established on the victory of humane Europe over the cruel Europe. The Pegida movement denies the very victory of European Humanity, as it officially claims the national movement of people against the so-called “islamisation of Germany”. The movement was peached in winter of 2014-2015, as the “mass” immigration from Syria became the current problem of German society. Since then, the movement has significantly lost their influences in people and as well as in media. The Pegida is however the ongoing question. Because the “Pegida-mindset” is rather internalized in German. The AfD(Alternative für Deutschland), nationalist, anti-immigration party, became the third party in the German parliament. It is said that the Pegida movement attributed the AfD success in the official political domain.²⁾

Even though the Pegida marches, as symbolic event of Europe’s radical conservatism, threatens the liberal order and democratic values of postwar Europe, it is hardly available to find the fundamental studies on the Pegida movement. There are two reasons. One reason is simply that the Pegida is relatively recent problem which needs more time to be analyzed in consideration of theoretical dimensions. Another is related to the first one: the actuality of the problem makes concentrate on the journalistic and demographic analysis of the movement. These two reasons make the two-sided effect. On the one hand, the journalistic reports and demographic researches describe and record vividly what happens in the Pegida movement. They provide the picturesque sceneries of Pegida movement and of the German and european reactions to it. The records and descriptions, on the other hand, need to be interpreted, being followed by the theoretical and even philosophical reflexions. They remain only as primary materials, before the further analyses translate the Pegida-understanding from the sphere of mere factual realities to that of social and political meanings.

For the interpretation of Pegida, this article examines the movement as a challenge of the democracy to our existing consciousness, awareness and vision of the democracy. We, the contemporain, simply identify the democracy and the liberalism. The Pegida movement, however, implies that the democracy has substantially two connotations – in ordinary use, it means the respect for the liberal values such as tolerance to minorities, rule of law, freedom of the press, etc., but it signifies, as political system, the rule(cracy) of the citizens(demo-). These two meanings collide with each other, when the Pegida demonstration demands the exclusion of immigrants in the name of democracy. The Pegida means apparently a serious infringement of the post-war liberal principles, such as human rights, coexistence with other nations, tolerance to the minorities, which the human history learned from the catastrophic experiences of genocide and totalitarianism. This research, however, doesn’t want to criticize the Pegida movement with a simple normativism. Instead, this research grasps the *meaning* of this far-right wing actions. When the Pegida-movement is explained as a deviant, we need only the ethical and

2) Jens Meier, the 2017 elected congressman of AfD, has said about the success of AfD in the Parliament election that “Without Pegida, this widespread effect would not have been possible”, retrieved 09. Nov. 2017 from <http://www.haz.de/Nachrichten/Politik/Deutschland-Welt/Ohne-Pegida-ueberhaupt-nicht-moeglich>

moral reaffirmation of the postwar principle of tolerance to minorities, to criticize the abnormality. But the proliferation of the nationalism and racism in Europe and USA proves that such moral reaffirmation is ineffect. This ethical assertion diabolizes the Pegida-movement and appeals to the individual moral sympathy for the tolerance. It ignores therefore the structure of nationalism and racism which conditions the Pegida and other nationalist inclinations in the developed countries.

In this sense, the present research considers the Pegida as a challenge to the meaning of democracy and seeks the alternative definition of democracy as equality. For this purpose, this research treats the Pegida problem in three aspects. We examine, in the first place, the recent empirical analyses on this theme. In Germany and in other European countries, were published many journalistic discourses, essays, audiovisuelle reportages, etc., to criticize this far-right wing phenomenon. The researches investigate the cause of Pegida phenomenon (Çakir 2016, Heim 2017), its organisation and participants (Reuband 2015, Vorländer, Herold & Schaller 2015, 2016), the popularity and reactions of German society (Rucht 2014), etc. The present research refers moreover to the theoretical studies on the relation between right-wing movement and democracy. For this, we discuss secondly the meaning of far-right movements as a people's demand to revive the interventionist state against the liberal globalization. The third aspect concerns the challenge of Pegida to the meaning of democracy. As the Pegida and other far-right movements show, the support of people cannot ensure the democratic principles for human rights and tolerance to minorities. This research, therefore, consults the theoretical and philosophical conceptualizations of democracy (Arendt 1998, Rancière 1995, 2002, 2008), to deliberate the equality as alternative essence of democracy.

(1) Pegida as “democratic” movement against Elite-politics

The Pegida movement is, in a sense, democratic. This article doesn't overlook the fact, that the Pegida demonstration has arisen in the name of democracy. It's obvious that the intolerant hatred is prevalent in the activities, mottos, speeches of Pegida organization, as German Chancellor Angela Merkel criticized in the new year speech for 2015 the coldness and hate of the Pegida-demonstrators, who seek to marginalize others for their different skin colors or religions.³⁾ But we witness also some meaningful elements of democracy in this far-right wing movement. In this chapter, we discuss three democratic aspects of the Pegida movement: the motto « Wir sind das Volk (We are the people) », the support for the third party and the mistrust in media. The three aspects are separately expressed, but consist together the populist desire for the alternative political order, as a reaction out of the dissatisfaction with the established, institutionalized political system. The dissatisfaction is the common factor which links the German Pegida with other emerging nationalism and populism in Europe and in USA.

The Pegida members and supporters on the street don't demand to discard the democracy – on the

3) For the full text of Chancellor's speech, retrieved 09. Nov. 2017 from <https://www.bundesregierung.de/Content/DE/Bulletin/2010-2015/2015/01/01-1-bk-neujahr.html>

contrary, they're marching under the phrase "we are the people". In the perspective of post-war principles which identifies the liberal order and the democratic virtues, it is irony that the Pegida, anti-immigration movement claims its anti-democratic demands under the democratic motto we are the people. This phrase was originally exclaimed during the Monday marches in East Germany before the fall of the Berlin Wall, to urge democratic reforms to the undemocratic communist government. Some researches focus on the correlation between two facts, that the motto comes from the East German revolution of 1989 and the Pegida has many supporters in the region, belonged to East Germany before the reunification. In this perspective, Pegida is a local phenomenon out of disappointment since 1989: the motto of "we are the people" mirrors the sense of loss and the frustration of East German people, who feels uncomfortable with the rapid social changes and intergration to West Germany(Bude 2015, Foroutan 2016). But this motto doesn't signify only the local sense of loss but the active definition of self-identity as sovereign people, who wants to defense their own values, as the placards in the Pegida evening marches showed: "Ein Volk, eine Heimat, eine Nation"(A people, a homeland, a nation), "Das Bekenntnis zum eigenen Land, zur eigenen Kultur und Identität muss selbstverständlich werden und sein und darf niemals in eine Verächtlichmachung gedrängt werden"(The confession to one's own country, to one's own culture and identity must be and become self-evident and must never be forced into contempt)(Rucht 2014, 10; Thran & Boehnke 2015,182).

As sovereign of German nation-state, the Pegidians hope to reform the elitist politics, and ultimately to replace it with the genuine democracy of normal people. This hope is revealed, in a hand, with the skepticism to the established institutions and parties, and in the other hand, with the support for the third populist party. The polls of the Pegidians show statistically the skepticism of the politics. An empirical research, published in January 2015, shows the survey results from the interviews of the 397 Pegida demonstrators(Vorländer et al. 2015). The statistics tells that the strongest motive for the Pegida participation is the dissatisfaction with the established politics(53.5%). The discontentment is, of course, mainly based on the disagreement with the asylum politics of German government(25.9%). But the rejection doesn't entirely mean the Pegidians stepped out into the street because they hate the immigrants, as the dominant views consider. They concern rather the politics, in general, for the representation of the people's will in the political system : another leading cause of the Pegida participation was answered as "generally perceived distance between people and politicians"(25.9%). As the researchers, Vorländer and others, interpret, the interviewed demonstrators would have the negative impression that the politicians and parties of the established systems remain "remote from reality", because the political leaders would cease to listen to the people and ignore the factual reality of the immigration problems. The negative impression on the existing politics makes many interviewees(62.1%) to say that they don't have any substantial closeness to the political parties. The second largest proportion(16.8%) agrees, however, with the anti-immigrant party AfD as an alternative for the democratic reforms(Vorländer et al. 2015, 53-63; 2016, 64-8). The Pegida demonstration indicates symbolically the ordinary German people's feeling of alienation from the politics; the AfD could become the third party in the general election 2017, as the party successfully profited from the

people's sense of frustration, illustrating itself as an democratic alternative.

The skepticism of Pegidians to the elite politics explains also the distrust, or even the hatred of medias. The dissatisfaction doesn't target only the politics, in narrow sense of word, but the existing social order of elite leadership. Many researches on Pegida evening marches witness accordingly, as well as the the placard accusing politicians as "Volksverräter"(Traitors of the people), the shouting of the word "Lügenpresse"(lying press) on the street(Schellenberg 2015; Thran & Boehnke 2015, 180; Vorländer et al. 2016, 21; Niehr 2017). The result of Pegidians interviews proves that the demonstrators joined in the evening marches to display their protest against the medias : the criticism of the media is the second reason for the Pegida-participation(Vorländer et al. 2015, 58). The medias, for the Pegidians, would have the prejudice that the demonstration is thoroughly motivated by the « Islamophobia ». The reproach of the medias as *Lügenpresse* involves a kind of *ressentiment* which resulted from the frustration of marchers, because they felt that they, sovereigns of democratic regime, were excluded from the political decisions and indignly insulted, by the medias of elite journalists, as racist. In the view of Pegida participants, the journalists fabricate deceitfully the conflict point between the so-called political correctness and the "racist" Pegida. The real confrontation exists, for the demonstrators, between the mass media, published opinion and established politics on the one side and the normal sovereign-citizens with their general will, *volonté générale*, on the other(Vorländer et al. 2016, 68-75).

Germany is not the only country, where one could find the democratic movement in form of nationalist reactions against the globalist policies of governments. Pegida is of course an acronym of German words, as said, for *Patriotische Europäer gegen die Islamisierung des Abendlandes*, but it isn't uniquely german. The present research perceives the expansion of nationalist, far-right movements in Europe as well as in USA. The extreme right *waves* appear also in other places – Brexit in UK, Donald Trump's victory in the USA presidential election, advances of far-right parties in France, Netherlands, Denmark, etc. These movements show significantly that the liberal values for the human rights are nowadays collapsing in the Western world, in the name of democracy. When the democratic organisations and parties, such as Pegida and AfD, demand the nationalist policy, the democracy as rule of people collides with the democracy for universal human rights – in other words it is the clash between citizen rights and human rights. The nationalist movements put the citizen rights of Germans above the human rights of immigrants. As the interviews of Pegida demonstrators point out, the participants criticize the policies of established government, parties and political institutions, particularly the immigration policy, as betrayals of democracy. The Pegida movement tries to restore the "real" democracy which should be, as Abraham Lincoln's expression, the democracy of, by, and for the (German) people. The globalization infringes the national sovereignty. The nationalist tendencies demand to reassure the inviolability of the sovereignty against the external circumstances, principally against the immigration.

In Europe, the European Union is the target of criticism. In Pegida evening marches, for example, the demonstrators claim the restoration of the German sovereignty against the

“EU-dictatorship(EU-Diktatur)”(Rucht 2014, 10). The most striking event of anti-european tendencies was obviously the Brexit. In the referendum on 23. June 2016, 51.9% of UK participating electorate voted for the withdrawal from EU. The empirical analyses of UK-Referendum indicate that the vote for leave was strongly driven by the anxiety of economic and social change, which means the life destabilization for the people with less educated, old age and below-average income, etc.(Becker et al. 2017; Colantone and Stanig 2016). The leave from EU was a reaction of UK citizens under the economic and social vulnerabilities against the globalization, because the EU, as international regime, seems to undermine the national sovereignty, which should protect the destabilized with government intervention. The result of presidential election 2017 in France was pushed also by the skepticism of EU and the rising passion for the national sovereignty with third group, like Emmanuel Macron and Marine Le Pen, two candidats of the second round, from outside of established political systems. The european rise of nationalist populism, however, isn't a sudden backlash, because the prelude began earlier in Northern Europe. There existed the Euroskepticism in Northern Europe since 1990s, as the Denmark rejected the Maastricht Treaty 1992. Because the Euroskepticism has joined since 2000s with the anti-immigration demand of citizens, the nationalist parties could enter the parliament as alternative to the established elite politics : *Partij voor de Vrijheid* (party for Freedom) in the Netherlands, *Fremskrittspartiet*(Progress Party) in Norway, *Perussuomalaiset*(The Finns Party) in Finland, etc.(cf. Leconte 2015). The European elite politicians, economists, etc. continue to consolidate the European integration together. In the same manner, ironically, the euroskeptic nationalist parties cooperate with each other, across the national borders, for the European disintegration. For example, Geert Wilders, the founder and current leader of the dutch right-wing Party *Partij voor de Vrijheid*, visited the Pegida demonstration on 25. Jan. 2015 and made a speech, in german, to “dear friends in Dresden” : he addressed, “It’s really fabulous what's happening here in Dresden. Dresden shows how it’s done! All of Europe is watching you. You are not alone. You are part of something very big - in Germany, in Holland, in the whole of Europe. You fulfill the hope of many. You are the voice of the people against the elites. You are the people!”⁴⁾

The victory of Donald Trump in presidential election 2016 affirmed the rise of nationalist populism across the Atlantic Ocean. Because the Trump election was immense shock in the liberal World order, lots of literatures were published, to explain the rise of american far-right wing populism. The various explanations could be summarized as « blue collar narrative » : the anti-immigration, anti-globalization campaign attracted the blue collar underclass with precarious job security, because these low-skilled, low-paid workers, vulnerable to social and economic changes, prone to blame the minorities for the changes. The term « rust-belt » is the symbolic word which clarifies the Trump’s election with the blue collar narrative(Hochschild 2016, Packer 2016, Walley 2017). The rise of nationalist populism, however, couldn't be confined to the economic analysis, even if the blue collar « workers » from rust belt have the great concern on the economy policy of federal government. In the candidate Trump

4) For the full text of Geert Wilders’ speech, retrieved 20. Nov. 2017 from <https://www.pvv.nl/36-fj-related/geert-wilders/8125-grusswort-geert-wilders-bei-pegida-dresden-25-01-2015.html>

shouted the campaign slogan “make America great again”, the suggested greatness isn’t merely the economic stability, concerning the individual income, but is referring to restoration of Providential State for the inviolability of national sovereignty. The globalization has marginalized the ordinary citizens with divisions between winners and losers in World markets. Like the Pegida demonstrators in Dresden, the “loser” citizens in U.S. hope to reestablish the real democracy of, by and for the people. Donald Trump could be an *indecent* businessman, who might have the racist prejudice, the anachronistic misogyny, the isolationist America-First-belief in World politics, etc. For his supporters, these problems don’t matter at all. For them, the democracy itself is in imminent peril of being ravaged by the cosmopolitan winners who are the “incompetent politicians, dishonest Wall Street speculators, arrogant intellectuals, and politically correct liberals.”(Inglehart and Norris 2016, 5; Gusterson 2017).

(2) Meaning of Democracy

From the worldwide nationalist movements under the name of democracy, we conclude that today the democracy itself is questioned. The empirical researches perceive clearly that the Pegida marchers blame the established politics and medias as privileged elite classes and that the skepticism of the institutionalized politics brings about the people’s support for the populist and nationalist movements. They inform also that the Pegidians feel isolated and humiliated, as they have been morally judged by the politicians and medias as racist and neo-nazis. The ordinary people, participating the anti-immigrant and anti-globalist demonstration, recognize themselves as *scapegoat*, who suffers from the immigration policy against their own will(Meyer and Storck 2015, 2; Vorländer et al. 2016, 125). This research goes further, with the philosophical interpretation of the support for the nationalist populism. In the *Weltanschauung* of nationalist movements, there exists the unremovable distance between “two homogeneous and antagonistic groups, « the pure people » versus « the corrupt elite »”(Mudde 2004, 543). The Pegidians and other nationalist participants are the people, who would restore the democracy as rule of pure citizens against the corrupt elites. For the understanding of the far-right wing agitations, it is needed, inevitably, to reconsider the meaning of democracy. When the people, sovereign of democratic regime, want to discriminate the minorities, the legitimacy of the democracy itself is called into question. This is the way the established politics and medias judge the movements. The racist protesters claim however to redefine the democracy as political, power order, no more as the moral values such as tolerance to the minorities, solidarity with strangers, etc. The crisis of Western democracy with nationalist movements, therefore, is fundamentally rooted in the radicalization of democracy as rule of people, excluding the non-people such as immigrants, terrorists, criminals, etc. It means that the democracy doesn’t go with the liberalism, because the liberalism, with the neo-liberal reforms, disables people’s sovereignty. Against the World liberal order, the sovereign politics wants to restore the democracy for the will of people.

For the understanding of Pegida, we need therefore in the first place to grasp the modern

composition of liberal democracy between liberalism and democracy and the following liberalization of the democracy. This research began with the irony of the Pegida's democratic motto, "we are the people". This irony is derived from the duality of democracy: the democracy means the liberal values for tolerance, rule of law, freedom of the press, etc., but the same word democracy declares the rule of citizens as sovereign. The first connotation refers in fact the liberalism and the liberal life style, whilst the second the democracy in the narrow meaning of the term, reserved for the political regime category. The liberalism, on the one hand, came from the French Revolution which declared the universal liberty of *genre humain*. The Revolutionary National Assembly, on August 26, 1789, proclaimed *Déclaration des Droits de l'Homme et du Citoyen* (the Declaration of Human and Civil Rights), beginning with the definition of freedom of man, not that of French citizens: "Les hommes naissent et demeurent libres et égaux en droits" (People are born and remain free and equal in rights). Freedom and equality of rights have since become the intrinsic essence in human beings, in all the people, regardless of their national affiliation. The revolutionary Comte de Mirabeau, for instance, has said that the revolution dreams of "wiping out the boundaries of all Empires to make the human race one single family" (Mirabeau 1826, 60). On the other, the democracy means narrowly a certain type of rule in the classical categorization of political regimes (Platon *Staat* VIII, Aristoteles *Politik* IV-VI). The democracy was originally the name for the rule system by the people, majority, citizen, etc. against other classes, such as monarch, aristocrats. The invention of the democracy happened in the ancient greek city-state Athens, as the polis was transformed to the democratic regime. The subject of rule was the citizens, whose name was demos (pl. demoi) : the phrase *ἔδοξε τῷ δήμῳ* (edoxe toi demoi - the people decided) was in effect used at that times to introduce the resolutions passed by the Assembly (Hansen 1995, 143-4; Ober 1996, 150-2; 2007, 95).

The two terms, liberalism and democracy has combined, through the medium of the notion of "individual", to produce the liberal democracy. Norberto Bobbio explains liberalism as a term for a sort of governments with limited power and function for the protection of the freedom of individuals, while the democracy as the rule of the majority. Both concepts connected with each other when modernity gave every individual the natural law: a human should be by nature a free being, as the French Revolution declared, and this liberalism established the democracy through the free consent of individuals (Bobbio 2005:38-9). Once the concepts fused together, the liberalism, so to speak, has drastically liberalized the meaning of democracy, and the liberal democracy conducted the liberal reform of society in the name of democracy. The term "democratization" has normally been used for the emphasis of rule of law, tolerance toward minorities, freedom of the press, etc., which were originally more relevant to the liberalism. Decisive was John Dewey's thesis in the contemporary liberalization and the *de-politicization* of democracy. In the ancient Greece, the right to participate in the politics was a privilege: the categorization of regimes referred to the person or the group, who might handle the public affairs of the political unity, as the monarchy means the rule of a monarch, the aristocracy that of the aristocrats, the democracy that of the demos, etc. The liberal democracy, meanwhile, is more closely related to "a way of life", in which it is normal and legitim to believe

in the equality of human rights between human beings, “irrespective of race, color, sex, birth and family, of material or cultural wealth”(Dewey 1998, 341-2). The equality of rights originated in the *Déclaration des Droits de l’Homme et du Citoyen* of the French Revolution by the liberalism, but, since Dewey, was apparently claimed in the name of democracy.

The liberalism was radicalized as neo-liberalism, to accentuate the negative liberty of individuals against the politics : the concept of democracy is so liberalized, that the neo-liberalism undermines the legitimacy of the democratic sovereignty of the state. The neo-liberalism is the social, political principles which came originally from the *laissez-faire* economic liberalism in late 19th century and revives as an alternative to government-interventionist policies, such as Keynesian interventionism, welfare-state-model, state-led economy. The set of neo-liberal reforms pursues the policies of privatization, deregulation, free trade, etc, diminishing the role of public sector, to enlarge the private sector(Duménil and Lévy 2004; Jones 2012; Springer et al. 2016). The neo-liberal order is fundamentally based on the concept of negative freedom, which is theoretically shaped by Isaiah Berlin. He defines the negative freedom as freedom from external constraints, while specifying the positive freedom as freedom to the political. According to him, true freedom is only negative, for human is not free as long as he is tied to the political community; the human being could be free only if he is also free from the politics(Berlin 1995). The concept of negative freedom justifies the skepticism to the role of public domains, as the real freedom of human beings lies in the emancipation from the politics. It’s then the economy and economic interests, that could produce the commonality of the de-politicized, emancipated individuals. The liberal state doesn’t seem to represent the political will of sovereign people, but is rather thought to exist to protect the individual activities in private spheres. Robert Nozick introduces the human community model without a public sphere: his neo-liberal state is a “minimal state”, whose role is compared to the *protective associations* for the maximizing the arithmetic sum of the private interests(Nozick 1976).

Against the liberalized, de-politicized democracy, the state-interventionism-based movements are rising to reaffirm the meaning of democracy as rule(kratos) of people(demos). In the Pegida and other far-right wing movements, we witness therefore the clash between the liberalism as values system, on one side, and the democracy as political power order, on the other. The democracy is based on the participation of limited citizens in a community, while liberalism is based on the negation of such a restriction, for all human beings of the Globe. The limitation of citizenship is the essence of democracy in terms of the original meaning of democracy. The worldwide wave of far-right wing movements, not only the Pegida, are at first glance the reaction of racist citizens against the immigration policy, but are in essentials the reaction of the nation-state against the globalization which is the fundamental cause of the migration crisis. Today, the Western democracy is radicalized as rule of the People, excluding the non-legal-citizens. It means that the democracy doesn’t want to go with the liberalism, because the liberalism disables people’s sovereignty; the neo-liberal reforms have exposed the people to the economic exploitation of World market, dismantling the protective policy of welfare state. Because the (neo-)liberalization of society hardens the life of middle and lower classes,

the frustrated people decline the liberal policies for immigration, open labor market, etc. and call for the state intervention against the global economy.

In the industrialized countries, therefore, co-exist two parallel and contrary tendencies: on the one hand, the state power is being eroded by the globalization of the global economy, on the other, sovereignty is mobilizing the political passions of people who have fallen behind in the competition of the World market. Wendy Brown explains this parallelism as *separation* of sovereignty from the state, for the reaffirmation of sovereignty against globalization. According to her, the state does not seek to fulfill the demands of the ordinary citizens, because it usually gains the political legitimacy from the economic growth through neo-liberal policies. On the international side, the various international agreements and institutions prohibit the state from supporting the citizens who have lost in the global competition. The population then realizes that they have little legal means of protecting themselves from the tyranny of the World market in the globalized economy and society. In the frustration of the people over the inability of the state emerges the division between sovereignty and the nation-state. The people demand compensation for the power and protection of state sovereignty against the globalization. But the desire for welfare state may no longer be fulfilled in the advanced states, because it is already highly involved in the globalized World. Therefore, the people are still frustrated by the inability of the state as legal order; thus it tries in the other part of the state, traditional community consciousness, in other words theological Providentialism, to find the protective disposition against the globalization. The sovereignty, which is influenced by the electoral system, wants to realize the protection claim against the globalization, while the state is responsible for the continuation of neo-liberal reforms for the economic growth in the World market. The state territory is simultaneously dominated by two incompatible movements; the state as legal order for the economy and the popular sovereignty for the restoration of state-intervention(Brown 2010).

The Pegida and other far-right wing movements are the manifestation of the people's will for the providential state intervention against the globalized economy. The demand of nationalism is apparently democratic as well as anti-liberal. As the sovereignty, instead of legal and liberal statehood, receives the political passion of citizens, the ancient greek meaning of democracy revives in the contemporain Western countries. In the letter to Christian Meier, Carl Schmitt quoted two sentences from Arendt's essay "Walter Benjamin" in *Merkur*, "... in the language the past is ineradicable, all attempts to finally get rid of it fail. The Greek polis will remain so long at the bottom of our political existence, on the ocean floor, as we speak the word 'politics'"(Meier 1988: 543; Arendt 1968: 313). The word receives the original meaning directly connected with the initial phenomenon represented by the word. Evoking the reminiscence of the original sense, Schmitt would refer to the power possession of the people in the concept of democracy. When the democracy returns to its original essence, the people's decision is coming to the fore. The democracy is originally a mode of rule, with power in the hands of the majority. The "true" democracy is the political rule of the people's will "in contrast to the liberal idea of a general human equality" (Martini 1954, 42-3). The democratic sovereignty reinforces the state as protective intervention, asserting that the decision of a people should be made only by the people

themselves. The pegida movement is based on this definition of exclusive democracy. A citizen in the Pegida evening marches expressed clearly the will of sovereign against the external elements: “The government spends a lot of money on asylum seekers, and this money is gone then. And it’s not there for us, for ordinary people”(Nye 2015, 5). The Pegida movement isn’t anti-democratic, but democratic, because it wants to restore the border of democracy between citizens and non-citizens. There are “us”, who vote and pay the tax, and “them”, who profit from the burdens of “us”; the exclusion of “them” from “us” is apparently democratic, as long as we, the “us”, are the people(wir sind das Volk).

(3) Introduction of Equality in the Concept of Democracy

This research proposes the alternative definition of democracy, including the dimension of « equality ». The theoretical exploration has the obvious limit that it wouldn’t give the concrete shape to the policies, the immediate remedies for the far-right wing movements. This research, however, aims, on the one hand, to contribute to the understanding of Pegida and other nationalist movements in the philosophical dimension, as it was done in the previous chapter. It intends, on the other, to present the alternative conception of democracy to the exclusivity of popular democracy against the immigrants. This approach is an answer to the challenge of Pegida in regard to the meaning of democracy. We witness the irony of Pegida movement, because the term democracy is used for the undemocratic request of excluding others. The alternative conceptualization doesn’t morally condemn the nationalist movements in favor of the liberalism and neo-liberalism, because it recognizes the danger of (neo-)liberal depoliticization and acknowledges the political rights of citizen for the decision of public affairs. The alternative concept doesn’t deny either the universality of human rights and the necessity of international cooperation for the global crises such as refugee problems. This research proposes the renewal of democracy concept with the theoretical addition of equality dimension. The equality doesn’t mean the equality between “us” and “them”, between the citizens and the immigrants, as the Liberalism demands to the democracy; the equality of the alternative conception is the *political* equality, the equal rights to freedom of opinion and expression between sovereign-citizens. This could appear as nonsense, because it seems to maintain that the internal equality of a community would promote the equality between citizens and immigrants. It does not. The equality-based democracy purposes to legitimize the participation of the citizens in the institutionalized sphere of politics, before they build the emotional body of a “mob”. It is the lesson from the catastrophic historical experience in the Germany of the Third Reich. The German people was frustrated from the disorder and the Great Depression after the defeat of World War II. The mob was the gigantic body of people, every one of which did lose his own identity, but considered himself as a component of the whole society. The Nazi regime was the political representation of the anonymity of the mob and the holocaust was both the binding tie and the manifestation of the mob-people. The political equality is the principle guaranteeing the equal rights to freedom of opinion and expression, to prohibit the citizens from being fused in an exclusive demos. In this chapter, we discuss about relation of the equality with the democracy concept

with two philosophers. One is Jacques Rancière, who defines the equality as essence of the politics in comparison to the police, or policy, based on the hierarchy. The other is Hannah Arendt who explains that the political principle of *isonomy*, her remedy for the mob-building, is immanent in the very original concept of ancient greek democracy.

Jacque Rancière explains that the essence of democracy is the equality for the excluded minorities : the equality, not liberty, is the indispensable element of democracy in his political thought. For him, the democracy is also the rule of demos, but Rancière's demos isn't obsessed with the monopole of the citizen rights. He establishes the legitimacy of demos with the distinction from the "ochlos"(mob); it was the ochlocracy, rule of mob, which has been confused with the democracy and, as a result, has caused the condemnation of democracy as demos' blind pursuit of desire in the history of political philosophy. While the ochlocracy, according to Rancière, is the "turbulent unification of individual turbulences" to a totality, the democracy arises from the separation of the demos from ochlos, to annul the totality(Rancière 1995, 31-6). His definition of the demos stands on the condition that the people, demos, have the commonality between them in the sharelessness. The pursuit of the equality isn't the moral proposition, but reflects the modality of the people, who doesn't have the share in the society, in his term the people *sans-parts*. Even though the Rancière's democracy model is explained with the theoretical words, this corresponds to the historic idea which accomplished the French Revolution: the sans-parts, in the revolutionary moment, was called as *tiers-état*(third estate), who was deprived of the share by the ruling classes(Sieyès 1970). Rancière affirms the inherent equality in the concept of democracy, and with the equality, he confronts the two schemas, the police and the politics, which are often considered as identical. For him the police is the whole structure of the technical order, including the bureaucratic administrative system: the police isn't therefore the concrete state apparatus for the public order, but the executive order of hierarchic domination. Rancière, on the contrary, sets the schema of politics by the contradiction of the police. The Politics is the movement for the "equality" of the sans-parts, who are excluded from the domination. The politics emerges with the equality outside the police schema from the beginning, and the substance of politics is defined as the negative, liberating movement of trying to deconstruct the police order(Rancière 2002, 40-3; 2008, 32).

For Hannah Arendt, the equality is also the indispensable factor in the politics. The equality plays in Arendt's political thinking the role of the organizational principle of the public space. In comparison to Rancière, the Arendtian equality is, so to speak, so internalized in the political system, that the equality characterizes the democracy itself. She maintains in this sense that the "isonomy" was the true name of the political order in the ancient greek polis. According to her, the term democracy was invented by enemies of isonomy, so that the politics of isonomy would mean democracy in the negative sense of the worst popular rule, for example the rule of mob(Arendt 1990, 30). The term isonomy literally means the equal, or even(iso-) distribution(-nomie); this composition implies that the power of a political unit can be distributed between the citizens. Gregory Vlastos discovers an ancient use of the word in the Greek drinking song, *scolion* (ca. 5th c. BC) on the tyrannicide of Harmodios and Aristogeiton(Vlastos 1953, 339; see also Ehrenberg 1940). The assassination was honored as a

restoration of political order, in our terms democracy. In the drinking song, *scolion*, is clearly shown that the “isonomy” is restored by the tyrant killing in Athens; the isonomy is in the song understood as political justice and legitimacy against the tyranny. Arendt’s direct philologic source of the concept is Herodotus. For the definition of isonomy, she refers to the expression Otanes, who led the overthrow of tyrant regime, in *Histories*, “neither to rule nor to be ruled”(Arendt 1998, 32, fn. 22), that is, being neither slave nor master. From this, Arendt explains the isonomy as “political equality”. In the principle of isonomy, citizens can participate as equals in politics without assimilating themselves to a mob, *demos*, because the political and legal equality guarantees the freedom of opinion and expression of an ordinary citizen. As an example of isonomy, Arendt also presents the Roman *civitas* in *Res publica*, whose concept of power and law is based on discussion and conviction between citizens, instead of on the relationship between commanding and obeying(Arendt 1970, 40).

Arendt’s conceptualization of isonomy is « institutional », as her equality concept leads toward the division of powers. The equality isn’t merely a value orientation, either a moral virtue, such as liberal addition to the democracy, but internally systemized with the division of powers in the isonomic order. The division of powers could invite more citizens into the political arena because the “elemental republics”, a term adopted from Thomas Jefferson by Arendt for the Town hall meetings, encourage not only the elite, but the ordinary citizens to participate in the political decision. In contrary to the prejudice, the division of powers makes a community more powerful than its centralization. With the right of political participation, more citizens can present their opinions in the political arena and, in an emergency, become the voluntary guardians of the community. The more active citizens’ participation in politics is, the more stable is the order of the community. However, the division of powers in Arendt does not mean the usual division between the three branches of legislative, executive and judicial branches according to the principle of *Check and Balance*, although the Check and Balance since Montesquieu is considered as a typical formulation of powers division. What Arendt attentively observes, however, is the other “division of powers between the federal government and the state governments”(Arendt 2002, 130-1). The federative system between local governments and central government is better suited to the plurality of people, each of whom has its own power, with the help of small republics, such as townhall meetings, Ward, councils, etc. Arendt’s study specifies the federal structure for the separation of powers as the basis for establishing political equality between citizens. Arendt finds the innovative republicanism in Montesquieu, in the Federalist Papers of the American Revolution, and in Tocqueville, who have all envisioned, realized, or observed the division of powers for the right of individual citizens in the political participation(Canovan 1977,15; Lloyd 1995; Arato & Cohen 2010,144-7).

2. Conclusion

As the news, that Donald Trump was elected as President of US, has shocked the entire World, it became firmly manifest, that we are now facing the challenge of democracy. The Western liberal democracy won against the totalitarianism, and the Soviet communism, but the existing order is losing its own liberal values from inside, by the far-right wing movements of its own sovereign citizens. The Pegida evening march is especially worrisome, because the German nationalist orientation has caused the holocaust, one of the most disastrous tragedies throughout the human history. The Pegidians, however, wouldn't be persuaded with the simple condemnation, that their claims resemble those of Nazis. The Pegida demonstrators consider themselves as ordinary people, who are suffering from the "dictatorship" of EU and German government. The established politics imposes the immigration policy and the economic liberalization without the consent of people; so they are marching on the street with the slogan of "we are the people". The liberalism is, as we have seen, an ideology, which only began to expand with the French Revolution, while the democracy was originally the greek term for the people's regime. The different conceptualizations bring about the implication that the democracy wasn't inherently liberal. We are now witnessing the separation of liberalism and democracy from the composition of liberal democracy.

We understand the Pegida movement as challenge to the meaning of democracy, and propose the alternative conceptualization with equality as answer to the challenge. Instead of the moral accusation, this article therefore proposes to rethink the meaning of the democracy and furthermore to amend its conceptual meaning, or to say more precisely, to enlarge and deepen the notion by emphasizing the inherent aspect of equality in the democracy. This proposition doesn't aim to enforce the respect of liberal values or the sympathy with the immigrants to the people, demos. This article rather suggests the alternative of the equality-based democracy, to prohibit the people from fusing in one gigantic political body of mob. This suggestion is based on Hannah Arendt's interpretation on the totalitarianism. In the *Origins of Totalitarianism*(1951), Arendt argues mainly about the destruction of the political space, figuratively compared to the table, around which the citizens sit and discuss. The assimilation of the homogeneous demos destroyed the table itself and the space between the people, in order to bind them together into a gigantic sovereign. The individuals-collectivity without table, without distances from each other, was the very mob, every one of which lost the "relations with his fellow men"(Arendt 2000, 22-3). To prevent the extinction of politics and the dominance of silence, Arendt presents the isonomy as an alternative concept of democracy based on the political equality. The ceaseless effort of debating with others is the defending barrier in opposition to the radicalization of democracy into the violent rule of a demos.

The anti-democratic agitations of *demos*(people) is also relevant to Korean society. The neo-liberal reforms have enlarged the gap between rich and poor, and engendered the frustration of people who were defeated in the limitless competition. Some people demand the political measure within

institutional and legal system, but others want to wreak their anger on the minorities, women, immigrants, homosexuals, etc., as the young netizens of *Ilbe* do. The Pegida movement shows clearly that the people, the frustrated, want to restore the primitive definition of democracy, when they stand on the street with the phrase “We are the People”. In this circumstance, this research urges to think again the meaning of democracy itself. The democracy couldn’t be the regime which legitimizes the desire of people to exclude others and to discriminate against minorities. For this reason, the present research considers the Pegida movement as challenge of democracy and seeks the alternative to this challenge with the introduction of equality in the democracy.



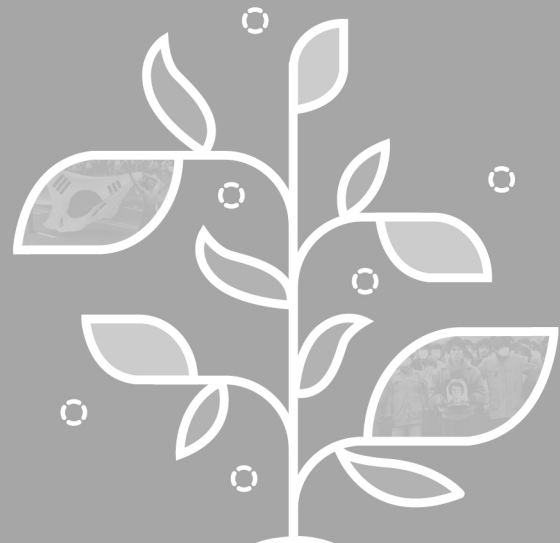
References

- Arato, Andrew and Jean Cohen. 2010. “Banishing the Sovereign? Internal and External Sovereignty in Arendt”, in S. Benhabib(Hrsg.). *Politics in Dark Times: Encounters with Hannah Arendt*. Cambridge: Cambridge University Press. S. 137-171.
- Arendt, Hannah. 1968. “Walter Benjamin: III. Der Perlentäucher,” in *Merkur*. 22. Jg. Heft 240. S. 305-315.
- _____. 1970. *On Violence*. Orlando : Harcourt.
- _____. 1976. *The Origins of Totalitarianism*. New York[u.a.]: Harcourt.
- _____. 1990. *On Revolution*. New York: Penguin Books.
- _____. 1998. *The Human condition*. Chicago: The University of Chicago Press.
- _____. 2000. “Über den Imperialismus.” in *Die verborgene Tradition*. Frankfurt am Main: Suhrkamp. S. 12-31.
- _____. 2002. *Denktagebuch: 1950 bis 1973*. München: Piper.
- Aristoteles. 1971. *Politik*. Zürich[u.a.]: Artemis.
- Becker, Sascha O., Thiemo Fetzer and Dennis Novy. 2017. “Who Voted for Brexit? A Comprehensive District-Level Analysis.” *CEP Discussion Paper*. No 1480.
- Berlin, Isaiah. 1995. *Freiheit: Vier Versuche*. Frankfurt am Main: Fischer.
- Bobbio, Norberto. 2005. *Liberalism and Democracy*. New York: Verso.
- Brown, Wendy. 2010. *Walled states, Waning sovereignty*. New York: Zone books.
- Bude, Heinz. 2015. “Pegida ist ein regionales Phänomen von Wende-Enttäuschten.” Interviewed for Deutschlandradio Kultur on 01/31/2015 by Anré Zantow. Retrieved 20. nov. 2017

- from http://www.deutschlandradiokultur.de/soziologe-heinz-bude-pegida-ist-ein-regionales-phaenomen.990.de.html?dram:article_id=310223
- Çakir, Naime. 2016. "PEGIDA: Islamfeindlichkeit aus der Mitte der Gesellschaft." A. Häusler(ed.). *Die Alternative für Deutschland Entwicklung und politische Verortung*. Wiesbaden: Springer.
- Colantone, Italo and Piero Stanig. 2016. "Global Competition and Brexit." Working Paper. No. 2016-44, BAFFI CAREFIN. Centre for Applied Research on International Markets Banking, Finance and Regulation. Università Commerciale Luigi Bocconi.
- Canovan, Margaret. 1977. *The Political Thought of Hannah Arendt*. London: Methuen & Co.
- Dewey, John. 1998. "Creative Democracy - The Task before us(1939)." L. A. Hickman & Th. M. Alexander(Ed.). *The essential Dewey, Vol. 1: Pragmatism, Education, Democracy*. Bloomington: Indiana University Press. 340-343.
- Duménil, Gérard, and Dominique Lévy. 2004. *Capital resurgent: roots of the neoliberal revolution*. Cambridge: Harvard University Press.
- Ehrenberg, Victor. 1940. "Isonomia." in Wilhelm Kroll & Karl Mittelhaus(ed.). *Paulys Real-Encyclopädie der classischen Altertumswissenschaft*. Suppl. VII. Stuttgart: Metzler. S. 293-301.
- Foroutan, Naika. 2016. "Nationale Bedürfnisse und soziale Ängste" in Maria do Mar Castro Varela and Paul Mecheril(ed.), *Die Dämonisierung der Anderen: Rassismuskritik der Gegenwart*. Bielefeld : Transcript Verlag.
- Gusterson, Hugh. 2017. "From Brexit to Trump: Anthropology and the rise of nationalist populism." *American Ethnologist*. 44(2). 209-214.
- Hansen, Mogens Herman. 1995. *Die Athenische Demokratie im Zeitalter des Demosthenes Struktur, Prinzipien und Selbstverständnis*. Berlin: De Gruyter.
- Heim, Tino.(ed.). 2017. *Pegida als Spiegel und Projektionsfläche: Wechselwirkungen und Abgrenzungen zwischen Pegida, Politik, Medien, Zivilgesellschaft und Sozialwissenschaften*. Wiesbaden: Springer.
- Hochschild, Arlie Russell. 2016. "The Ecstatic Edge of Politics: Sociology and Donald Trump." *Contemporary Sociology*. 45(6). 683-689.
- Inglehart, Ronald F. and Norris, Pippa. 2016. "Trump, Brexit, and the rise of populism: economic have-nots and cultural backlash." *Harvard Kennedy School Faculty Research Working Papers Series RWP16-026*. 1-52.
- Jones, Daniel Stedman. 2012. *Masters of the universe : hayek, friedman, and the birth of neoliberal politics*. Princeton: Princeton University Press

- Leconte, Cécile. 2015. "From pathology to mainstream phenomenon: Reviewing the Euroscepticism debate in research and theory." *International Political Science Review*. 36(3). 250-263.
- Lloyd, Margie. 1995. "In Tocqueville's Shadow: Hannah Arendt's Liberal Republicanism." *The Review of Politics*. Vol. 57. Iss. I. S. 31-58.
- Martini, Winfried. 1954. *Das Ende aller Sicherheit: eine Kritik des Westens*. Stuttgart: Deutsche Verlags-Anstalt.
- Meier, Christian. 1988. "Zu Carl Schmitts Begriffsbildung – das Politische und der Nomos." Helmut Quaritsch(ed.). *Complexio Oppositorum: über Carl Schmitt*. Berlin: Duncker & Humblot. S. 537-556.
- Meyer, Henning and Ulrich Storck. 2015. "Understanding Pegida – An Introduction." Friedrich-Ebert-Stiftung. *Understanding Pegida in context*. London: Social Europe. 1-3.
- Mirabeau, H.-G. de R. de. 1826. *Discours et opinions*. t. 3. in *Oeuvres de Mirabeau*. Paris: P. Dupont et Brissot-Thivars.
- Mudde, Cas. 2004. "The Populist Zeitgeist." *Government and Opposition*. 39(4). 541-563.
- Niehr, Thomas. 2017. "Rechtspopulistische Lexik und die Grenzen des Sagbaren." *Dossier Rechtspopulismus*. Bundeszentrale für politische Bildung. 64-69. (<http://www.bpb.de/politik/extremismus/rechtspopulismus/240831/rechtspopulistische-lexik-und-die-grenzen-des-sagbaren> : accessed on 16. Nov. 2017)
- Nozick, Robert. 1976. *Anarchie, Staat, Utopia*. München: MVG.
- Nye, Catrin. 2015. "Pegida: Why is the populist right on the rise in Germany?" Friedrich-Ebert-Stiftung. *Understanding Pegida in context*. London: Social Europe. 4-6.
- Ober, J. 1996. "How to criticize Democracy in late fifth- and fourth-century Athens." *The Athenian Revolution: Essays on Ancient Greek Democracy and Political Theory*. Princeton: Princeton University Press. 140-60.
- _____. 2007. "«I Besieged that Man» : Democracy's Revolutionary Start." K. Raaflaub, J. Ober, and R. Wallace(ed.). *Origins of Democracy in Ancient Greece*. Berkeley: University of California Press. 83-104.
- Packer, George. 2016. "Hillary Clinton and the Populist Revolt." *New Yorker*. Oct. 31. <https://www.newyorker.com/magazine/2016/10/31/hillary-clinton-and-the-populist-revolt> : accessed on 6. Feb. 2017.
- Platon. 1971. *Der Staat. Werke*. Bd. IV. Darmstadt: Wissenschaftliche Buchgesellschaft.
- Rancière, Jacques. 1995. *On the shores of politics*. New York: Verso.
- _____. 2002. *Das Unvernehmen: Politik und Philosophie*, Frankfurt am Main: Suhrkamp.

- _____. 2008. *Zehn Thesen zur Politik*, Berlin: Diaphanes Verlag.
- Reuband, Karl-Heinz. 2015. "Wer demonstriert in Dresden für Pegida? Ergebnisse empirischer Studien, methodische Grundlagen und offene Fragen." *Mitteilungen des Instituts für Parteienrecht und Parteienforschung*. Jg. 21.
- Rucht, Dieter. 2014. "Pegida & Co.: Aufstieg und Fall eines populistischen Unternehmens." Freidrich-Ebert-Stiftung(Hg). *Betrifft: Bürgergesellschaft* 41.
- Schellenberg, Britta. 2015. "Lügenpresse?" Wolfgang Frindte, Daniel Geschke, Nicole Haußecker and Franziska Schmidtke(eds.). *Rechtsextremismus und "Nationalsozialistischer Untergrund"*. Wiesbaden: Springer. 309-339.
- Sieyès, Emmanuel Joseph. 1970. *Qu'est-ce que le Tiers état?*. Genève: Droz.
- Springer, Simon, Kean Birch, and Julie MacLeavy. 2016. *The handbook of neoliberalism*. New York: Routledge, Taylor & Francis Group.
- Thran, Malte. & Lukas Boehnke. 2015. "The value-based nationalism of Pegida." *Journal for Deradicalization*. 15(3). 178-209.
- Vlastos, Gregory. 1953. "Isonomia." *The American Journal of Philology*. Vol. 74. No. 4. S. 337-366.
- Vorländer, Hans, Maik Herold and Steven Schäller. 2015. *Wer geht zu PEGIDA und warum?: Eine empirische Untersuchung von PEGIDA-Demonstranten in Dresden*. Dresden: Zentrum für Verfassungs- und Demokratieforschung.
- _____. 2016. *PEGIDA: Entwicklung, Zusammensetzung und Deutung einer Empörungsbewegung*. Wiesbaden: Springer.
- Walley, Christine J. 2017. "Trump's election and the « white working class »: What we missed." *American Ethnologist*. 44(2). 231-236.



Study 5

Democratic Consolidation in Asia

With Special Reference to
India and South Korea

Rajiv Kumar (Sungkyunkwan University)



05

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Rajiv Kumar* (Sungkyunkwan University)



Abstract

This study is an attempt to demonstrate that India and South Korea have become consolidated democracies. The timing of these Asian countries' democratic consolidation process is important given that democracy is in decline in many part of the world, including liberal democracy in the Western world. This paper shows that the following four developments are crucial that shows that democracy in both countries is consolidated: 1) Democratic elections and peaceful transfer of power 2) Incorporating different ideologies 3) Democracy with economic development and 4) Maintenance of the rule of law.

Keywords: Democracy, Democratic Consolidation, Asia, India, South Korea

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초록

이 연구는 인도와 한국 민주주의가 공고화되고 있다는 점을 입증하려는 시도입니다. 서방 세계의 자유 민주주의를 포함하여 세계의 많은 지역에서 민주주의가 쇠퇴하고 있다는 것을 고려하면 아시아 국가들의 민주주의 진전은 중요합니다. 이 연구는 인도와 한국의 민주주의가 공고화되고 있다는 것을 보여주는 다음의 네 가지 발전이 중요하다는 것을 보여줍니다. 1) 민주적인 선거와 평화로운 권력 이동 2) 상이한 이데올로기 통합 3) 경제 발전에 따른 민주주의 4) 법치주의 유지.

주제어: 민주주의, 민주주의 공고화, 아시아, 인도, 한국

1. Introduction

After the end of the Cold war and the collapse of the Soviet Union, democracy flourished around the world as never before. Some scholars even argued that what we may be witnessing is not just the end of the Cold War, or the passing of a particular period of postwar history, but the end of history as such: that is, the end point of mankind's ideological evolution and the universalization of Western liberal democracy as the final form of human government. (Fukuyama 1989 and 1992). Indeed, democracy flourished in the post-cold war period as many countries eagerly embraced democratic values.

However, in recent years much of this progress has steadily eroded given the fact that democracy broke down in many countries. Around the same time, several other global “swing states”—countries that, thanks to their large populations and economies, could have an outsize impact on the future of global democracy—also took a turn for the worse. In nearly half of them, political liberties, as measured by the U.S. nonprofit Freedom House, contracted. Adding to the problem, many existing authoritarian regimes have become even less open, transparent, and responsive to their citizens. Moreover, democracy itself seems to have lost its appeal. Many emerging democracies have failed to meet their citizens' hopes for freedom, security, and economic growth, just as the world's established democracies, including the United States (Diamond 2016a). Even democracy in many advanced European countries- which used to be the model for the rest of the world- now seems threatened by various emerging challenges. As one scholar recently describe this phenomenon as ‘a Dark Age for European Democracy,’ (Kelemen 2016).

On contrary to this, there has been a democratic consolidation process in Asian countries like South

Korea and India. This paper highlights four key developments in India and South Korea to demonstrate that democracy in these Asian countries is consolidated. First, since the adoption of democratic system both countries have witnessed regular democratic elections and peaceful transformation of power. The second major development is that the successful inclusion within the system of different ideologies has broadened the ideological spectrum, making both countries' political power system more flexible. Third, the remarkable economic development within democratic system has also contributed to consolidation of democracies in both countries. Finally, the maintenance of rule of law is another crucial development that emphasizes that South Korea and India both have consolidated their democracies.

2. Democratic Elections and Peaceful Transfer of Power

Democratic elections and peaceful transformation of power in South Korea and India demonstrate that there has been democratic consolidation in both countries. Eminent political scientist Samuel P. Huntington gave the most famous of minimalist definitions of a consolidated democracy. He argued that a democracy becomes consolidated when it passes the two turnover test i.e. power is peacefully transferred twice after the democratic transition (Huntington, 1993). Other scholars have also considered regular elections and constitutional transfer of power key conditions for democratic consolidation (Gasiorowski & Power 1998). According to above theory, it can be argued that India and Korea both became consolidated democracies given that there has been peaceful transformation of powers in both Asian countries.

There has been peaceful transformation of powers from conservative to progressive and progressive to conservative since the democratization of South Korea in the late 1980s. With the victory of Moon Jae-in in 2017 presidential election, the reins of the power passed to opposition many times since the transition to democracy in 1987 (See Table 1). The conservatives were in the power during the first decade after democratic transition. Roh Tae-woo formed the first Administration of the Sixth Republic of South Korea and became the first president after the introduction of direct free and fair elections. President Roh remained committed to democratic reforms, despite his previous involvement in the December 12, 1979 Coup d'état against then-President Choi Kyu-hah and the bloody military crackdown of dissidents in the Gwangju Uprising of May 18–27, 1980. The second administration of the Sixth Republic of South Korea was formed when Kim Young-sam became the first democratic activist to be elected as president. President Kim further attempted to bring various political reforms in South Korean democracy.

Table 1: South Korean Presidents since Democratization in the late 1980s

President	Term	Party
Chun Doo Hwan	1980-88	Democratic Justice Party (DJP)
Roh Tae Woo	1988-93	DJP/ Democratic Liberal Party (DLP)
Kim Dae Jung	1998-2003	New National Party/ Millenium Democratic Party (MDP)
Roh Moo Hyun	2003-2008*	MDP/Uri
Lee Myung Bak	2008-2013	Grand National Party
Park Geun-hye	2013-2017**	Saenuri Party
Moon Jae-in	2017-	Democratic Party

* From 13 March until 13 May 2004, Prime Minister Goh Kun served as acting president when the National Assembly impeached President Roh. Roh was reinstated two months later by a ruling of the Constitutional Court.

** From 9 December 2016 until 10 March 2017, Prime Minister Hwang Kyo-ahn served as an Acting President for Park Geun-hye.

Yet, the election of progressive government under Kim Dae Jung leadership in 1998 was a major development in which progressive came to have power for the first time since the democratization of South Korea. Progressive again formed the government when Roh Moo-hyun formed the fourth Administration of the Sixth Republic of South Korea. He was the second progressive President of the Sixth Republic of South Korea.

After two consecutive progressive governments – the first led by Kim Dae Jung and the second led by Roh Moo Hyun – the conservative came to rule again when Lee Myung Bak won the Korean presidential election in 2007. Conservative again won presidential election when, Park Geun-hye was elected in 2013. However, after two consecutive conservative governments, progressive came to rule again when Moon Jae-in was elected after the impeachment of his predecessor, Park Geun-hye in the 2017 South Korean presidential election. In process, it can be said that South Korea has consolidated its democracy over the two decades.

India has consolidated its democracy with the peaceful transformation of powers since its independence (see table 2). It is important to note that Indian National Congress party ruled India for long time. India's first Prime Minister was Jawaharlal Nehru of the Indian National Congress party, who was sworn-in on 15 August 1947, when India gained independence from the British. Serving until his death in May 1964, Nehru remains India's longest-serving prime minister. He was succeeded by fellow partyman Lal Bahadur Shastri, whose 19-month term also ended in death. Indira Gandhi, Nehru's daughter, succeeded Shastri in 1966 to become the country's first woman premier. Eleven years later, she was voted out of power in favour of the Janata Party, whose leader Morarji Desai became the first non-Congress prime minister. After he resigned in 1979, his former deputy Charan Singh briefly held office until Indira Gandhi was voted back six months later. Indira Gandhi's second stint as Prime Minister ended five years later on the morning of 31 October 1984, when she was gunned down by her own bodyguards. That evening, her son Rajiv Gandhi was sworn-in as India's youngest premier, and the third from his family. Thus far, Indian National Congress party ruled the country for more than 38 years.

Table 2: Indian Prime Ministers Since Independence

Prime Minister	Term	Party (Alliance)
Jawaharlal Nehru	1947-1964	Indian National Congress (INC)
Lal Bahadur Shastri	1964-1966	Indian National Congress
Indira Gandhi	1966-1977	Indian National Congress
Morarji Desai	1977-1979	Janata Party
Charan Singh	1979-1980	Janata Party (Secular) with <i>INC</i>
Indira Gandhi	1980-1984	Indian National Congress (I)
Rajiv Gandhi	1984-1989	Indian National Congress (I)
V.P. Singh	1989-1990	Janata Dal (National Front)
Chandra Shekhar	1990-1991	Samajwadi Janata Party with <i>INC</i>
P.V. Narasimha Rao	1991-1996	Indian National Congress (I)
Atal Bihari Vajpayee	1996-1996	Bharatiya Janata Party
H.D. Deva Gowda	1996-1997	Janata Dal (United Front)
I.K. Gujral	1997-1998	Janata Dal (United Front)
Atal Bihari Vajpayee	1998-2004	Bharatiya Janata Party (NDA)
Manmohan Singh	2004-2014	Indian National Congress (UPA)
Narendra Modi	2014-	Bharatiya Janata Party (NDA)

Note: Gulzarilal Nanda was acting Prime Minister from 27 May 1964 to 9 June 1964 and 11 January 1966 to 24 January 1966.

Rajiv Gandhi's five-year term ended with his former cabinet colleague, V. P. Singh of the Janata Dal, forming the year-long National Front coalition government in 1989. A six-month interlude under Prime Minister Chandra Shekhar followed, after which the Congress party returned to power, forming the government under P. V. Narasimha Rao in June 1991. Rao's five-year term was succeeded by four short-lived governments—the Bharatiya Janata Party's Atal Bihari Vajpayee for 13 days in 1996, a year each under United Front prime ministers H. D. Deve Gowda and I. K. Gujral, and Vajpayee again for 19 months in 1998–99. After Vajpayee was sworn-in for the third time, in 1999, he managed to lead his National Democratic Alliance (NDA) government to a full five-year term, the first non-Congressman to do so. Vajpayee was succeeded by Congressman Manmohan Singh, whose United Progressive Alliance government was in office for 10 years between 2004 and 2014. The incumbent Prime Minister of India is Narendra Modi who has headed the BJP-led NDA government since 26 May 2014 which is India's first non-Congress single party majority government.

The above discussion shows that there has been a peaceful transformation of power from one party (or coalition) to another party (coalition) since the adoption of Indian democracy. It is also important to note that strong party, once they lost the election, peacefully accepted people's mandate and allowed winning opposition party or coalition to resume the power in the center. In process, one consensus emerged in India that despite all difficulties India will remain a democratic country and there can be no compromise with democratic values. As Indian Prime Minister Narendra Modi recently mentioned that 'democracy is our commitment. It is our great legacy, a legacy we simply cannot compromise. Democracy is in our DNA.' Live Mint (2014) This underscores that India has consolidated its democracy over the last six decades.

3. Incorporating Different Ideologies

One of the most crucial development happened in both India and South Korea in recent years is that both countries' people gave power to those political groups which ideologies were not acceptable to their political society.

India politics was largely dominated by the Center-left political parties until the late 1990s. Thus, India's economic policy after its independence tended towards socialist-oriented policy such as pro-welfare and protectionism, with a strong emphasis on import substitution industrialization, economic interventionism, central planning, a large government run public sector, and business and industrial regulation (Panagariaya 2008, pp.31-32). Two factors largely contributed to the origin of socialist economic system in India. First, the impact of external socialist ideologies on the economic and political notions held by elite groups which in turn influenced economic policy-making in India. (Desai and Bhagwati 1975, p. 213) Soviet style economic system's influences on India's economic thinking came during the period of India's struggle for independence. Mahatma Gandhi wrote in *Harijan*: "I believe in non-violent...communism...if communism came without any violence, it would be welcome. For then no property would be held by anybody except on behalf of the people and for the people." (Desai and Bhagwati 1975, p. 218) Jawaharlal Nehru, who ruled India from its establishment as an independent nation in 1947 until his death in office in 1964, was also a strong supporter of socialist economic system.

Second, in the Post-Nehru era, the political constraints imposed on the dominant Congress party by the relative strength of the left and the relative weakness of the right, the parties in Indian politics pulled the Congress Party's programs in the socialist direction. Indeed, within the Congress party itself, the left wing has exerted strong pressure in the direction of socialist programmes, and the party split into the Old and the New Congress. (Desai and Bhagwati 1975, pp. 213-214) As a result Indira Gandhi aligned the Congress with the Communist Party of India in order to consolidate her position as Prime Minister. (Mukherji 2010, p.308) One scholar notes that "if democracy and a nationalist-statist model of economic development took root in India during the Nehru era, the political economy of the Indira Gandhi era that followed is best viewed as one in which India's democracy became more populist and deinstitutionalized, economic rhetoric moved further to the Left, and the gap between the state's development capacities and economic goals widened even further, to the detriment of industrial development" (Kohli, 2009).

However this situation dramatically changed over the last 20 years, partly due to the congress parties adoption of pro-business policy and partly due to the emergence of the Bharatiya Janta Party (BJP), a right-leaning religious nationalist party, as a major alternative to the Congress party. Indeed the most significant political development in India came when right-wing BJP was able to form the coalition government in the late 1990s under the leadership of Prime Minister Atal Bihari Vajpayee. This right wing-led coalition government was also run its government for the full term. That was an

unprecedented development in the history of Indian politics when a right wing-party led the coalition government in the center. This position was strengthened when BJP came into the full majority in the center under the Prime Minister Narendra Modi. This was another remarkable development in the India politics as a right-wing party came to achieve full majority by own.

It is important to mention that the right-wing BJP's economic policy was not much different from that of Congress Party as it supported the idea of *Swadeshi* and protectionist export policy until mid-1990s. However, BJP gradually started to shift its economic policy direction to cope with globalization and economic growth since the general election in 1996 and furthered it during its ruling period from 1998 to 2004. In 2014, BJP officially promoted the Narendra Modi's "Gujarat Model of Development," or a pro-growth and pro-market rightist policy during its general electoral campaign (Bobbio 2012). During the campaign, Modi was highly critical about Congress-led central government economic policies and India's left-leaning regional governments such as West Bengal, which has executed left-leaning economic policies.

Such an important change of economic policy direction in domestic politics has been enjoying a high level public endorsement, which in turn consolidating democracy in India. In the 2014 election, BJP won without coalition partners, which happened in 30 years. It is critical because a rightist party, BJP, came into power with full majority for the first time in Indian history. The Modi's pro-growth and pro-market credo such as "Make in India", "Digital India", and "Start up India" played a large role in obtaining more momentum as BJP won all major state elections in 2014 (Maharashtra, Haryana, and Jharkhand) and Uttar Pradesh in 2017 despite losses in 2015 (Delhi and Bihar). With the Modi's pro-growth leadership, BJP becomes the most powerful party nationwide in India. Thus, we can say that there has been an expansion of the ideological spectrum in the center in the India politics.

Similarly, South Korea politics has also endorsed alternative ideologies and political groups which in turn helped to consolidate the democratization process in the country.

Socialism and communism were not accepted to South Korean's political and ideological identity. The major reason behind this was the fact that the right-wing ideology became the dominant one in the Korean political world after the Korean War and the subsequent development during the Cold War period. South Korea's strong alliance with the anti-socialist grouping led by the United States caused a situation where a socialist-oriented pro-welfare advocacy was almost unacceptable for Korean society and politics. Another dominant ideology that existed in the Korean democracy was the fact that the right-wing parties - which ruled the country for long time - adopted an industrial policy in which they supported Korean powerful chaebol (conglomerates). This situation existed even after the 10 years of democratization of South Korea under the presidency of right-wing politicians Roh Tae Woo and Kim Young Sam.

However, this situation ended when Korean people voted for the first non-right wing oriented politician Kim Dae Jung, who took the office in the midst of the East Asian economic crisis in the late 1990s. He was known for his pro-welfare ideology for long time and when he came into power he implemented various welfare policies which marked a crucial point in the history of political

economy of South Korea. (Yang 2017) In addition to this, He also redefined South Korean industrial policy in which he introduced policies to make for a fairer market by holding the powerful chaebol (conglomerates) accountable, e.g., greater transparency in accounting practices. Under the Kim Dae Jung government, state subsidies to large corporations were dramatically cut or dropped. (Lie 2000)

Such pro-welfare policy and restructuring chaebol policy has become more acceptable to the Korean democratic system recently. It is evident when the progressive politician Roh Moo Hyun won the presidential election in 2004 while advocating a pro-welfare policy for South Korean economy. More recently, the election of Moon jae In as Korean president also reinforced that a pro-welfare politics has become the dominant feature of the Korean democracy. It is important to mention that Moon jae-In during the election announced his welfare policy in which he promised to create a large number of public sector jobs through raising taxes on the wealthy. He also announced a policy against corporate corruption, specifically in regards to Korean conglomerates in chaebols to give “minority shareholders more power in electing board members” of the companies.

This underscores that both India and South Korea’s ideological spectrum have widened in the recent years that is a good sign of consolidation of democracy in both countries.

4. Democracy with Economic Development

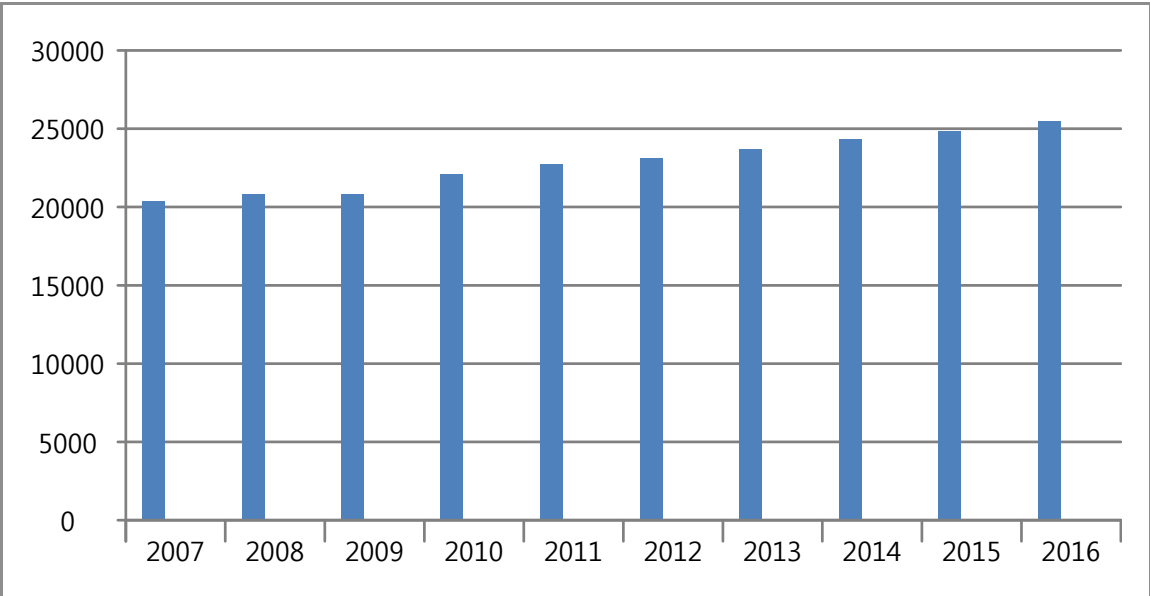
Democracy with economic development of India and South Korea is another indicator that shows there has been economic consolidation in both Asian countries. Scholars have long studied the relationship between economic factors and democracy. Many research studies show that rich countries are usually democracies while poor countries are not. Seymour Lipset (1963) was the first scholar to explicitly link stable democracy with a nation’s economic development. Since then, this causal relationship has been rigorously tested, both quantitatively and qualitatively, and it still stands true. For example, Barro (1999) showed empirically that higher standards of living and gross domestic product (GDP) are linked with democracy and its continuity. More recently, scholars have distinguished between democratic transition and democratic consolidation/stability. Przeworski (2004) came to the conclusion that increase in the GDP per capita assists in democratic consolidation but does not affect the probability of democratic transition from authoritarian rule. In sum, it can be argued that there is a positive relationship between economic development and democratic consolidation. This is good news for both India and Korea as these countries, already democratic, have shown great economic progress in recent times.

South Korea has consolidated its democracy with remarkable economic growth story. South Korea became famous for its spectacular rise from one of the poorest countries in the world to a developed, high-income country in just one generation. This economic miracle, commonly known as the Miracle

on the Han River, brought South Korea to the ranks of elite countries in the OECD. However, many analysts doubted whether the economic development of South Korea was genuine (Krugman 1994). The late 1990s Asian Economic crisis provided an opportunity for many scholars to criticize the Korean development model, accusing Korea of practicing the “crony capitalism” that had resulted in the economic crisis (Stiglitz 2002 and Higgott 1998). As one scholar noted, there was significant corruption in Korea in the form of exchange of favors for bribes between state and business (Kang 2002, 3). In addition, the United States and the International Monetary Fund (IMF) refused to rescue the crisis-stricken Korean economy and instead demanded the reform of Korean industrial organization as well as pressured Korean politicians to limit Korea’s big companies’ economic activities. However, convinced that the economic crisis was not the consequence of a Korean way of crony capitalism, and that it was the western way of organizing capital management which triggered crisis in Asia, Korea did not buy into the American criticisms (Higgott 1998 and Yu 2003).

More importantly, South Korea not only quickly recovered, but also embarked on a path of a new type of economic development. In doing so, South Korea remains one of the fastest growing developed countries in the world following the Great Recession during the late 2000s and early 2010s. It is included in the group of Next Eleven countries that will dominate the global economy in the middle of the 21st century. South Korea’s GDP per capita has also remarkably improved which is an impotent indicator of consolidation of democracy in this country (see Figure 1).

Figure 1: South Korea GDP Per Capita (USD)



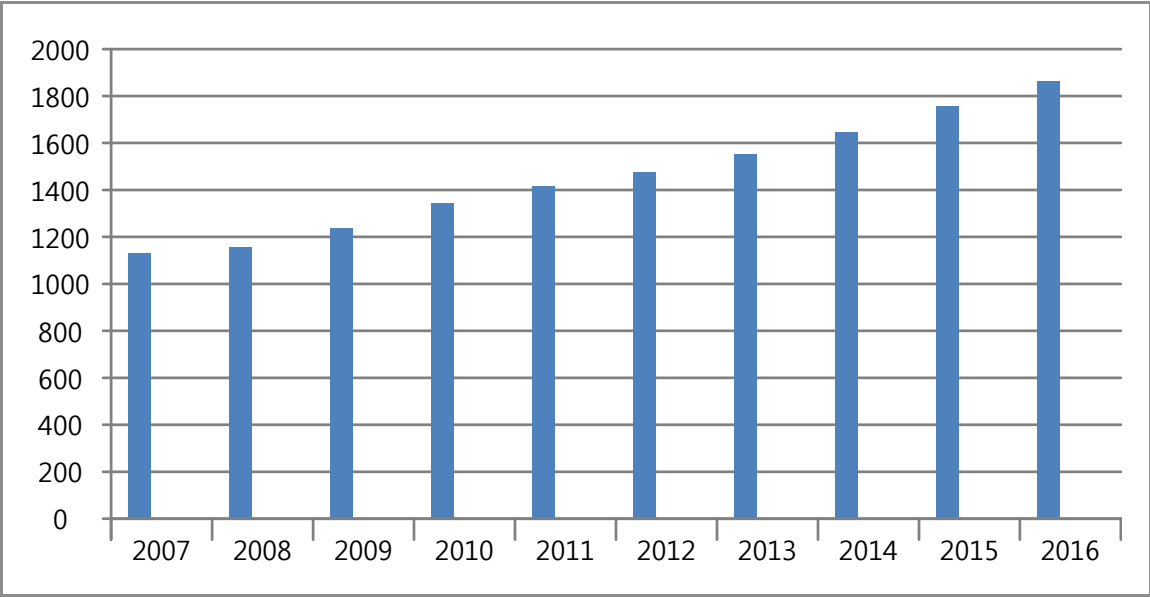
Source: *tradingeconomic.com / world bank*

Equally significant, many said that India remained underdeveloped due to its democratic political system. When an authoritarian state, China achieved rapid economic growth rate since the economic

reform in the late 1970s, many start saying that India needs to reconsider its political system as India’s economic growth during the whole cold war period remain stagnant. It is important to note that Indian economy stagnated during the cold war period given that the Indian economy’s growth rate accounted around 3.5% from 1950s to 1980s while per capita income growth averaged 1.3%. Also, India’s share of global trade fell from 1.3% in 1950s to 0.5% in 1980s. (Kumar, 2015) despite this gloomy situation, India remained committed for its democratic system and started to explore other options to push its economic growth. As a result, in the early 1990s, India began to reform its economic system while remain committed to democratic values.

Since then, India has shown a remarkable economic performance, which in turn has help to consolidate democracy in India. In recent years, India emerged as one of the fastest growing economy in the world. Now, it is the world's sixth-largest economy by nominal GDP and the third-largest by purchasing power parity (PPP). Moreover, after 1991 economic liberalization, India achieved 6-7% average GDP growth annually. In financial years 2015 and 2017 India's economy became the world's fastest growing major economy surpassing China (International Monetary Fund, 2017). Above all, India has also remarkably improved its GDP per capita (see Figure 2). This rapid rise of GDP per capita has given more confidence to Indian democracy.

Figure 2: India GDP Per Capita (USD)



Source: tradingeconomic.com / world bank

Indian democratic system has improved other social indicators, which in turn has consolidated democracy in India. For instance, India has rapidly eradicated extreme poverty and hunger. For example, the all India Poverty Head Count Ratio (PHCR) estimate was 47.8% in 1990. In 2011-12, the PHCR at all India level is 21.9%, which shows that, India on the right track in terms of

eradicating extreme poverty (Ministry of Statistics and Programme Implementation, 2015). With a democratic system, India has also been able to reduce child mortality. For example, in India, Under Five Mortality Ratio (U5MR) was estimated at 125 deaths per 1000 live births in 1990. However, 2013, the U5MR is at 49 deaths per 1000 live births. In addition, Infant Mortality Rate (IMR) in India was estimated at 80 per 1,000 live births in 1990. As per 2013 survey, the IMR is at 40 (Ministry of Statistics and Programme Implementation, 2015). The improvement of all above social indicators suggests that India has consolidated its democracy with rapid economic development in recent years.

India as the world's largest democracy has also improved remarkably on other fronts. Due to this, India has provided a developmental model in Asia that combines democracy and liberal values with high growth, setting a template for other emerging economies in the region.

5. The Maintenance of Rule of Law

The maintenance of the rule of law in both South Korea and India is another key development that demonstrates that democracy is consolidated in both Asian countries. According to the famous political scientist Larry Diamond, democracy is a system of rule by laws, not individuals. In a democracy, the rule of law protects the rights of citizens, maintains order, and limits the power of government. All citizens are equal under the law. No one may be discriminated against on the basis of their race, religion, ethnic group, or gender. No one may be arrested, imprisoned, or exiled arbitrarily. No one may be denied their freedom without a fair and public hearing by an impartial court. No one may be taxed or prosecuted except by a law established in advance. No one is above the law, not even a king or an elected president. The law is fairly, impartially, and consistently enforced, by courts that are independent of the other branches of government. (Diamond 2004 and 2016b) Other political scientist also argued that high-quality democracy requires a truly democratic rule of law that ensures political rights, civil liberties, and mechanisms of accountability which in turn affirm the political equality of all citizens and constrain potential abuses of state power. (O'Donnell 2004) According to above discussion, South Korea and India both have consolidated democracies as there has been the strengthening of the rule of law in both countries.

South Korea's former president Park Geun-hey's impeachment in a historic unanimous ruling by the South Korean Constitutional Court, which was followed by her arrest on corruption and extortion charges, is a triumph of the rule of law. Park's impeachment and arrest are remarkable for the maintenance of rule of law for a few reasons. For months, millions of South Koreans took to the streets, making headlines the world over with extraordinarily orderly and peaceful protests. Much to the chagrin of Park loyalists, giant throngs gathered and disbanded with nary a piece of trash left behind, let alone violent incidents. In no small part as a result, the resistance steadily gained in size and moral authority. Furthermore, conservative lawmakers joined their progressive counterparts in large

numbers to vote for her impeachment, leading to a Constitutional Court decision that finally ruled for her removal. Partisan politics are usually bitter in South Korea, but this process had truly been a rare display of ethics and the law trumping tribalism (Grace 2017).

Indeed, Park Geun-hye's impeachment and arrest on corruption has strengthened the rule of law in South Korea, which in turn has consolidated democracy in the country. As South Korean former Prime Minister, Hong-koo Lee wrote that South Korea's relentless emphasis on the power of constitutionalism has time and time again guided the country through times of crisis, especially the recent controversy surrounding the Park presidency. For the several months since the last fall, the international community witnessed massive candlelight demonstrations across South Korea demanding the impeachment of then President Park Geun-hye, and not a drop of blood was spilt. This was only possible because there was strong consensus among people that the best way to solve problems is to follow the constitutional procedure. Despite disagreements on many sides, the Korean people deferred to and respected the decisions made by the Constitutional Court (Lee 2017).

The rule of law was also strengthened in South Korea when the Constitutional Court on in May 2004 restored then-President Roh Moo Hyun to power, striking down an impeachment widely viewed as an attempt by opponents to halt his political agenda. It is important to note that when President Roh's approval ratings hitting rock bottom, the conservative opposition introduced a motion in the National Assembly to impeach him for allegedly violating election laws and for being "incompetent" and "unqualified" to serve as president (Chaibong, 2008). The National Assembly voted for impeachment as the majority opposition passed the motion. But the decision enraged many South Koreans as they regarded the impeachment as 'improper' and as a danger to the democratic process itself. Against that backdrop, South Korean people demonstrated in large numbers and gave Mr. Roh's Uri party a landslide victory at the April 2004 National Assembly Election (Len, 2004). Later, South Korea's nine-member Constitutional Court ruled to dismiss the impeachment case against President Roh Moo Hyun, restoring full powers to the president (Brooke, 2004).

The resolution of Roh Moo Hyun's impeachment crises was a good example of the restoration of rule of law in South Korea. As one scholar noted the impeachment crisis was yet another example of how consolidated South Korean democracy had become. The people clearly understood that the democratic process itself was at stake, and they acted to preserve it, even though they did not always agree with the president on policy matters. Moreover, the decision of the Constitutional Court was never challenged. Democracy was not only preserved, it was strengthened. (Chaibong 2008 p.138).

Indian democracy also successfully maintained the rule of law since the adoption the democracy at its independence. It is important to mention that there was a time when rule of law was undermined when India's powerful Prime Minister Indira Gandhi declared a state of emergency across the country in 1975. That was a dark age of India democracy, when democracy was suspended for 19 long months and India was reduced to a tin-pot dictatorship. For much of the Emergency, most of Gandhi's political opponents were imprisoned and the press was censored. Several other human rights violations were

reported from the time. Elections for the Parliament and state governments were also postponed. This was a 'democratic crisis' in India.

However, India successfully overcame from this difficult situation and restored the rule of law. There was a wide protest against the suspension of democratic rights across the country. And when a fresh general election was held in January 1977, the opposition Janata movement's campaign warned Indians that the elections might be their last chance to choose between "democracy and dictatorship." As a result, Indian people taught a lesson to Indira Gandhi as her party was defeated badly. Even Indira Gandhi and her son lost their elections. This was a huge setback for Indira Gandhi and her Indian National Congress party as for the first time the opposition Janata Party was able to form the first non-Congress center government in India. Since then, no ruling party in India has ever tried to suspend democratic rights of common people and in doing so, the rule of law has been maintained in India successfully.

6. Concluding Remarks

So far we have seen that India and South Korea's democracy is consolidated. Various domestic-level developments in both countries prove this point. For instance, as we have seen, since the adoption of democratic system both countries have witnessed regular democratic elections and peaceful transformation of power. The second major development is that the successful inclusion within the system of different ideologies has broadened the ideological spectrum, making both countries' political power system more flexible. Third, the remarkable economic development within democratic system has also contributed to consolidation of democracies in both countries. Finally, the maintenance of rule of law is another crucial development that emphasizes that South Korea and India both have consolidated their democracies. Against this backdrop, it can be said that at a time when democracy is in decline in the many part of the world, including liberal democracy in the western world, two Asian countries are leading the way while consolidating democracy. This is an important development for the future of political system in Asia and the world.



References

- Barro, Robert J. 1999. "Determinants of democracy." *Journal of Political Economy*. 107(S6): 158-183.
- Bobbio, Tommaso. 2012. "Making Gujarat Vibrant: Hindutva, development and the rise of subnationalism in India." *Third World Quarterly* 33 (4): 653-668.
- Brooke, James. 2004. "Constitutional Court Reinstates South Korea's Impeached President." *The New York Times* (May 14).
- Chaibong, Hahm. 2008. "South Korea's Miraculous Democracy." *Journal of Democracy*. 19(3): 128-142.
- Desai, Padma and Jagdish Bhagwati. 1975. "Socialism and Indian Economic Policy," *World Development* 3-4.
- Diamond, L. 1999. *Developing Democracy: Toward Consolidation*. JHU Press.
- Diamond, L. J., & Kim, B.-K. 2000. *Consolidating Democracy in South Korea*. Lynne Rienner Publishers.
- Diamond, L. 2004. "What is Democracy," Lecture at Hilla University for Humanistic Studies (January 21) available at: <http://web.stanford.edu/~ldiamond/iraq/WhatsDemocracy012004.htm>
- Diamond, L. 2016a. "Democracy in Decline: How Washington Can Reverse the Tide." *Foreign Affairs*.
- Diamond, L. 2016b. *In Search of Democracy*, London and New York: Routledge.
- Fukuyama, F. 1989. "The End of History." *The National Interest* (16): 3-18.
- _____, F. 1992. *The End of History and the Last Man*, New York: AVON Books, Inc.
- Grace, Simone. 2017. "South Korea President Impeached: a Triumph for the Rule of Law." *National Review* (April 2).
- Higgott, Richard. 1998. "The Asian Economic Crisis: A Study in the Politics of Resentment." *New Political Economy*. 3 (3): 333-356.
- International Monetary Fund. 2017. *IMF World Economic Outlook (WEO) Update, January 2017: A Shifting Global Economic Landscape*.
- Kang, C. David. 2002. *Crony capitalism: corruption and development in South Korea and the Philippines*. Cambridge: Cambridge University Press.
- Kelemen, R. Daniel. 2016. "A Dark Age of European Democracy? How the Political Center Will Fare in 2017." *Foreign Affairs*.
- Kohli, Atul. 2001. *The Success of India's Democracy*. Cambridge: Cambridge University Press.

- Kholi, Atul. 2009. *Democracy and Development in India: From Socialism to Pro-business*. New Delhi: Oxford University Press.
- Krugman, Paul. 1994. "The Myth of the Asian Miracle," *Foreign Affairs* 73.
- Kumar, Rajiv. 2015a. "The Evolution of the India-South Korea Relations: A Neoclassical Realist Analysis." *Doctoral Dissertation*. Seoul: Sungkyunkwan University.
- _____. 2015b. "Korea's Changing Relations with the United States and China: Implications for Korea-India Economic Relations." *Journal of Asiatic Studies*. 58 (4):104133.
- Len, Samuel. 2004. President's Impeachment Stirs Angry Protests in South Korea. *The New York Times* (March 13).
- Lee, Hong-koo. 2017. "South Korea as a Beacon of Asian Democracy." East Asia Institute (September 21).
- Lijphart, Arend. 1977. *Democracy in Plural Societies: A Comparative Exploration*. New Haven, CT: Yale University Press.
- Lipset, S. M. 1963. *Political man: The social bases of politics*. Garden City, N.Y: Anchor Books.
- Lie, John. 2000. *Han Unbound: The Political economy of South Korea*. Stanford University Press.
- Live Mint. 2014. "We can't compromise democracy for growth: Narendra Modi." (September 12)
- Ministry of Statistics and Programme Implementation (Govt. of India). 2015. "Millennium Development Goals: India Country Report 2015."
- Mukherji, Rahul. 2010. "India's Foreign Economic Policies." in Sumit Ganguly (ed), *India's Foreign Policy: Retrospect and Prospect*. New Delhi: Oxford University Press.
- O'Donnell, G. 2004. "The Quality of Democracy: Why the Rule of Law Matters." *Journal of Democracy* 15(4): 32-46.
- Pion-Berlin, D. 2001. *Civil-military relations in Latin America: new analytical perspectives*. Chapel Hill, NC: University of North Carolina Press.
- Panagaria, Arvind. 2008. *India: The Emerging Giant*. New Delhi: Oxford University Press.
- Przeworski, Adam. 2004. "Institutions Matter." *Government & Opposition* 39(4): 527-40.
- Stiglitz, Joseph. 2002. *Globalization and Its Discontents*. New York: W.W.Norton & Company.
- Yang, J. 2017. "Economic Crisis, Power Shift, and Welfare Politics under the Kim Dae Jung Government (1998-2002)" in *The Political Economy of the Small Welfare State in South Korea*. Cambridge: Cambridge University Press.
- Yu, Hyun-Seok. 2003. "Explaining the Emergence of New East Asian Regionalism: Beyond Power and Interest-Based Approaches." *Asian Perspective* 21 (1):261-288.

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