# European Journal of Korean Studies

**Volume 17, No. 2**

**The British Association for Korean Studies, 2018**

ISSN 2631-4134 (print)
ISSN 2516-5399 (online)

# ABOUT THE BRITISH ASSOCIATION FOR KOREAN STUDIES AND *BAKS PAPERS*

The British Association for Korean Studies (BAKS) was founded in 1987 as a forum to host conferences and workshops on Korean Studies around the UK. At such events, papers have been presented on a wide range of subjects including archaeology, art, economics, literature, politics, and society. BAKS continues to hold annual conferences, sometimes in partnership with her sister organisations, The British Association for Chinese Studies (BACS) and The British Association for Japanese Studies (BAJS).

*Papers of the British Association for Korean Studies* (BAKS Papers) was founded in 1991 to publish the editorially approved transactions of the then annual conferences of the Association. The journal has for several years actively solicited submissions from outside the conferences as well. Fifteen volumes have been published to date, the latest two issues being available only online.

Initially the quality of *BAKS Papers* was maintained by an internal editorial board and the editor. Since Volume 14 (2012), *BAKS Papers* became a fully peer-reviewed journal. There was established an external editorial board of 20 international scholars covering a range of areas within the humanities and the social sciences. The Editorial Board is under the leadership of the Editor. There are prescribed rules for the examination of submissions and regulations for writers making a submission. Just under half of the submissions (including external submissions) were rejected for publication in Volume 15 (2013).

Since its inception in the late 1980s, the *Papers of the British Association for Korean Studies* has focussed on modern and contemporary Korea but has not neglected traditional culture and history. For example, Volume 5 (1994) was a special issue devoted to archaeology and material culture. The journal has published other special issues, such as Volume 6, which focussed on ‘Nationality and Nationalism in East Asia’, reflecting the Association’s broader interests in contemporary East Asia, and Volume 14 (2012), which focussed on British witnesses to the social, cultural, political and economic changes in late twentieth-century Korea.

# ABOUT THE *EUROPEAN JOURNAL OF KOREAN STUDIES*

At the General Meeting for The British Association for Korean Studies in London on 9 September 2016 the Association decided to re-launch *Papers of the British Association for Korean Studies* (BAKS Papers) as the *European Journal of Korean Studies*.

The new name better reflects the existing breadth of the editorial board as well as the extensive range of submissions that result from expanded offerings on Korean Studies across the European continent, including Great Britain. Using our experience gained in publishing the *BAKS Papers* over the last 25 years, we are delighted to relaunch the publication as a Europe-wide journal dedicated to Korean Studies.

*BAKS Papers* has been blind, peer-reviewed since volume 15, and the *European Journal of Korean Studies* will carry on being blind, peer-reviewed. The new *Journal* will be published twice a year, rather than just annually. It is the only English-language journal in Europe devoted to the broad field of Korean Studies, and we hope that it will become the show-case journal for the outstanding work on Korea being done in Europe.

First published in 1991 and originally available in printed format, *Papers of the British Association for Korean Studies* (informally known as *BAKS Papers*) is now exclusively available on-line through the Association's website. Volumes 1–16 are available for download, as will future issues of the *European Journal of Korean Studies*. The *Journal* is free to BAKS members and those who want copies should contact Tristan Webb: treasurer@baks.org.uk.


## Editors

Adam Cathcart, Editor in Chief
Robert Winstanley-Chesters, Managing Editor

# EDITOR'S NOTE

In this issue, we are pleased to offer two research articles, three research notes, a number of book reviews, and a special research note. Much of our collection examines North Korea, and the remainder ranges from colonial times into contemporary South Korean politics and society.

The scholarship on North Korean literature has been growing in recent years, but much remains to be done on the background and connectivity of the north's writers. Vladimir Tikhonov presents a portrait of one significant North Korean author whose personal history intertwined with the Chinese revolution, with northern Korea's liberation, and with the artistic ferment of the early DPRK. Tikhonov's work ultimately yields a pungent sense of the disappointment felt by participants and observers in the transformation of the colonial into a liberated but vivisected national body.

Martin Weiser reveals that, while North Korea is thought to have a completely impoverished legal ecosystem, in fact, Pyongyang has generated vast quantities of legal materials. Rather than the Leviathan of Hobbesian fantasies, which permeates much discourse on North Korea, the North Korean record as examined by Weiser reveals thousands of legal changes and publications over a sixty-year period, despite absences and gaps. The North Korea that emerges from this research is still bristling with difficulty in terms of its institutional interfaces and accessibility, but it is both knowable and demanding of greater critical engagement.

The research notes find multiple areas of connectivity with previous issues of this journal. Natalia Kim's research note on the nationalist An Jae-hong resonates clearly with Tikhonov's treatment, expounding a biographical figure at a moment of transition and transformation. Eungseo Kim and Kerry Brown's research notes respectively round out the political tilt of this issue by looking at Chinese-North Korean relations. Eungseo Kim re-examines the dilemmas of North Korean foreign policy in the 1970s, a period when inter-Korean relations warmed considerably but Pyongyang also tried to diversify its relations with the great powers. Professor Brown turns his considerable expertise on Chinese foreign policy to Chinese-North Korean engagements in a paper prepared for the September 2017 Workshop of the British Association for Korean Studies, reprinted here. Sam Pack's Research Notes asks us to consider South Korean cultural visibility and encounters from the perspective of the Philippines. This issue also features extensive and interesting reviews of new books.

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# KIM SARYANG'S *TEN THOUSAND* LI *OF A DULL-WITTED HORSE*: REMEMBERING THE ANTI-COLONIAL STRUGGLE

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## Abstract

Kim Saryang (real name: Kim Sich'ang, 1914–1950) was among the Korean authors of the 1930s and 1940s who wrote frequently on the issues related to the Korean ethnonational identity, both in Korean and in Japanese. In May 1945, when dispatched on a lecture tour to the Japanese army units stationed in North China, he used this opportunity to escape and join the Chinese Communist Eighth Route Army guerrillas in the Taihang Mountains. His China diary, *Ten Thousand* Li *of a Dull-Witted Horse* (*Nomamalli*, serialized in Seoul-based journal *Minsŏng* in 1946–47 and published in book form in Pyongyang in 1947), was written in his new status as a North Korean writer; the book is the main object of analysis in this article. The diary was an attempt to systemize the memories of the joint Sino-Korean anti-Japanese struggle, with the continuous process of building new, Socialist subjectivities in Communist-controlled parts of China and Korea. The article deals with the ways in which the new, post-colonial and Socialist Korean identity-in-making are both reflected in Kim's rendering of his battlefield observations and remembrances and further given form through the act of writing on the armed anti-Japanese resistance—in broad meaning, the foundational background of what further was to become North Korean history. At the same time, the article emphasises the role Socialist international ideology played in the articulation of Kim's narrative.

Key words: Kim Saryang, *Nomamalli*, North Korea, post-colonial, Chinese Communist Party, Taihang Mountains

# KIM SARYANG'S *TEN THOUSAND* LI *OF A DULL-WITTED HORSE*: REMEMBERING THE ANTI-COLONIAL STRUGGLE

Vladimir Tikhonov

## Introduction: Background of the Escape

Kim Saryang (real name: Kim Sich'ang, 1914–1950) was among the Korean authors of the 1930s and 1940s who wrote frequently on the issues related to the Korean ethno-national identity from the perspective of Korean diasporas in multi-ethnic societies. Many of his writings were based on his own first-hand impressions and observations prior to the Pacific War during his own eight years-long stint in Japan where he studied and eventually launched his literary career as a Japanese-language writer. He provides us with an interesting example of resistance against 'imperialisation', which—while being undoubtedly national in the sense of the author's embeddedness in the Korean ethno-cultural *milieu*—was not simply nationalistic ideologically. Educated at Saga High School (1933–1935)[1] and Tokyo Imperial University (1935–1939, at the postgraduate school until 1941),[2] equally proficient in Korean and Japanese and able to publish his Japanese pieces in the major literary journals in Japan proper, Kim still forcefully argued against full abandonment of the Korean language in *belles-lettres*, maintaining that an Korean ethnic community needed the sentimental side of its life to be amply expressed in the only language its majority could properly understand.[3] Writing on Korea in Japanese could easily end up exoticising Japan's colony in accordance with the colonisers' tastes. Kim Saryang, however, made it clear to his Japanese readers that, even while switching to the empire's language, he still remained a Korean writer, an heir to the Korean literary tradition, and a bearer of Korea's particular sentiments; his language switching was, in his own words, motivated by his desire to contribute to the horizontal, humanism-empowered exchanges across the division line separating the colonial metropole and the colony.[4]

A creative author of the persuasions that can be characterised as a combination of a general leftist—that is, internationalist—worldview with an acute sense of belonging to a vulnerable minority of colonial provenance, Kim Saryang, his Japanese proficiency and literary fame in Japan proper notwithstanding, had no

intentions to spend the war-time as a supporter of the Japanese Imperial Army. When sent on a lecture tour to the Japanese army units stationed in North China, he used the opportunity this trip provided in order to escape and join the Chinese Communist Eighth Route Army guerrillas in the Taihang Mountains in May 1945.[5] After spending several months there, he returned to now liberated Korea, and spent some months in Seoul in late 1945 before returning to his native city of Pyongyang in early 1946, where he soon become a prominent member of North Korea's nascent literary establishment. His China diary, *Ten Thousand* Li *of a Dull-Witted Horse* (*Nomamalli*), was serialized in the Seoul-based journal *Minsŏng* in 1946–47 and published in book form in Pyongyang in 1947.[6] It cemented Kim Saryang in his new status as a North Korean writer. In this article I will attempt to demonstrate how a new, revolutionary formula of Korean-ness was being created in Kim's diary, against the background of a complex international confrontation in which Korea's socialist revolutionaries were allied to the Chinese Communist Party (CCP)—itself a temporary ally of its bitter nationalist rival, the Guomindang, and, by extension, of the Western Allies and the USSR in their fight against the fascist states, imperial Japan included. I will emphasise the ways in which the memories of the anti-colonial struggle and Sino-Korean anti-Japanese alliance—in reality, often self-contradictory, their articulation being dependent on the post-Liberation political developments—were used as building blocks for the nation-building task by Kim Saryang in his new capacity as a founding father of North Korean literature.

According to his diary, Kim Saryang started his successful defection to the Communist Chinese forces by arriving in Beijing (then Beiping) on May 9, 1945—quite accidentally on the same day when, unbeknownst to Kim or his travel companions, the fighting in Europe was ended by the Allies' victory. This news was kept secret from the colonial Korean public, although Kim, apparently better informed due to his contacts with Korea's underground resistance—which he mentions in the diary—was in a position to understand that Japan's perspectives were hardly bright.[7] To be able to come to China, Kim accepted an offer to participate in a 'solacing tour' to the Korean students drafted into Japan's battle lines in northern China by the colonial authorities. The tour was undertaken under the auspices of the Korean League for Total National Manpower (*Chōsen Kokumin Sōryoku Renmei*), a notorious wartime collaborationist group. Events of this kind, however, were the only opportunity to leave wartime colonised Korea, where movements across the border were strictly regimented.[8]

Once in Beijing, Kim Saryang was approached by Yi Yŏngsŏn. Yi was a moderate leftist activist and had worked as a liaison between Yŏ Unhyŏng's (1886–1947) inclusive League for Preparing the Establishment of the (Korean) State (*Kŏn'guk Tognmaeng*), then an underground organisation, and he also had ties to the Yan'an-based Korean Independence League (*Chosŏn Tongnip Tongmaeng*) led by such prominent Communist leaders as Ch'oe Ch'angik (1896–1957) and Kim Mujŏng

(1904–1951).[9] Yi offered Kim a passage to the Taihang Mountains area controlled by the Chinese Communist Eighth Route Army and its Korean allies, the Korean Volunteer Army (*Chosŏn Ŭiyongdae*). In May 1945, it was a policy of the Korean Volunteer Army's political leadership in the Korean Independence League to co-opt the Korean luminaries of broadly leftist—although not necessarily exactly Communist—persuasions, with the goal of engaging them in anti-Japanese resistance activities on Chinese territory. As the war against Japan was coming to its end, the Korean Independence League was interested in attracting the prominent Korean intellectuals to its side, and in anticipation of the future competition for power and influence against the right-wing nationalist Korean Provisional Government, then allied to the Guomindang's government in Chongqing. The Korean Independence League's recruitment of Kim Saryang mirrored that of another prominent Japan-educated intellectual, An Mak (1910-?), who was helped to move from Beijing to Yan'an in 1945. These actions were a part of the Left's efforts to strengthen its voice in the public space by attracting more cooperative among the established intellectuals to its side.[10]

## The Korean Volunteer Army and the Liberated Area

In the beginning of June 1945, Kim Saryang headed to the base of the Korean Volunteer Army in Taihang Mountains. He did so by travelling through the vicinities of Xingtai (then Shunde) by the Japanese-controlled railway, accompanied by an underground operative sent from the Korean Volunteer Army's headquarters. This was an example of Korean national leftist militancy combined with trans-border liberational aspirations and transnational revolutionary activism. As Kim Saryang mentions in his diary, the original nucleus of the KVA was created in October 1938 by the Korean National Front Alliance (*Chosŏn Minjok Chŏnsŏn Yŏnmaeng*), a coalition of mostly leftist nationalist groups led by Korean National Revolutionary Party (*Chosŏn Minjok Hyŏngmyŏngdang*, founded in 1932).[11] The KNRP was a relatively large (with initially ca. two thousand members) grouping of the left-wing, China-based Korean exiles; Kim Wŏnbong (1898–1958), an anarchist radical-turned-socialist, as its de facto leader. The two best-known military leaders of the Korean Volunteer Army were Pak Hyosam (1910-?) and Yi Iksŏng (1911-?). While both graduates of Guomindang officer schools, both men owed their primarily political allegiance to the Korean National Revolutionary Party. The latter was open to the collaboration with the nationalists, both Korean and Chinese in the common anti-Japanese struggle; in the first years of its existence, it was doing intelligence and propaganda work for the Guomindang army, utilising the knowledge of Japanese many of its fighters possessed, for agitation among the Japanese troops and more effective interrogation of Japanese prisoners.[12] Some of the fighters of the Korean

Volunteer Army were Chinese and Japanese—both defectors and prisoners who decided to switch sides in the war.[13] Some of them, as we will see below, appear on the pages of Kim Saryang's diary.

By 1940–41, the Korean Volunteer Army moved to the North, into the operational areas of the Communist Eighth Route Army with which it had entered into a long-standing symbiosis. The unit that operated in Taihang Mountains was known as the Northern China Unit (*Hwabuk Chidae*) of Korean Volunteer Army; in April 1942, it was integrated in the 129th Division of the Eighth Route Army as its regular sub-unit. While the unit did participate in the actual fighting, it main duties were still propaganda and intelligence work, oriented towards Japanese troops and especially towards the ethnic Korean soldiers in their ranks. As Kim Saryang emphasised in his diary,[14] Korean fighters also should organise work vis-à-vis approximately 200 thousands-strong Korean population of Northern China.[15] From Kim Saryang's viewpoint, this work was central, for it was in the crucible of Korean Volunteer Army's political work with the local Korean dwellers and military resistance against the Japanese enemy that the new, modern and independent Korean statehood was being born. Kim contrasts the 'authentic' resistance and incipient nation-building activities of the Korean Volunteer Army to the 'feudal' factional squabbles inside the Korean Provisional Government subsisting off Guomindang's largesse and dreaming of 'receiving' Korean independence from Chiang Kai-shek or Americans.[16]

The Taihang Mountains base area, where the Korean Volunteer Army had its headquarters during the later stage of the war, is often mentioned as an example of the positive social changes brought by the reforms on the ground that the Communists were spearheading in the course of the war. The centre of the CCP control in 1940–45 was Zuoquan (Liaoxian) country in Hebei Province. Zuoquan was not very far from the Korean Volunteer Army headquarters under the Wuzhi Mountain where Kim Saryang arrived at the end of his arduous trek through the Taihang area. Especially in 1940–42, the area had been subjected to the devastating 'mop-up' operations by the Japanese troops, the cruelty of which was still vividly remembered in 1945. Kim Saryang therefore had ample opportunity to listen to eyewitness account of the Japanese brutalities. However, despite war, disease and famines, the Communist-led social engineering programs were showing their effectiveness. Mass campaigns for literacy training and post-time winter study aimed at both men and women greatly reduced the illiteracy and positively influenced self-consciousness of the girls who started to demand the right of choice in marriage and more venues for upward social mobility. While the majority of the CCP members in the area were men, the female Communists were strategically promoted to visible positions of responsibility. The Party supervised elections—at that point, still competitive and open to the independents—on all levels, from village to the country, striving for a balanced representation of Communists, progressives (non-Communist 'democratic forces') and neutrals in the elected organs of

power. Taxes were assessed on wealth and represented a relatively light burden for the majority of middle and poorer peasants, while the Party was keeping to the minimum the number of the cadres who were to be supported by public grain. In the climate of the 'democratic reforms', the landlords, their properties still not formally appropriated, were already feeling the pressure to redistribute or sell the excess land that they did not till themselves. In the eight years after 1936, the proportion of landlords in the Taihang base area in general dropped from 26 per cent to just 5 per cent, while that of peasants increased from 31 to 65 per cent.[17] The positive results of war-time reforms were astonishing even the Westerners without any particular leftist sympathies—a famed US war correspondent, Jack Belden (1910–1989), who witnessed the life in the liberated areas in 1947, two years after Kim Saryang's peregrinations there, was shocked by the fact that no soldiers were needed to guard the administrative buildings: the region was free from banditry thanks to an effective and popular government, in contrast with Guomindang-dominated areas.[18] It is hardly surprising that Kim Saryang—with war-time colonial Korea as his main point of reference—found the liberated areas of China a ready-made blueprint for a qualitatively new society, valid for China as well as for Korea.

## The Two Worlds in War-torn China

As seen through Kim Saryang's eyes, China circa 1945 was a conflation of several, mutually contradictory worlds. As the giant country had been engulfed by an eight-years long conflict, large parts of it being under foreign occupation, the different worlds Kim Saryang constructed in his narrative were all of rather international kind, with different ethno-national categories mixed together in a giant spectacle of war-related depredations and corruption contrasted against the heroism of resistance.

The uglier side of war-time profiteering was represented by the luxurious hotel in Beijing where Kim Saryang stayed prior to his departure to Taihang Mountains area. The hotel was populated by assorted opium dealers, pimps, brokers making money on exchange operations with different regional currencies and money transfers, or, at best, rice traders. A rice trader, in fact, happened to be Kim's roommate for the duration of his hotel stay. A large proportion of the hotel dwellers were resident Koreans who enriched themselves during the Japanese occupation of China and were, Kim wrote, eventually going to share the fate of the occupiers after their defeat.[19]

Kim Saryang's patriotism did not stop him from revealing the more problematic sides of the resident Koreans' society in China—most typically, war profiteering and collaboration with the hated Japanese occupiers. Recent research reveals that Kim Saryang's impressions were not necessarily mistaken. Among ca. ten thousand resident Koreans of Tianjin (by January 1942), for example, dozens of richer traders and entrepreneurs are known to have been closely connected to the Japanese

Consulate since the later 1930s. They led the local pro-Japanese Korean organisation, *Chosŏn Inminhoe*, which had been sending Korean volunteers to the Japanese army operating in China since 1937. Even more nefariously, some of them were recruited into the Japanese espionage networks headed in occupied China by notorious general Doihara Kenji (1883–1948), who once himself was responsible for the intelligence gathering in Tianjin in the early 1930s. While the majority of Tianjin Koreans had nothing to do with all these activities, the collaborating and profiteering minority was highly visible.[20] Some reminiscences about this minority may be found in the records of Kim T'aejun (1905–1949), a famous Korean (and Chinese) literature scholar and concurrently Communist activist who left Korea in late November 1944 heading for Yan'an, where he was to contact the China-based Korean Communists headquartered there. In Xingcheng (Liaoning), his falsified travel permit was produced by a local Korean broker, a certain Mr. Pyŏn, an opium addict who used to eke out his living by brokering the release of petty offenders in exchange for bribes, using the connections of his son who worked for the Japanese police as interpreter.[21] For both Kim Saryang and Kim T'aejun, the two major Korean intellectuals who experienced war-torn China of early 1945 on the Communist side, acknowledgement of some Koreans' complicity with the travesties of the world of aggression, occupation and personal opportunism obviously seemed to constitute a necessary step on the way to the national redemption and rebirth.

As Kim Saryang—who officially came to Beijing on a Japanese military propaganda assignment—was pondering his own fate, a defection to the Korean Provisional Government in Chongqing was obviously one possibility. However, the internal rivalry-ridden Provisional Government, which 'followed the (Guomindang) government as a prostitute and lived off the small money thrown to it by Chiang Kai-shek's terrorist gangs, such as Blue Shirts Society or CC Clique', was regarded by Kim Saryang as an organic part of war-time corruption and profiteering rather than an alternative to it.[22] The alternative, Kim wrote, was 'the sun rising over the (Communist-managed) Shaan-Gan-Ning Border Region where [the revolutionaries] opposed Chiang Kai-shek's dictatorship, resisted his policy of fomenting a civil war, fought against the enemy under Revolution's flag, organised the people's government and saved the masses from the calamities'. As 'Korean patriots' constituted a part of this epochal struggle, Kim hoped to join them, 'observe the life of the Chinese peasants, the conditions of the army and the construction of the new democratic culture, in order to contribute later to the state foundation' back in Korea.[23] Notably, neither 'Communism' nor 'Socialism' were so far an explicit part of Kim's project of learning CCP's experiences in the world of the base areas: 'new democracy' as proclaimed by Mao Zedong and other CCP leaders during the last war-time years was the task of the day. It was the observations over the 'new democracy' experiences in the Taihang base areas that constitute the bulk of Kim's diary.

'New democracy' implied that the grassroots market exchanges would continue undisturbed—even protected—for the time being. In fact, peasants' markets were among the first things Kim Saryang took notice of in the liberated areas. A variety of tobacco products, soap, matches, female accessories and writing brushes, together with grain, millet, and different local fruits (apricots, melons, watermelons etc.) were all in abundant supply already at the first village market he observed on having entered the liberated zone. The prices were on average ca. one-third of what one had to pay in the adjacent occupied areas. As Kim noticed, in a matter-of-fact manner, the economic policies of the Communist government of the liberated areas were in principle autarkic: the CCP wished the liberated areas to produce most of what they consumed. Still, a considerable amount of smuggling took place, and Kim himself could spot the toothbrushes or pens produced in the Japanese-controlled areas, on the marketplace in the first Communist-controlled village he visited. These articles, however, were all extremely expensively priced.[24]

A difference which Kim Saryang took notice of very quickly, was the absence of soothsayers—'a usual sight in the Chinese marketplaces', as Kim put it—in the market of a Communist-controlled village. Instead, the anti-Guomindang and anti-Japanese placards were highly visible, together with short-haired female Communist troops who were conducting a non-stop, high-pitch agitation-and-propaganda campaign 'on Eighth-Route Army, Mao Zedong and Zhu De'.[25] The age-old institution of the town market was employed now to serve new and different politics. In a small town where Kim stayed for a day on his way towards the Korean Volunteer Army headquarters, even a bookshop—obviously, a privately-run one—was in business. However, the highlights there were the Yan'an-produced Chinese translation of Stalin's *Problems of Leninism* (the first edition was published in Russian in 1926, then the book was re-edited and re-published several times; Chinese translation was first published in the USSR[26] and then a different translation was printed in Yan'an) as well as Mao's *On New Democracy* (1940) and Mao's newly-printed report to the Seventh National Congress of the CCP, *On Coalition Government* (April 24, 1945).[27] Kim Saryang quickly purchased the works by Stalin and Mao, as well as 'some other booklets produced by the CCP' and distributed through the private booksellers.[28]

The spirit of 'new democracy' was succinctly formulated in the slogans on the 'Ten Main Policies of the CCP', which Kim spotted while entering the town. The 'ten policies' centred on the 'struggle against the enemy', as well as the promise 'to simplify the administration and concentrate on the troops.' The politics were to be dominated by the united front, which included Communists, independents and Guomindang—despite all the anti-Guomindang propaganda Kim Saryang was a witness to, the official wartime policies of Communist-Nationalist unity in struggle were formally in place for the time being. Officials (*ganbu*) were to be subject to controls and checks, while economically, the socialist slogans were substituted by the

tenancy payment reduction to the 25 per cent of the harvest and interest rate reduction to ten per cent.[29] Interestingly, Kim T'aejun also spotted a description of the same 'ten policies' on a village wall while on his road to Yan'an, and explained to his readers that the land reform was to be suspended for the duration of the anti-Japanese war of resistance, tenancy and interest rate reductions coming as its temporary substitutes.[30]

## The Shadow of the Sunshine?

Given that in the late 1930s–early 40s, the normal interest rate in the Korean countryside was ca. 20 per cent while tenancy payments averaged 50–60 per cent, Kim Saryang had indeed good reasons to regard 'new democracy' policies in China's liberated areas as a usable policy reference for post-Liberation Korea.[31] The only reference to the radical politics of any sort in the 'ten policies' slogan were the 'three rectifications'—which, as Kim assiduously noted, referred to the 'movement for the rectification of literature, study and party work that began with February 1942 report by Chairman Mao and was fiercely conducted throughout the whole country and whole army changing thought and the style of work.'[32] Most likely, this brief notice by Kim Saryang constitutes one of the earliest mentions of the ill-famed Yan'an 'thought rectification (*zhengfeng*) movement' (1942–44)—which implied the imposition of one-size-suits-all Maoist orthodoxy onto the party—in the Korean literature inside Korea.[33]

To which degree was Kim Saryang aware of the implications of Yan'an 'rectifications' that forebode the eventual tightening of the political regime after the ultimate demise of the 'new democratic' age in the early 1950s? In the diary, he mentions a talk with a couple of female CCP agitators about the present state of affairs in Chinese literature, and confidently relays to his readers that since Mao's *Talks at the Yan'an Forum on Literature and Art* (May 1942) were published, 'the position of the writers became more concrete (…) while their activities are rapidly developing in a more precise direction'.[34] However, as the diary reveals to us, one of the few masterpieces of China's modern literature that Kim actually read—and which he mentioned in his dialogue with the female agitators—was *Yiwaiji* (The Unexpected Collection, 1934)[35] produced by Ding Ling (1904–86), China's premier progressive female writer, on the basis of her experiences in Guomindang's custody.[36] Did he know that his favourite Chinese writer had been among these who were explicitly targeted by the Yan'an 'rectification' campaign?[37] While Kim was certainly in no position to openly contradict Mao Zedong in his account, he chooses not to elaborate on his vision of an artist as a 'cogs and wheels in the whole revolutionary machine' (*Talks at the Yan'an Forum on Literature and Art*) either.[38] Perhaps it constituted a hidden form of resistance.

Instead, it is the popular organisation at the grassroots level that Kim Saryang focuses primarily on. One phenomenon that he witnesses everywhere throughout

the whole liberated areas he traverses, is the omnipresence of *minbing* (Kor. *minbyŏng*)[39]—the peasant militias under the overall control of the CCP authorities, but organized with a high degree of voluntary participation 'from below', as guarding the villages from the rampaging Japanese or warlord troops, or bandits, was indeed an urgent task. Quoting an official CCP report, Kim Saryang mentioned that the number of local militia members in all the liberated areas totalled almost two million, two hundred thousand.[40] While he was in no position to check these figures independently, he could himself witness the armed local peasants at every corner in the villages he and his co-travellers went through. *Minbing* were checking the documents of Kim and his travel companions;[41] they were also guarding Kim and his comrades through the countryside roads in heavily mined areas making sure that they safely arrive to the next village.[42] Indeed, a good organisation of village self-defence and order maintenance witnessed by Kim Saryang could have been the key to the outsiders' testimonies on the relative safety of travel in the Communist-dominated areas mentioned above. Helping to organise the villagers was one task of the CCP leaders in the liberated areas; enlightening them was yet another one. In fact, Kim Saryang mentions that the greatly increased availability of the primary education was one of the most noticeable traces of the peasant life in Communist-controlled Taihang Mountains region.[43] Still, the literacy was far from universal. As Kim remarked, the main method of the political education he himself witnessed were oral speeches in front of the peasant public, as well as theatrical performances often utilising the Hebei region's tradition of *pingju* opera. 'Korean comrades,' multilingual and keen to build bridges with the local Chinese population, were often employed in such propaganda operations delivering songs and theatrical performances in Chinese on the basis of their own unique anti-Japanese resistance experience.[44]

Kim Saryang's fluency in Chinese was limited mostly to reading—throughout the diary, he confesses that he lacked the ability to understand the local dialect of spoken Chinese. His sojourn in the liberated areas did not exceed a couple of months, which he mostly spent in the company of the Korean Volunteer Army activists rather than locals. Pyongyang in the year 1947—when Kim's diary was published there—was not exactly the most convenient place to criticise Maoist practices, even if one wished to do so. After all, Kim Il Sung (Kim Il-sŏng, 1912–1994), the foremost figure among the local leadership of the Soviet-controlled Northern Korea already by 1947, had been a Chinese Communist Party member while fighting the Japanese as a Manchurian guerrilla in the 1930s.[45] Kim Saryang met Kim Il Sung soon after his return to Pyongyang in February 1946, and keenly needed Kim Il Sung's political protection in his new quality as one of North Korea's most prominent authors. Moreover, the author's social background (a scion of a family of wealthy industrialists able to receive prestigious Japanese education) could potentially expose him to hostile attacks by his competitors in the literary world.[46] Some evidence exists that by the

end of the 1940s, Kim Saryang's real—as opposed to declarative—appraisal of Kim Il Sung was no longer as salutary as it had been during the first post-Liberation years. Kim Hakch'ŏl (1916–2001), a Taihang Mountains guerrilla-turned-Chinese-Korean writer, whilst living in Pyongyang before the Korean War, befriended Kim Saryang and developed a rather critical assessment of Kim Il Sung's character and abilities by the end of the 1940s, mentions in his memoirs that Kim Saryang completely shared his views. He adds, however, that neither he nor his friend Kim Saryang had any doubts about the desirability of the socialist project of Chinese or Soviet kind in principle.[47] At this stage Kim Saryang tended to perceive his writing activities as first and foremost a contribution to the cause of socialist nation building.[48] Therefore his narrative of the CCP's organisational and educational work in the liberated areas as an essentially 'democratic' affair, conducted in the best interests of the local if not by their own independent volition, cannot be simply taken at the face value. There was an obvious element of political propaganda in it. Indeed, the contemporary research in the history of the liberated areas demonstrate that the CCP labour mobilisations or attempts at devising cooperative enterprises at the village level could sometimes be intrusive and quite coercive;[49] in some places in Taihang area they could, in fact, end up in violent clashes with the local religious groups. Still, while Kim Saryang's account obviously glosses over the top-down aspects of the CCP organisational and political work in the areas it dominated, his eyewitness accounts of the popular enthusiasm for the 'new democratic' system instituted by the CCP at the grassroots level, are nevertheless not to be ignored. In any case, they help the researchers to understand what aspects of CCP's 'new democratic' political practices could be seen by Korea's left-of-the-centre intellectuals as an important reference for Korea's own state-building after the long-awaited Liberation.

## Internationalist National Identity—Forged in the Battles

The diary, while geographically limited to Kim Saryang's experiences in China, deals at the same time with a highly internationalised battlefield. Chinese Communist troops, officially a part of US-allied 'United Front' coalition with the Nationalist government of republican China, battled the Japanese army with Koreans to be found on the both sides of the frontline. The international cauldron of the anti-Japanese resistance, soon to provide the ground for the establishment of both the People's Republic of China and Democratic People's Republic of Korea (North Korea), was the place where contemporary national identities, both Chinese and Korean, were being formed. In Kim Saryang's account, the new Korean identity-in-making is being both reflected in Kim's battlefield observations and further pro-actively given form through the act of writing on the armed anti-Japanese resistance—in broad meaning, the sacred formative background of what was further to become the North

Korean history. The new Korean identity Kim was observing in its infancy and also simultaneously attempting to help to shape, was concurrently internationalist and deeply national. Koreans fought Japanese in China as a part of their alliance with Chinese (the CCP)—and, despite the obvious asymmetry of the strength in such an alliance, Kim Saryang makes a point of defining Korean fighters as equal allies of their Chinese comrades, rather than CCP's foreign dependants.

He makes a point about Korean fighters' contribution by writing in great detail about the engagement near Hujiazhuang (Hebei Province) on 11–12 December, 1941, when 29 fighters of the Northern China Unit struggled valiantly against more than 300 Japanese (and puppet Chinese) soldiers killing or wounding almost half of their opponents in the process. The engagement took place after the Korean unit opened a 'people's meeting' in a Chinese village conducting the propagandist work there on CCP's behalf, and symbolised the dedication of Koreans to their joint cause with the Chinese comrades, as well as the Korean Communists' willingness to sacrifice themselves in the common fight.[50] And, of course, Kim Il Sung and his fighters' contribution to the great anti-imperialist cause was the very symbol of Koreans' ethno-national dignity as a party to the international anti-Japanese alliance. Kim Saryang registers his 'joy and pride' when a Chinese Eighth Route Army officer asked him about the current whereabouts of 'general Kim'—that is, Kim Il Sung—with whose guerrillas he used to fight side by side in Manchuria in the early 1930s. Kim Saryang confesses that, prior to this encounter, he knew little about 'legendary general (…), an eagle flying high in the sky while battling in the mountains and a tiger when it comes to a fight in a forest'—except for his name, 'which all Koreans knew.' So, he 'felt happy' while listening to a Chinese Communist officers' tales about Kim Il Sung's 'arduous patriotic struggle, great sagacity and superhuman bravery.'[51] While the episodes of the diary where Kim Il Sung is mentioned are narrated in a clearly propagandist tone (and, indeed, we have no ways of verifying whether the Chinese admirer of Kim Il Sung was real or fictitious personage), one thing is obvious: Kim Saryang emphasises Kim Il Sung and his guerrilla's unit in the anti-Japanese resistance as a guarantee of Korea's proud and dignified place in the anti-Japanese alliance with the Chinese—and, further, Soviet—comrades. On the battlefields of 1930–early 40s China, a new Korean identity, simultaneously accentuating the equal participation in the worldwide anti-imperialist struggles and Korean ethno-national (*minjok*) patriotism, was being forged.

## Where was the Sun?

Given the circumstances under which the diary was published, it comes as a little surprise that Kim Saryang—at least, on the surface—puts the de facto supreme local leader of Soviet-occupied northern part of Korea and his political patron,

Kim Il Sung, into the very centre of this new Korean identity formation. However Kim Saryang's personal attitude vis-à-vis Kim Il Sung could be by the end of the 1940s—and, as Kim Hakch'ŏl's memoirs (mentioned above) indicate, it could be in reality much more critical than it could look on the surface—Kim Il Sung was the very personalisation of the socialist project for Korea and had to be given the honoured place at the very top of the symbolic hierarchy of leadership. Indeed, Kim Saryang uses an extremely telling metaphor in the fragment of his diary dealing with the overall history of anti-Japanese Korean resistance in China, calling Kim Il Sung's guerrilla unit 'the Sun', around which 'the Solar system' of diverse Korean resistance groups in exile has been coalescing.[52] This particular fragment, however, stands in sharp stylistic contrast with the rest of the book. It employs a formal, dry and highly didactic style of a historic narration, while generally, Kim Saryang's diary is written in rich, colourful, sometimes almost colloquial language peppered with folksy Pyongyang dialect words and expressions. The fragment gives a strong impression of a later—perhaps editorial—addition, while the natural culmination of the diary narrative is the scene in the headquarters of the Korean Volunteer Army, which Kim Saryang reaches at the end of his journey through the liberated areas in the Taihang Mountains. There comes what Kim Saryang himself calls 'the most unforgettable day in my life': in the club room nearby the office of the headquarters, he sees Korea's flag standing side by side with the flag of the Chinese Communists, talks to Yi Iksŏng and other military and political leaders of the Korean Volunteer Army and listens to their plan of militarily liberating Korea 'when the right moment comes'—that is, when the triumph of their Chinese or Soviet allies allows them to 'cross the Yalu River at last together with the forces of General (Kim Il Sung)'.[53] In a word, Kim Saryang witnesses the Korean nation-making at its incipience—the Korean Volunteer Army, enriched by the experience of 'new democracy' in the Chinese liberated areas, was to become a nucleus of the new, proud, 'democratic' and simultaneously internationalist Korean nation, which was to take its rightful place in the sun, side by side with the USSR and 'new China.' Such a vision of the new Korean-ness—being forged in the Korean Volunteer Army's struggles in Hebei and Shaanxi, in the crucible of propaganda and military work undertaken in a close alliance with the Chinese comrades—was still acceptable in Pyongyang when Kim's diary was first published there in 1947. It became much less acceptable after some of Kim Saryang's interlocutors—including such prominent political leaders of the Korean Volunteer Army as Kim Ch'angman (1907–66) or Sŏ Hŭi (1916–93) whom Kim Saryang mentions by their names[54]—were purged from power by Kim Il Sung's own faction in the mid-1950s–60s.[55] It is hardly surprising that Kim Saryang's diary was not republished in North Korea until 1987, when the purges against the majority of the former leaders of the Korean Volunteer Army ('Yan'an faction') long became history.[56]

## Japanese Prisoners of War and the Role Reversal

As might be expected, the main negative Other against whom the new Korean identity is to be formed was imperial Japan—including even the rank-and-file Japanese 'masses' in the military uniforms as long as they were still not 're-educated' into acquiring 'class consciousness' needed to liberate themselves from the malaise of the 'imperialist ideology.' A number of Korean voices in the diary testify on the discrimination, abuse and beatings they habitually suffered in the hands of the Japanese—both army officers, administrators and Japanese subalterns all included.[57] It looks as if this conceptualisation of Japanese as racist abusers draws heavily on Kim Saryang's own unpleasant experiences from his stay in Japan. However, the diary concomitantly emphasises that Korea's liberation through internationalist armed struggle implies the possibility of an essential shift of roles. The diary includes a chapter on a Japanese POW camp Kim visited together with his Chinese hosts. In a sort of psychological compensation for the discrimination he experienced in his preceding life in imperial Japan, Kim vividly describes the obsequiousness of the Japanese prisoners, 'wishing to survive despite all their samurai ideas' and thus sycophantically currying favor with their Chinese guards. He himself, a Korean speaking fluent Japanese, was treated 'as the goddess Amaterasu' by the former colonisers, now hoping that the former Tokyo student would help them to survive and return home. The roles are completely reversed now. The supposedly 'superior' Japanese, notorious for their abysmal cruelty towards Chinese prisoners, are treated kindly by the 'inferior' Chinese and Koreans who hope to achieve a genuine 'homogenisation' between themselves and 'Japanese workers and peasants' and 'strengthen the democratic forces of Japan.' The colonial underdogs, Koreans, take the new role of the teachers of proletarian internationalism in such encounters. The faux imperial internationalism is exposed for what it was and contrasted with the 'proletarian' combination of 'patriotism and internationalism,' which Kim associates with 'the two great teachers of all the humanity, Teacher Lenin and Generalissimo Stalin.'[58]

## In Place of Conclusion

In a word, Kim Saryang's diary is an attempt to utilise the memories of the anti-colonial struggle in order to re-formulation Korean-ness as an ethno-national identity born in the whirlwind of emancipatory struggles—simultaneously 'proletarian internationalist' and deeply national. The space of these struggles, in Korea's case, is mainly China, and the new Korean statehood, to be created by the Korean Volunteer Army fighters after the anticipated 'liberation of fatherland' (*choguk haebang*), was obviously expected to draw on the Chinese 'new democracy' experiences that moved

Kim Saryang so strongly by their combination of modern enlightenment with the avowed emphasis on 'voluntary mobilisation of the masses' and clever employment of market and other pre-existent institutions for the progressive purposes. Chinese and Koreans are to ally themselves against the Japanese imperialist barbarity—and in an attempt to 're-educate' at least some Japanese (prisoners of war) into becoming a part of the worldwide 'democratic camp.' A special emphasis is being placed on the equalitarian nature of the Sino-Korean revolutionary alliance, sharply contrasted to the ethnic abuse that Koreans had to incessantly suffer in the Japanese hands. While it is hard to deny that Kim Saryang's account retouches the actual memories of the events the author himself witnessed and gives a rather idealised picture of the circumstances he himself observed in the liberated areas of China in May–August 1945, it is important for understanding the hopes that such progressive Korean intellectuals like Kim Saryang, who chose allying themselves with the Communist cause in the final months of the war and/or immediately after the Liberation, pinned on the new fatherland, to be built in North Korea under the leadership of 'general Kim' and other heroes of the anti-Japanese resistance. They hardly could anticipate that, contrary to their modernist and democratic expectations, the North Korean modernity would take a regimented, disciplinarian turn as new wars—the Korean War (1950–3) and the ensuing confrontation with the Cold War enemies of China, USSR and North Korea—would dictate the agenda to the North Korean society.

## Notes

1. On Kim Saryang's days at the Saga School, see Shirakawa Yutaka, 'Saga Kodŭng Hakkyo Sijŏl ŭi Kim Saryang' (Kim Saryang in the Time (of his Studies) at Saga High School) In *Kim Saryang, Chakp'um kwa Yŏn'gu* (Kim Saryang, Works and Research), edited by Kim Chaeyong and Kwak Hyŏngdŏk, 325–381 (Seoul, Yŏngnak, 2008), Vol. 1.
2. On Kim Saryang's studies at the Tokyo Imperial University, see Kwak Hyŏngdŏk, 'Kim Saryang ŭi Tonggyŏng Cheguk Taehak Sijŏl' (Kim Saryang's Time at the Tokyo Imperial University) in *Kim Saryang, Chakp'um kwa Yŏn'gu*, 381–411.
3. On Kim Saryang's mode of resistance against the full-scale, forcible assimilation policies, see Kim Chaeyong, 'Ilchemal Kim Saryang Munhak ŭi Chŏhang kwa Yanggŭksŏng' (Resistance and Ambivalence in Kim Saryang's Literature in the End of the Japanese Colonial Rule) in *Kim Saryang, Chakp'um kwa Yŏn'gu*, 411–429.
4. See Kim Saryang's own article in *Yomiuri Shimbun* (February 14, 1941), 'Naichigo no bungaku' (Literature in the Metropolitan Language), translated into Korean and published in: *Kim Saryang, Chakp'um kwa Yŏn'gu*, 263–264.
5. On Kim Saryang's war-time resistance strategies, see Kim Chaeyong, *Hyŏmnyŏk kwa Chŏhang* (Collaboration and Resistance) (Seoul: Somyŏng, 2004), 241–261.
6. Kim Saryang, *Nomamalli* (Ten Thousand Li of a Dull-Witted Horse) (Pyongyang:

Yangsŏgak, 1947). This text, later re-published without significant changes in Kim Saryang, *Kim Saryang Sŏnjip* (Kim Saryang's Selected Works) (Pyongyang: Kungnip Ch'ulp'ansa, 1955), provided the basis for the post-1990s South Korean editions of *Nomamalli*, one of which (edited by Kim Chayong, Seoul: Silch'ŏn Munhaksa, 2002) I use here as the main reference.

7. For the perspective on the end of World War II in Europe from Tokyo see: Erich Paver, 'The Broken Axis—8 May 1945 in Japan,' *Japan and Germany: Two Latecomers to the World Stage, 1890–1945. Volume III*, Kudo Akira, Tajima Nobuo and Erich Paver eds. (Kent: Global Oriental, 2009), 530–550.
8. Kim Saryang. *Nomamalli*. Edited by Kim Chaeyong (Seoul: Silch'ŏn Munhaksa, 2002), 19–21, 315.
9. An Usik. *Kim Saryang P'yŏngjŏn* (Critical Biography of Kim Saryang). Translated by Sim Wŏnsŏp (Seoul: Munhak kwa Chisŏngsa, 2000), 362.
10. Son Yŏmhong. *Kŭndae Pukkyŏng ŭi Hanin Sahoe wa Minjok Undong* (Korean Society and National Movement in Modern Beijing) (Seoul: Yŏksa Kong'gan, 2010), 344–345.
11. Kim Saryang. *Nomamalli*, 228.
12. Kang Man'gil. *Chosŏn Hyŏngmyŏng Minjoktang kwa T'ong'il Chŏnsŏn* (Korean National Revolutionary Party and the United Front) (Seoul: Yŏksa Pip'yŏngsa, 2003), 56–81, 268–279.
13. Among them was included Nosaka Sanzo. See Kim Il Sung, 'Talk with Nosaka Sanzo and his Party' 21 December 1945, *Kim Il Sung Complete Works Vol. 2 (August 1945–December 1945)* (Pyongyang: Foreign Language Publisher House 2011), 410–415.
14. Kim Saryang. *Nomamalli*, 230.
15. Han Sangdo. *Chungguk Hyŏngmyŏng sok ŭi Han'guk Tongnip Undong* (Korean Independence Movement amidst China's Revolution) (Seoul: Cimmundang, 2004), 258–62.
16. Kim Saryang. *Nomamalli*, 228–9.
17. David Goodman. *Social and Political Change in Revolutionary China: the Taihang Base Area in the War of Resistance to Japan, 1937–1945* (Lanham: Rowman and Littlefield, 2000), 30, 61–2, 83–100.
18. Jack Belden. *China Shakes the World* (New York: Harpers, 1949), 72.
19. Kim Saryang. *Nomamalli*, 35–9.
20. Hwang Myohŭi, 'Ch'imnyak chŏnjaeng sigi Ch'ŏnjin ŭi Ch'in'il Han'in chojik yŏn'gu' (Research on the Pro-Japanese Korean Organizations in the War-time Tianjin) in *Ch'imnyak chŏnjaenggi Ch'in'il Chosŏn'in tŭr ŭi haewae hwaltong* (The Overseas Activities by the Pro-Japanese Koreans in the Period of the War of Aggression), edited by Kang Taemin et. al, Vol. 2, 36–70 (Seoul: Kyŏng'in Munhwasa, 2013).
21. Kim T'aejun's record of the travel to Yan'an, *Yŏn'anhaeng*, was originally serialised in quarterly *Munhak* (July 1946 to April 1947). Currently the text is also available in Kim T'aejun, *Kim T'aejun Chŏnjip* (The Complete Works of Kim T'aejun) (Seoul: Pogosa, 1998), Vol. 3, 433–67.
22. Kim Saryang. *Nomamalli*, 40.

23. Kim Saryang. *Nomamalli*, 42–3.
24. Kim Saryang. *Nomamalli*, 119.
25. Kim Saryang. *Nomamalli*, 120.
26. Iosif Stalin, *Lieningzhuyi wenti* (Problems of Leninism) (Moscow: Foreign Workers' Publishing House, 1935).
27. The first edition was published in Russian in 1926, then the book was re-edited and re-published several times; Chinese translation was first published in the USSR and then a different translation was printed in Yan'an. Iosif Stalin. *Guan yu Liening zhu yi di wen ti* (On the Problems of Leninism) (Yan'an: Jiefangshe, 1943).
28. Kim Saryang. *Nomamalli*, 158.
29. Kim Saryang. *Nomamalli*, 156–57.
30. Kim T'aejun, *Kim T'aejun Chŏnjip*, Vol. 3, 461.
31. Pak Kyŏngsik. *Ilbon chegukchuŭi Chosŏn Chibae* (Japanese Imperialism's Rule in Korea) (Seoul: Haengji, 1986), 497–500.
32. Kim Saryang. *Nomamalli*, 156.
33. On this movement, see, for example, Gao Hua's seminal *Geming Niandai* (Revolutionary Times) (Guangzhou: Guangdong Renmin Chubanshe, 2010), 177–207.
34. Kim Saryang. *Nomamalli*, 140.
35. See a contemporary edition: Ding Ling, *Yiwaiji* (The Unexpected Collection) (Beijing: Zhongguo Guoji Guangbo Chubanshe, 2013).
36. Kim Saryang. *Nomamalli*, 139.
37. Yi-tsi Mei Feuerwerker. *Ding Ling's Fiction: Ideology and Narrative in Modern Chinese Literature* (Harvard: Harvard University Press, 1982), 102–5.
38. Mao Zedong, *Selected Works of Mao Tse-Tung* (Beijing: Foreign Language Press, 1965), Vol. 3, 86.
39. Kim Saryang. *Nomamalli*, 191–2.
40. Kim Saryang. *Nomamalli*, 103.
41. Kim Saryang. *Nomamalli*, 105.
42. Kim Saryang. *Nomamalli*, 111–2.
43. Kim Saryang. *Nomamalli*, 104.
44. Kim Saryang. *Nomamalli*, 231–3.
45. Andreĭ Lan′kov. *From Stalin to Kim Il Song: The Formation of North Korea, 1945–1960* (London: Hurst, 2002), 52–4.
46. Yu Imha, 'Kim Saryangnon: Inmin Munhak ŭroŭi Mosaek kwa Chŏnhoe' (On Kim Saryang: Metamorphoses and the Search for the People's Literature) In *Pukhan Munhak ŭi Chihyŏngdo* (The Landscapes of the North Korean Literature), edited by Ihwa Yŏja Taehakkyo T'ongilhak Yŏn'guwŏn, 19–43 (Seoul: Ihwa Yŏja Taehakkyo Ch'ulp'anbu, 2008).
47. Kim Hakch'ŏl. *Ch'oehu ŭi Pundaejang* (The Last Squad Commander) (Seoul: Munhak kwa Chisŏng, 1995), 337.

48. Yu Imha. 'Sahoejuŭijŏk Kŭndae Kyehoek kwa Choguk Haebang ŭi Tamnon: Haebang Chŏnhu Kim Saryang Munhak ŭi Tojŏng' (The Socialist Modernity Project and Motherland Liberation Discourse: The Road of Kim Saryang's Literature after the Liberation) *Han'guk Kŭndae Munhak Yŏn'gu* 1.2 (2000): 174–99.
49. Pauline Keating, 'Getting Peasants Organized: Grassroots Organizations and the Party State in the Shaan-Gan-Ning Border Region, 1934–45' In *North China at War: The Social Ecology of Revolution*, edited by David Goodman and Feng Chongyi, 25–59 (New York: Rowman and Littlefield, 1999); See also David Goodman, 'Resistance and Revolution, Religion, and Rebellion: The Sixth Trigram Movement in Licheng, 1939–1942.' In *North China at War: The Social Ecology of Revolution*, edited by David Goodman and Feng Chongyi, 131–55.
50. Kim Saryang. *Nomamalli*, 158–66.
51. Kim Saryang. *Nomamalli*, 113–5.
52. Kim Saryang. *Nomamalli*, 226.
53. Kim Saryang. *Nomamalli*, 250–2.
54. Kim Saryang. *Nomamalli*, 251–2.
55. On the ultimate defeat of the 'Yan'an faction' of the former Korean allies of the CCP in the North Korean politics see Jin Guangxi, ''The August Incident' and the Destiny of the Yanan Faction' *International Journal of Korean History* 17.2 (2012): 47–76.
56. Yu Imha, 'Kim Saryangnon: Inmin Munhak ŭroŭi Mosaek kwa Chŏnhoe', 25–6.
57. See an account of especially gruesome abuse against the ethnic Korean soldiers in the Japanese military ranks here: Kim Saryang. *Nomamalli*, 122–5.
58. Kim Saryang, *Nomamalli*, 166–189.

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# UNSEEN LAWS: A QUANTITATIVE APPROACH TO DEVELOPMENTS IN NORTH KOREA'S LEGAL SYSTEM

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## Abstract

While little North Korean legislation is available to scholars outside the DPRK, the legislative numbering usually given with every legal text allows us to measure the activity of all major institutions of the legal system. This study pioneers an approach to North Korean legal methods with a data set drawn from 4,000 legal changes enacted from 1945 to 2017 and collected from a large range of sources. Through this method, phases of higher activity can be identified for various institutions that were directly linked to reform efforts also reflected in other available evidence. Additionally, the position of Kim Il Sung (Kim Il-song, 김일성) and the effects of the succession to Kim Jong Il (Kim Chŏng'il, 김정일) can be traced through the legal system.

Key words: North Korean law, legal system, parliament, cabinet, Supreme People's Assembly, Presidium, Standing Committee, Supreme Commander, National Defense Commission, Kim Il Sung, Kim Jong Il

*European Journal of Korean Studies*, Volume 17, No. 2 (2018), pp. 21–60.

# UNSEEN LAWS: A QUANTITATIVE APPROACH TO DEVELOPMENTS IN NORTH KOREA'S LEGAL SYSTEM

Martin Weiser

## Introduction

The position of law in North Korean politics and society has been a long concern of scholars as well as politicians and activists. Some argue it would be more important to understand the extra-legal rules that run North Korea like the Ten Principles on the leadership cult as they supersede any formal laws or the constitution.[1] But the actual legal developments in North Korea, which eventually also mediate those leading principles and might even limit their reach, has so far been insufficiently explored.

It is easy to point to North Korean secrecy as a main reason for this lacuna. But the numerous available materials and references on North Korean legislation available today have, however, not been fully explored yet, which has severely impeded progress in the field. Even publications officially released by North Korea to foreigners offer surprisingly detailed information on legal changes and the evolution of the law-making institutions. This larger picture of legal developments already draws a more detailed picture of the institutional developments in North Korean law and the broad policy fields that had been regulated from early on in contrast to the often-assumed absence of legislation in important fields like copyright, civil law or investment. It also shows that different to a monolithic system, various law-making institutions exist and fulfil discernably different legal responsibilities. Next to this limitation in content, scholars in the field currently also have not used all approaches legal developments in the North Korea could be analysed and interpreted with. Going beyond the reading of legal texts or speculating about known titles of still unavailable legislation, quantitative approaches can be applied ranging from the simple counting of laws to more sophisticated analysis of legislative numbering often provided with legislation. Understanding the various institutions as flexible in their roles and hence adoptable to shifts in leadership and policy agendas can also provide a more realistic picture of legal practices in North Korea.

After a short review of available scholarship, this article will trace the major institutions in North Korea's legal system and their activity over time, including

changes and parallels across several constitutional revisions. A longer review of available sources, what they include and what this says about governmental censorship and policy is followed by core of the article, a larger analysis of 4000 legal changes. For brevity's sake only the major legal institutions will be covered and other minor institutions like ministries or major institutions with few numbered decisions were excluded. Eight major institutions will be dealt with: North Korea's parliament, its Standing Committee and Presidium, the Presidency and its subordinated Central People's Committee, the Cabinet, the Supreme Commander, and finally the Military Commission created at the beginning of the Korean War.

Through combining the dense historical reading of legal and institutional developments with quantitative changes over time and thereby visible impact of politics on law-making but also its content, this study will offer a novel look on North Korean law and its system.

## Review of the Literature

Since North Korea first publicly released a range of new laws and regulations on foreign investment in the 1980s, Western academic interest has focused mostly on these.[2] Although several Korean scholars had both historically[3] and more recently[4] published on other aspects of the North Korean legal system in English, no further attention was given to these or the overall features of the system. Ten years ago a paper took a more multi-faceted look at North Korean law and its development, but it still did not examine the legal system in more detail.[5]

The current situation can perhaps be explained by several elements. North Korea's policy of releasing very little information is a major obstacle for research. Surprisingly, at times only official English translations of North Korean laws appear available instead of the Korean originals. In 2003 a South Korean scholar compared the original Environmental Protection Law of 1986 with the English translation of its 1999 amendment,[6] while in 1993 a South Korean book on North Korean law gave the full text of a regulation in English instead of the Korean original.[7] A bibliography on the topic published in the US could only reference the Japanese translation of a collection of ordinances published in the 1970s, while a South Korean bibliography of the same year only referenced the English translation published one year later.[8] Recently the magazine Foreign Trade released the translation of the March revision of the Law on Export and Import of Technologies, while the Korean original is not yet available.[9] Even the North Korean reports to the UN often include legal information not released through other channels once providing a considerable part of a Regulation on Detention Cells Management in translation.[10] Considering the wealth of information revealed in the academic literature of North Korea otherwise unavailable, this points to both a contradictory censorship and information policy, but

also the important role of North Korean institutions, publications and individuals in having information publicly released.

But even what is released in official law collections or referenced in other North Korean texts ranging from leadership speeches to scholarly writings has so far not been fully organized. Therefore the lack of research in the field and insufficient funding of libraries has to be pointed out.

Although a larger number of texts on North Korean law have been written in South Korea and by South Koreans on the topic, the author could not find any that took a more holistic approach and tried to map out in more detail the information that is now available. A decade ago that could have been blamed on South Korean censorship and access restrictions. But since then every South Korean, not only researchers or professors, has access to virtually all materials used to compile the list of legal changes the author used here.

A step in that direction was done by Yu Uk, a lawyer-cum-scholar that looked at the different means to produce legislation of the parliament, its standing committee and the cabinet.[11] But Yu left out other important institutions like the Presidency, which would have supported his claim that the various institutions in the North Korean legal system have partially overlapping legal powers and a comprehensive analysis would need to consider the output of all of those institutions.

On the question of different legal responsibilities and levels of authority of the various institutions only little information is available. In one available example an order of the party's Central Military Commission in 2004 was allowed to abolish Order No. 2 (June 1994) of the National Defense Committee confirming that party decisions can change legislation by state institutions.[12] In late 2012, the Law on Law Making (*pŏp chejŏng pŏp*, 법제정법) was adopted possibly largely laying down already established practices.

Last but not least, censorship of North Korean materials and restricted access in South Korea needs to be raised as well.

## Institutions in North Korea's Legal System

Although North Korea's constitution has changed significantly over the course of the last seventy years and its thirteen revisions,[13] certain institutions and features have remained stable. First of all, as the highest law-making body North Korea's parliament, the Supreme People Assembly (SPA, *ch'oego inmin hoeŭi*, 최고인민회의) has, since the nation's inception in 1948 adopted both ordinances (*pŏmnyŏng*, 법령) and decisions, powers held by the People's Committee of North Korea before. Throughout North Korea's history a form of legislative standing committee existed similar to those in other socialist states. Originally called the Presidium (*sangim wiwŏnhoe*, 상임위원회) of the SPA, but in literal translation the Standing Committee, it had

the power to adopt decisions, directives and decrees with some of the latter formally approved later as an ordinance by the parliament. The Socialist Constitution of 1972 substituted this body with the Standing Committee (*sangsŏl hoeŭi*, 상설회의), literally the standing council, of the SPA, which now could only adopt decisions (*kyŏlchŏng*, 결정) frequently but not consistently translated by North Korea as resolutions. Additionally the Central People's Committee was created with the same legal instruments for its disposal as the previous Standing Committee. But in contrast to it, it was now under the direct guidance of the also newly created office of the President (*chusŏk*, 주석). With this change the CPC became also in name the national equivalent of provincial People's Committees. The Socialist Constitution also abolished the possibility of the SPA approving important legislation of its standing body into an ordinance. The 1992 revision revised this change again.

As all three institutions were reelected in the first session of the new parliament, they also followed North Korean parliamentary practice in resetting legislative numbering every term. Because parliamentary elections were not held as regularly as demanded by the constitution, those legislative terms varied greatly in length and subsequently highlighted periods when the regime considered it not viable to hold an election. Particularly, the elections in 1957, 1998 and 2009 stand out. For all three cases, we know of factors that likely caused the delayed elections.[14] The original three-year SPA term prescribed in 1948 was expanded to four years with a constitutional revision in November 1954, but the next and first national election under the constitution occurred almost three full years later. That this four-year limit also was not met did not lead to a revision of the term length in the 1972 constitution. Instead a paragraph was introduced that if 'unavoidable circumstances render an election impossible' the term of the SPA could be extended, which would legalise any delay. Although the time between election dates had usually been slightly beyond five years, it was only in 1992 that also the constitution now prescribed this length of the legislative term. The first time an election was held within the prescribed term limit of the SPA, calculated from election to election, was in 1990. In 2014 the election was called exactly five years after the last one. As in other countries, the North Korean parliament likely begins its new term with its first session and thereby several weeks to two months after the election. This would also put the 2003 elections into the prescribed window of five years.

The cabinet is another continuous pillar of North Korea's legal system. When it was created in 1948 it had the power to issue decisions (*kyŏlchŏng*, 결정) and directives (*chisi*, 지시) with ministries and commissions subordinated to the cabinet able to issue ministerial orders (*sŏngryŏng*, 성령) and directives. In March 1955 the constitution was amended to allow the cabinet to issue orders (*myŏngnyŏng*, 명령) instead of directives. This likely was done to increase the cabinet's level of authority also in comparison to lower level institutions' instructions. A North Korean essay of 2004 claims this was done to realise the monolithic leadership of Kim Il Sung

Table 1. Elections of the SPA and Term Lengths

| SPA Term | Election Date | Length (days) |
|---|---|---|
| 1st | Aug 25, 1948 | 3289 |
| 2nd | Aug 27, 1957 | 1868 |
| 3rd | Oct 8, 1962 | 1877 |
| 4th | Nov 28, 1967 | 1841 |
| 5th | Dec 12, 1972 | 1795 |
| 6th | Nov 11, 1977 | 1570 |
| 7th | Feb 28, 1982 | 1708 |
| 8th | Nov 2, 1986 | 1267 |
| 9th | Apr 22, 1990 | 3017 |
| 10th | Jul 26, 1998 | 1834 |
| 11th | Aug 3, 2003 | 2044 |
| 12th | Mar 8, 2009 | 1827 |
| 13th | Mar 9, 2014 | |

and to enforce an even wider participation of the masses in state affairs.[15] In fact, Kim Il Sung's military background and possibly his perception that orders had a higher standing than simple directives likely had played a role. The 1972 constitution again reversed this change, changing the cabinet into the State Council or State Administration Council (SAC). Like the Standing Committee of the SPA, the SAC reverted to the form of its predecessor with the 1998 revision. The President's office created with the 1972 constitution was given the power to issue presidential orders (*chusŏk myŏngnyŏng*, 주석 명령), partially similar to executive orders of presidents in other countries.[16] The transfer of this legislative power from the cabinet to the President further underlines that Kim Il Sung understood orders to have a higher legal authority, which he wanted to monopolise.

While the presidency was created specifically for Kim Il Sung, the transition to Kim Jong Il led to a similar but gradual change. The National Defense Commission (NDC) had originally been subordinated to the Central People Committee, but was made an independent institution with the constitutional revision in April 1992 including the power to issue orders (*myŏngnyŏng*, 명령) and appointment by the Parliament mirroring the President (art. 91). Kim Jong Il had before been appointed its first vice-chairperson in May 1990 and acceded to the position of Supreme Commander in December 1991. In April 1993 Kim Jong Il was made its chairperson. The 1972 constitution still had prescribed that the president automatically became both the chairperson of the NDC and the Supreme Commander. The 1992 constitution did not include the position of Supreme Commander anymore.[17]

Thereby Kim Jong Il was given his own independent position and law-making privileges within the state system. The constitutional revision in 2009 then officially gave Kim Jong Il as chairperson of the NDC the power to 'guide' all state affairs and pronounced him the supreme leader of the country (art. 100 and 103). After Kim Jong Il died in late 2011, the 2012 revision renamed the position 'First Chairperson.' Presumably this was done to ease the transition of Kim Jong Un (Kim Chŏngŭn) to the top as the title implied that he was only the first of several chairpersons. The 1992 revision had introduced the position of first vice-chairperson (as Kim Il Sung was still officially heading the NDC) also making Kim Jong Il then first among equals. The last constitutional revision only renamed the NDC into the State Affairs Commission and reversed the creation of the title of 'First Chairperson' making Kim Jong Un the sole chairman (art. 100–111).

Alongside these central institutions, a range of regional and military institutions exist that are also part of the legal system of North Korea. Provincial and local People's Committees, for example, can enact specific legislation within their bureaucratic boundaries going beyond simple administrative tasks. As a criticism of Kim Il Sung on the prohibition of dog breeding in some areas showed, this legislation also might go unnoticed by the central leadership for some time and run counter to the leaders' intentions.[18] However only three examples of legislation applying purely on a regional basis are known. Among the military institutions, the Supreme Commander of the Korean People's Army and the Military Commission, founded at the beginning of the Korean War, have also greatly shaped North Korea's legal system and its legal decisions are more frequently available. Information on several legal texts of the National Defense Commission and the Central Military Commission of the Korean Workers' Party are available, but the numbering offers no insights on changes in activity over time.

## Sources and Dataset

### *North Korean Sources*

Since current knowledge North Korea's legal system is extremely incomplete a longer description of known and available sources seems in order. In contrast to the current regime's secrecy and disinterest in releasing core information, for almost two decades after its inception North Korea was relatively open about its legal system. Regular legal gazettes were published since at least fall 1946[19] in the post-Liberation transition and, after the founding of the DPRK in September 1948, this practice was continued through separate gazettes of the cabinet[20] and the Supreme People's Assembly. After a legal compilation was first published in 1947,[21] North Korea released official compilations for individual institutions as well as collections

for laws of the SPA and decrees of the Presidium[22] as well as for specific areas.[23] Newspapers also frequently featured the full texts or at least descriptions of recent additions and changes to the legal system. Additionally North Korea's official Korea Central Yearbook gave important texts in full and listed major changes in the yearly chronicle.[24] Largely based on those yearbooks, a chronicle covering the period from 1945 to 1955 also included a more organised list of legal texts.[25]

In 1959 the North Korean leadership initiated the publication of a major review of enacted laws and regulations resulting in a selection of almost 600 legal texts published in five volumes in 1961.[26] It was pointed out by Cho Sung-yoon in his 1988 source guide on North Korean law that this collection has not been made available to researchers yet. While a table of contents is available in German translation in East German diplomatic documents, today only a single library in South Korea holds the original collection, which is still unexplored.[27] The greater openness regarding legal information at that time is underlined by the fact that this collection even included several entries with the title only while omitting the actual text for security reasons. Not available to researchers is the Collection of Cabinet Regulations published since the following year, and two collections by North Korea's parliament as well as several collections for specific policy fields.[28] After this 1961 collection was published, the data flow dries up, and little is known about further changes. A case in point is the surprising reference in a North Korean book that in December 1963 a land law had been adopted—in North Korean materials usually only the 1977 land law is mentioned.[29]

A reason for this gap in available information from the 1960s might be stricter censorship and control North Korea introduced around that time. The Cuban Crisis and the military coup in the South led the North Korean government to put more emphasis on military security and secrecy and limit exchanges with the outside world. Foreigners and citizens faced greater restrictions, investment largely flowed into heavy industries and the military, the release of official information on economics and populations virtually stopped.[30] Information on legal changes increased only slowly with North Korea releasing several ordinances of its parliament in the 1970s and new legislation on investment and trade in the 1980s.[31] Since 1993, the Social Science Publishing House and its Legal Research Institute was responsible for printing and distributing new legislation. Although North Korea had provided the full text of several laws it wanted to propagate in several of its publications, more concise information on lower level regulations by the cabinet only became available due to North Korean efforts to attract investment to the newly created free trade zone Rajin-Sonbong. It was also the Committee for the Promotion of External Economic Cooperation (CPEEC), which released a multi-volume collection of laws and regulations available to foreigners beginning in 1993.[32]

Following a change in governmental policy it was also this institution that

published the first available broader *Compilation of Laws and Regulations for Foreign Investment* in English translation in 2003.[33] The first publicly available collection on legislation in all fields was published only in August 2004 now by the Legal Publishing House. As 'For Public Use' was printed on the cover, it was clear that not all legislation was included, which South Korean intelligence and scholars also raised shortly after publication. Although the collection published by North Korea in 2012 deleted this reference to public use, it still excluded several laws. A North Korean scholar referenced a legal compilation already published in 2000 without this suffix to be 'for public use' and might have included additional legislation. No other scholar within North Korea whose research is available to us today had referenced this volume, indicating that access was heavily restricted.[34] A Collection of Cabinet Regulations was also referred to the first time in the 2003 spring issue of Kim Il Sung University Journal for History and Law, which might imply that it has become more widely available to scholars at that time.[35] This change in policy also was reflected in education with a school book for the class 'Socialist Morals and Law'—previously the course was titled 'Socialist Morals' only—for fifth year students devoting its final quarter to the penal code.[36]

The following legal compilations were entrusted to the Legal Publishing House. The publications so far known include hardcover collections (*pŏpchŏn*, 법전) in 2004 and 2012 and paperback updates on new and revised legislation in 2006, 2008 and 2016.[37] Additionally this publishing house also published several legal collections (*pŏpkyujip*, 법규집) specifically on economic legislation and economic zones. After a first general collection and collections for both the Kaesŏng and Kŭmgang Zone in 2005, translations into Chinese and English followed the next year. An updated collection including English translations was printed in November 2012 followed by another update in September 2014 with few new texts but with a Chinese translation. In January 2016 a smaller tri-lingual collection on the Rasŏn Zone was printed. Thanks to North Korea's report to the treaty body of the Convention on the Rights of the Child, a 'Handbook on the Laws and Regulations of the DPRK Impacting Persons with Disabilities,' which was published in 2012, is also known but has not been made available to researchers.[38]

Further information on changes in North Korea's legal system is also included in many North Korean publications ranging from journals to monographs to daily news to documents directly issued by the government. The newspaper of the cabinet and the Presidium of the SPA, *Minju Choson*, traditionally featured explanations on new regulations or laws, while reviews of policy in a particular field as journal articles or books often have included references to past legal changes. The *Journal of Kim Il Sung University on History and Law* especially frequently references past legislation, but sometimes more recent legislation is referenced as well. At the same time North Korea's government decided to release more legal information in 2003, an

article in this journal revealed the existence of the Law on Administrative Oversight (*haengjŏnggŏmyŏlbŏp*, 행정검열법)[39] and in 2011 another article referred to the so far unknown Law on Institutions.[40] The journal *Research on Politics and Law* was created in 2003, possibly in response to the new policy on limited legal transparency, included little information not also available elsewhere.[41]

Although references to legislation are not uniform and might at times only be a title without any additional information, in their totality the writings of individual North Korean scholars provide important insights despite being cloaked by general governmental secrecy. While those writings show that North Koreans do have access to some parts of governmental legislation, it also reveals how many obstacles they seem to face to access more detailed information.[42] Another source underused so far is the content displayed in North Korean museums or show rooms of any North Korean institution that often include references to legislation or even copies of original, and apparently declassified, legal documents. The Jonsung Revolutionary Site, for example, displays a copy of a Presidium decree awarding Kim Il Sung the title Hero of the DPRK among many other documents. Larger museums like the Victorious Fatherland Liberation War Museum (for the Korean War) display a correspondingly larger number of legal documents.[43] Secret documents that have been smuggled out of North Korea, of course, also reveal at times important legal changes otherwise not accessible. Several secret orders of the Workers' Party's Central Military Commission and directives of ministries and the cabinet have been uploaded to blogs and websites in the South.

### *South Korean sources*

A range of compilations for North Korean law are available in South Korea beginning with newspapers online sections like NKChosun[44] or online repositories run by the government. For the latter three parallel websites had existed, but today only one remains.[45] In print a range of other collections are available beginning with early, limited compilations that largely republished texts North Korea had itself published in newspapers, yearbooks or elsewhere. Although the South Korean government surely tried to follow legal developments in the North, the first collection by South Korean scholars was published only in 1969. Funded by the Ford Foundation, it was followed by the publication of a scholarly journal.[46]

The declassification of the captured North Korean documents in the US National Archives Record Group 242 in the late 1970s changed the situation further. About a decade later, based on those newly available records, South Korea's Institute of National History (INHK) organised legislation from the years of 1945 to 1947 into a volume of its series Historical Records Relating to North Korea.[47] Shortly after this publication two law professors at Korea University organised this and other

information that had become available to South Korean academia into a list—ironically the first and last to be published.[48] In 1990 a large five volume collection of North Korean legal texts brought together those texts released by the Institute of National History with what had previously been compiled.[49] The gazettes of the cabinet also included in the captured documents were at that time apparently unknown to South Korean scholars and were only republished by the INHK in four volumes in 1995 and 1996.

In 1993 the Study Association for North Korea Law (*pukhanbŏp yŏn'guhoe*, 북한법연구회) was created as a small gathering of scholars, which, even four years later when it began to publish its journal, consisted of only 18 members.[50] Along with the journal, this association is also regularly publishing a collection of North Korean laws.[51] While it is the most easily, commercially available law collection, it tends to only republish legal texts available elsewhere in North Korean legal collection or South Korean compilations. Many texts not published in North Korea's own law collections were, for example, first published in the law collections of South Korea's National Intelligence Service and then republished by the Study Association. Most of those laws had been revised in 1999 and accordingly were acquired afterwards, which implies that the greater exchanges through North Korea's economic reforms since then had allowed for a secret transmission of those legal documents intentionally not revealed to the public.[52] The Study Association for North Korean Law has neither published a comprehensive list of the various North Korean legal texts available or known today nor has it or any of its dozens of members made any part of their legal collections publicly available. Especially the non-existence of a legal database that allows for the search of the full text of all legal texts available is an unfortunate academic gap. The author hopes to fill this gap with an online database.[53]

This gap also has led to severe misinterpretations by scholars. For example, Lee Kyu-chang, who then was only a KINU researcher but now heads the Office of Unification Policy Research, thought North Korea only had adopted the Administrative Control Law (*haengjŏnggŏmyŏlbŏp*, 행정검열법) in late 2009 when Kim Jong Un took over power because it was mentioned in a 2011 journal article.[54] Had Lee checked the journal in more detail he would have easily found three other articles quoting this law as early as early 2003.[55] Another possibility would have been to ask someone with access to the KPM database to check it for this law or to ask someone with greater knowledge of the North Korean legal system. In fact, a South Korean legal scholar had already quoted this law in 2010, referring to the 2003 journal article, underlining that the restrictions in information exchange between South Korean scholars poses similar issues to academic progress.[56]

Next to these limited efforts in collecting and organising North Korean legal texts, virtually endless number of dissertations and articles have been written by South Korean scholars on North Korean law, although virtually all of them had been

focused on a single specific legislation, policy field or institution. But a handful of them included unique references to North Korean legislation including texts of the National Defense Commission or the Supreme Commander, the cabinet the author could not find elsewhere.

### *Diplomatic Documents*

Sometimes diplomatic documents also include information on North Korea's legal changes not publicly released by North Korea. This seems to be particularly the case for diplomatic documents from the Soviet Union and the European socialist bloc. Based on documents in Hungarian archives, Balazs Szalontai gives several legal changes. Most of the 'government decrees,' as he labelled them, appear to be cabinet decisions with some available elsewhere, but one appears available only through his sources: A cabinet decision of June 21, 1955, which 'rescinded the decree that banned the private grain trade.'[57] Andrei Lankov who presumably relied on Russian documents referred to a cabinet decree adopted in August 1958 that 'prescribed a complete change in the market system (and) cereals, including rice, could not be sold and bought in a market.'[58] Another Romanian document includes a reference to an order of Kim Il Sung, presumably as Supreme Commander of the KPA, which made Kim Il Sung's explicit permission necessary to engage the enemy in a response to the sinking of a South Korean military ship by North Korean forces.[59] Diplomatic documents of the GDR include revelations about North Korean regulations on international marriage and travel regulations for foreigners.[60]

### *Defector Testimonies*

Like diplomatic documents, testimony of high-level bureaucrats that have left North Korea also can yield further insides into legal changes. A former high-level official, for example, wrote of a decision by the Korean Workers Party in 1967 that reduced discrimination against religious believers.[61] Hwang Jang-yop who had chaired the Standing Committee from 1972 to 1983 and accordingly had detailed insights into the working and the legislation of this institution defected to the South in 1997. But the author could not yet identify any information Hwang might have relayed in this regard.

## Dataset and Quantitative Developments in North Korean Law

Although the number of North Korean sources that potentially contain information on the legal system is too large to be covered by any single individual, the author has endeavored to cover all major sources and review a large number of other so far unexplored sources and texts. While for the law collections this is a manageable

effort, naturally only a part of the output of North Korean newspapers, journals and monographs could be reviewed. While the Korea Press Media database and databases in Seoul for newspapers and journals made the review of the materials easier, they came with their own limitations like limited searchability and limited coverage. To close those gaps, about three decades of the cabinet's newspaper *Minju Choson* and several hundred North Korean books were checked manually still leaving much for future exploration.

Through this extensive review of earlier studies and primary sources it was possible to collect information on more than 4000 legal changes in North Korea. The majority of the legislation gathered came from the cabinet with about 2000 cases and the standing bodies of the SPA with about 1500 cases. Information was, however, usually only partial leaving out some information on the title, the date, the adopting institution, the type of legislation or legislative numbering. Because the quantitative approach used here requires all information except the title, this meant that a larger part of the gathered information could not be used here. For sake of brevity, data on several institutions like the people's committees before August 1948 or individual ministries is not provided.

### *A Quantitative Approach to North Korean Law*

While it is possible to build an analysis solely on the information included in texts that North Korea makes public or the few that are smuggled out, using quantitative methods and the numbering displayed on North Korean legal documents provides another possibility to understand changes in the legal system and, in particular, the size of those changes. Of course, those numbers do not tell us what change occurred. Frequent revisions of minor points might appear like a significant increase in activity, while the abolition of laws also cannot be differentiated from the creation of new ones.[62] But this approach still allows for several additional insights into the activity of North Korea's legal system otherwise invisible or easily overlooked. While legislative numbers on legal documents have been available since 1945 in limited quantity, North Korea's release first of its economic legislation in the 1990s and then general law collections since 2004 has exponentially increased the amount of data available for this form of analysis. Although North Korea appears to have treated those numbers at times as a secret, now they are frequently released, with many legal texts published in newspapers or law collections.[63]

When dates of those numbered decisions are available as well, general activity within North Korea's legal system can be easily measured for every institution through calculating the amount of decisions adopted between the dates of two numbered documents. As decisions by all institutions appear to be numbered, organising available documents by their numbers also reveals gaps for documents we

have no access to yet. Triangulating information on those legal changes then could make it possible to infer what had been adopted at that time. The often referenced 'Cabinet Decree No. 149' that allegedly led to the deportation of thousands considered less reliable during a political campaign from 1956 to 1960 can be dated either to December 1956 (more likely) or 1958 (less likely) thanks to its number.

For institutions like the Standing Committee of the SPA (almost all of its decisions for the 1990s are available) this could provide a possibility to lobby the North Korean government and its legal scholars to release certain legal texts.[64] Eventually, those numbers might even tell us the exact ratio of legal texts of a particular institution for a particular period to which we have access. This could increase our trust in what we know of North Korea's legal system. Last but not least, a more organised list of North Korea's legal documents would reveal typographic errors or mistakes in North Korean materials that are also passed on into South Korean sources and compilations, while the many unsourced references that can be found in the literature today can be more objectively assessed. The known numbers of cabinet decisions, for example, make it very unlikely that a decision numbered 716 was adopted to make Kim Jong Il's birthday a 'temporary holiday' around 1974.[65]

Despite the additional insights gained through such an approach, this aspect of North Korea's legal system seems to have attracted no attention by the scholarly community so far, neither in South Korea or abroad, although similar work has been done on China.[66] An important problem of this approach is the sporadic North Korean practice of using the same legislative number to adopt several legal texts at the same time. Adoption of legislation usually happens through an adopting document, which, after an introductory part, explicitly states which legal texts are enacted. Especially for laws, the title of this document usually reads 'On Adopting the Law On …'. Through this practice, of course, a certain amount of legislation will always remain hidden. But this appears to be significant only for decrees of the Presidium of the Supreme People's Assembly and the Central People's Committee. More than half of the about 600 legal texts available, excluding legislation awarding titles or other honors, had been part of a cluster of legal texts with the same number. In total, there were 96 clusters with mostly two to four laws having the same number, but it could be up to 19 different legal texts. The quantitative analysis of the numbers of those decrees is accordingly less reliable. But it nonetheless reveals certain changes in activity not undermined by this limitation.

Similar to this blind spot of clusters, decisions adopted between the last available decision with a number and the end of the institution's numbering time span, i.e. when the numbering is reset, also remain invisible to this method. This is especially problematic for legal decisions of the cabinet, which resets the numbering every year, with the exception of 1951 due to the Korean War. Possibly hundreds if not thousands of legal decisions became invisible to us because of this practice. Fortunately, the

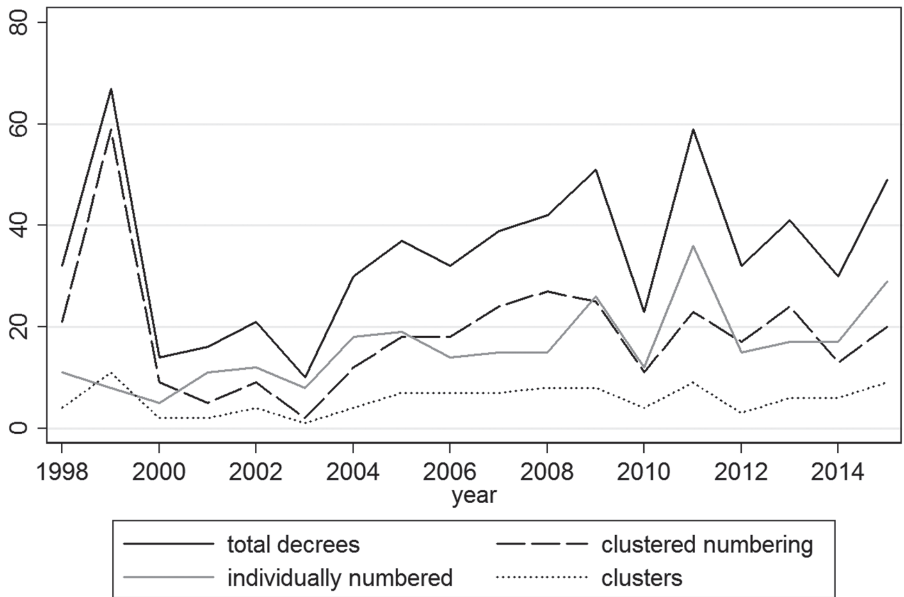


Figure 1. Known Decree Clusters

legal term of the SPA has not only been used for the counting of the parliament's legal texts but also its Standing Committee and Presidium as well as the Central People's Committee. Thanks to this longer numbering time span, more accurate inferences for these institutions could be drawn even when few numbered legal decisions were available. Two important institutions appear to have applied no time span to their numbering of legal texts. The Military Commission inaugurated at the beginning of the Korean War did not reset its numbering at least until January 1954, the last date of a known numbered legislation. Presidential orders (*chusŏk myŏngnyŏng*, 주석 명령) also did not follow the official legal term of the office and their numbers were never reset in the twenty-two years Kim Il Sung held this position. The office of the Supreme Commander of the KPA, in contrast, had changed its practice from yearly resetting the numbering to maintaining the numbering in perpetuity, possibly when Kim Jong Il took this position in late 1991.

Another problem an analysis of the numbering of legislation faces is that rather frequently information on legal decisions given in North Korean but also South Korean texts is mistyped, which in the case of dates and legislative numbering, might drastically alter the outcome of the calculation. In most cases the information could be verified through multiple sources or comparison with legal decisions of the same period. But for some the information had to be relied on as it was found.

### *The Supreme People's Assembly*

Although the ordinances adopted by North Korea's parliament—or approved (*sŭngin*, 승인) in the case of decrees previously adopted its Presidium—today are usually publicly announced if not propagated, before the 1970s this was not always the case. In the North Korean state yearbook and the Dictionary of History, for example, references to 'approved decrees' instead any specific titles are more frequent with the exception of the adoption of the yearly budget that were also approved as ordinances.[67] Often the legislative numbering is not included where SPA laws are cited and the first numbering is only available for the 1976 Law on Educating and Upbringing of Children.[68] Despite the few legislative numbers available, it is still possible to reconstruct those numbers for all known laws from 1973 until March 2013 when the last law with a known number was adopted. Only for one ordinance number in 1991 no ordinance could be identified.[69]

Figure 2 shows the vastly different activity of the SPA. The greater number of SPA ordinances is clearly visible for its 9th term continuing until the end of its 10th term in 2003.A North Korean book titled *Theory of Socialist Law Making* stated that since the constitutional revision in April 1992 that the Standing Committee was 'executing law making power with the SPA' as the text prescribed the approval of laws adopted by the Standing Committee.[70] The constitution also no longer included

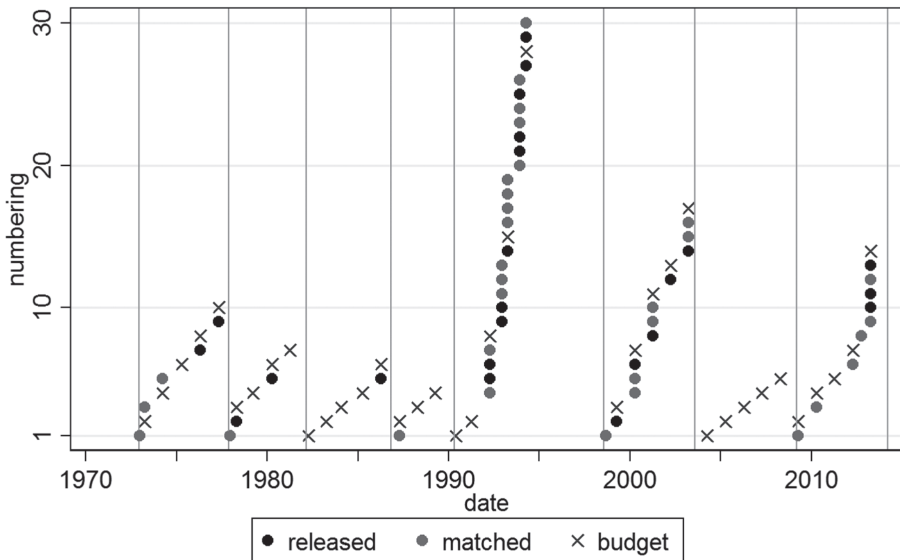


Figure 2. SPA Ordinances

the limitation that only major legislation was to be approved into an ordinance as the 1948 constitution prescribed for Presidium decrees. As the SPA did not convene between May 1994 and September 1998—likely due to the death of Kim Il Sung and the subsequent famine—no ordinances had been adopted during this period.

For the following term (2003–2009) no ordinances besides budgets are known and the German ambassador was told in 2005 that it had not been 'necessary' to adopt ordinances or approve legislation.[71] This deactivation of the SPA is in stark contrast with the greater stress on laws and legal transparency the regime initiated during this legislative term. The last law adopted before the election was the Law on Military Service, which could hint at a stronger emphasis on military security and regime control and hence foreshadowed the withdrawal from reforms few years later. Possibly this was facilitated by a stricter interpretation of the constitution, which until 1972 and again since 1998 required only the approval of 'important laws' adopted by the Presidium to be approved into SPA ordinances. While this clause was more liberally applied between 1998 and 2003, since then no information is available on any approved Presidium decree. The seven known ordinances besides the state budgets and constitutional revisions that had been adopted since then also dealt only with important political projects or symbols of the state including, for example, the Law on the Kumsusan Palace of the Sun, the Law on Space Development or the Five-Year Strategy on National Economic Development.

Another period without substantial publication activity is visible for the period from 1978 until 1990 with only the Law on People's Health and the Environmental Protection Law adopted in 1980 and 1986, respectively. While other institutions like the cabinet and presidency had shown a sharp rise in law making by the late 1970s, including in particular the adoption of new economic legislation, the SPA was not activated. For the decisions of the SPA, which are available in limited quantity no legislative numbers could be found and they are therefore not dealt with here.

### *Presidium and Standing Committee of the SPA and the Central People's Committee*

During their respective times, these three institutions have played an important if not the most important role in North Korea's legal system. In particular, their decrees (*chŏngnyŏng*, 정령) have been an important means to enact legislation and are publicly available in large quantity including numbering for every parliamentary term.

Since the numbering is only reset after every parliamentary election, the average usage of the PSPA and CPC decrees can be calculated even for longer periods where no numbered legislation is available. Because decrees have become the main means to enact legislation in North Korea since the 1980s, this approach also can be

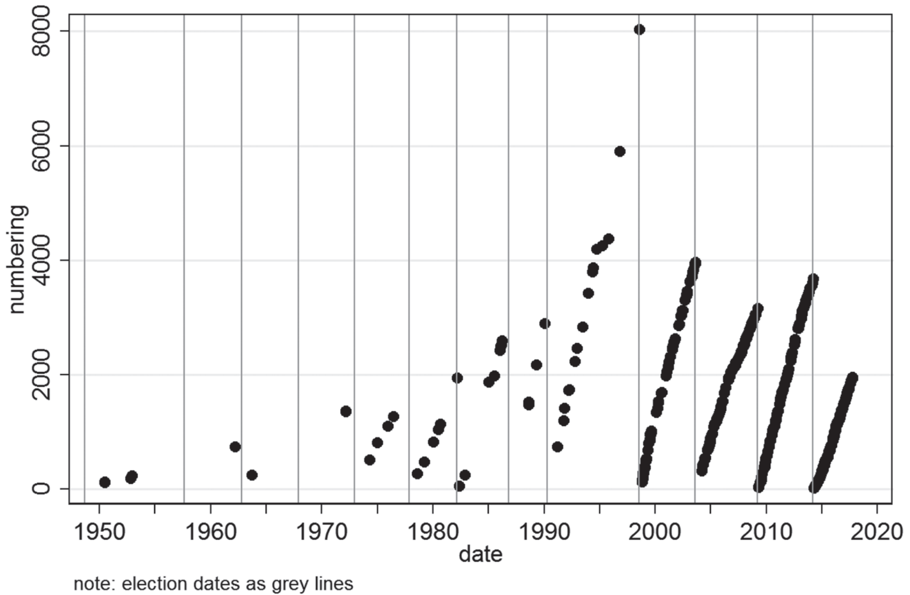


Figure 3. Decrees of PSPA and CPC

used as a proxy for general legal reform. Before, only the limited usage of decrees during the Korean War and a moderate increase the following two decades is visible. Because during that time the cabinet still had some responsible for state awards and honors, possibly the percentage of substantial legislation was higher than during later periods. That in August 1974 the Central People's Committee had created a legal committee might explain for the sudden increase around that time clearly in Figure 3 but compared to the legislative periods before and after no substantial overall change in activity occurred.[72]

Figure 4 also shows a clear increase in adopted legislation in 1985. A South Korean researcher even spoke of a 'renaissance' of earlier North Korean history with regards to legal scholarship around that time.[73] While North Korea had expanded its system of state decorations and awards around that time, which were all granted through decrees, actual legislation also certainly has contributed to this increase.[74] For example, both the Regulations on Civil Procedures and the Socialist Labor Law were adopted by CPC decrees in early 1986. For unknown reasons, the adoptions had dropped sharply in the first half of 1985 despite the greater activity before and after.

The increase in actual legal reform during the mid-1980s is also reflected in a sharp increase in meetings of the Central People's Committee underlining the sudden importance this institution acquired in the legal system of North Korea.[75] Although

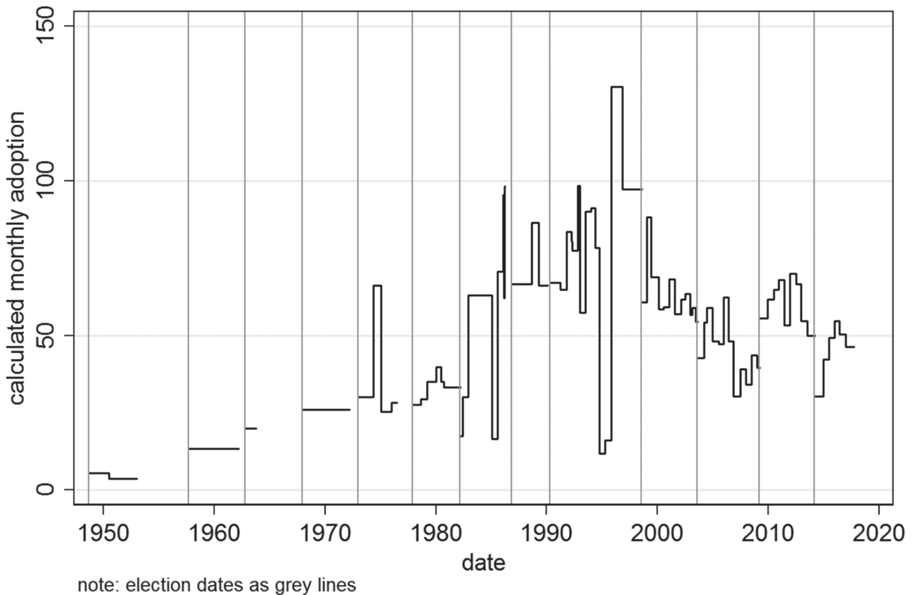


Figure 4. Calculated Monthly Decrees of PSPA and CPC

the 7th SPA had been elected in 1982, the fourth session of the CPC for this legislative period was held only in March 1986. The same increase in legislative activity also can be seen in the greater amount of presidential decrees given by Kim Il Sung around the same time. As the CPC was chaired by Kim Il Sung in his position as president, it is not surprising that with the transfer of power to Kim Jong Il around 1992 the CPC also became less active. Before the CPC was dissolved with a constitutional revision in 1998, the chairpersons of all provincial people committees had become members of this institution implying that after the death of Kim Il Sung or even before the CPC had begun to focus more on guiding the work of provincial government bodies than national law making.[76]

Also clearly visible is the sudden decrease of CPC decrees after the death of Kim Il Sung in July 1994. As Kim Il Sung chaired the CPC, this change was to be expected. During this period only two decrees were published in the state newspapers, both dealing with administrative matters, meaning that especially there was a reduction in the issuing of state honors. Thanks to the decree numbers displayed in award documents for lower state honors this drop in decree adoption also could be objectively confirmed.[77] The paralysis of the CPC did not last long, however, and eventually markedly surpassed previous levels. Shortly after the constitutional revision of 1998 merged the CPC and Standing Committee into the Presidium again, decree activity began to decrease again.

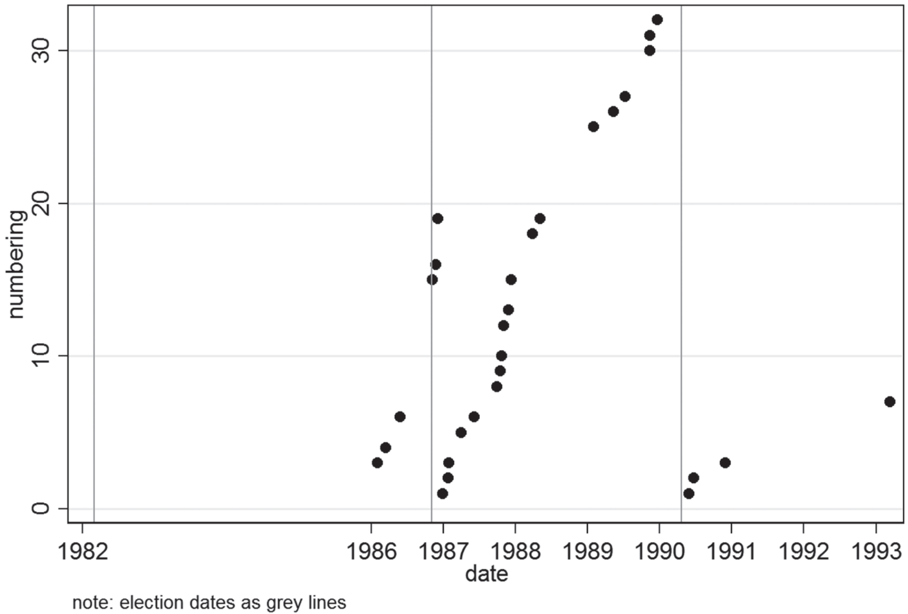


Figure 5. Meetings of the CPC

This pattern supports a North Korean statement that many laws had to be amended to comply with the new constitution and the underlying ideas of the revisions[78] instead of legal experts having received education abroad who then gave a new impetus to law making at the highest level.[79] The number of known decrees on actual legislation shows a sudden increase since 2004, but this was only due to the currently available legal collections and not reflective of the total amount of legislation adopted. Another low point was reached in 2006, interestingly when North Korea is claimed to have retreated from economic reform. By late 2009 further decrees had been adopted in greater number coinciding with major revisions of economic legislation and also new legislation relating to human rights. This increase in law making after the 2009 election contrasts with the sharp drop in decrees with known numbering (visible in Figure 1). This could be due to a larger number of titles and state honors being awarded to have Kim Jong Un build his own support base instead of actual legislation. But it also seems likely that sensitive and still unknown legislation was amended to have it confirm with the new text and the new ideas of the constitution.

Sufficient data is also available for the decisions of the Standing Committee and the Presidium. The Standing Committee only had the power to adopt decisions and therefore this measure was used to adopt general legislation as well as for administrative matters like calling the SPA into session or creating election commissions. A strong

increase in adopted decisions is visible from the early 1990s. Presumably legislative activity had shifted from the CPC to the Standing Committee, as the CPC, which only Kim Il Sung could chair as president became less active with the transition to Kim Jong Il. With this shift of the law making center, the possibility also was introduced to give greater authority to the Standing Committee's resolutions by approving them into official ordinances of the SPA in 1992. But considering the different length of the SPA periods, this increase also can be detected for the 8th SPA period from 1986 to 1990, which was, with about 1,200 days, comparatively short.

Thanks to the usually released numbering of every decision we can easily identify gaps that might not be due to unannounced decisions of administrative nature. In particular, two larger gaps stand out: From 1978 to August 1980 fifteen decisions had been adopted on which no information is available. Possibly they were part of the general legal reform implied in the greater activity of other institutions like the cabinet, but too sensitive to be released or the regime had not decided for greater transparency then. Between March and November 1996 another gap of five consecutive decisions exists. As the famine in North Korea was at the peak around that time, those legal changes might have been a response to the challenges the regime faced and might therefore not have been released publicly. Legal changes to increase punishments of criminals or social control are things we also would expect in this situation.

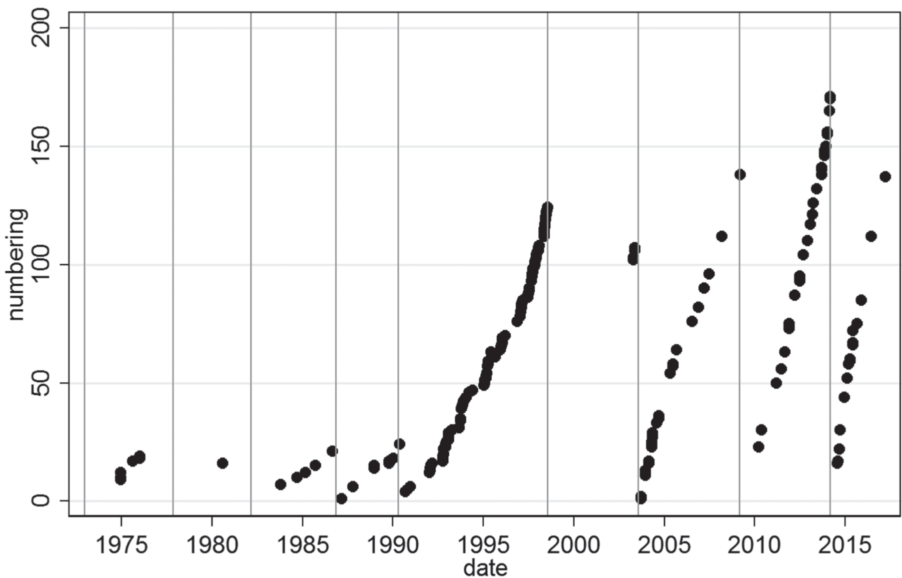


Figure 6. PSPA & Standing Committee Decisions

While both institutions, the PSPA and the Standing Committee, used decisions to create electoral commissions or convene sessions of the SPA, the known decisions of the Presidium show that this measure was predominantly used to enact regulations for special economic zones. But the numbering shows that a large amount of legislation adopted through PSPA decisions, especially between 1998 and 2003, is not available to us and other important usages of this legal instrument likely remain hidden. A report of North Korea at the United Nations revealed, for example, that decisions of the PSPA were also used to interpret the constitution.[80] Interpretations of general laws were, in contrast, given as directives. The general legislation was enacted by the Presidium through decrees that have higher legal authority than its decisions.

Next to these types of legislation that are easily accessible to outsiders, two additional forms were mentioned in North Korean publications, CPC decisions and directives Like the Presidium and Standing Committee, the CPC also was given the power to adopt decisions by the constitution presumably used for less important legal acts. The only source for these decisions is a 2010 book, which also stands out through its citation of otherwise unavailable presidential orders.[81] Accordingly, it seems to have been the individual access to or involvement in the highest government of one of the authors that allowed this information to be included. Although the book included only three CPC decisions, Decision No. 12 adopted toward the end of the 7th SPA period (1982–1986) showed how few decisions had been adopted in the four years before. In contrast, CPC Decisions No. 25 and No. 30 were adopted in 1987 underline the frequent usage of this legal instrument in this term.

While no information is available on directives of the CPC, a secret document of North Korea's Ministry of Social Security published in 2009 cites six directives of the Presidium of the Supreme People's Assembly adopted beginning with Directive No. 69 in 2005 and ending with Directive No. 183 in 2008. As all those directives were adopted during the 11th SPA (2003–2009), no comparison can be done to other legislative periods. Adoption of directives appears to have been rare with three to four decisions every month and no significant changes in frequency during this period are visible.

### *The Cabinet and the State Administration Council*

Legislation by the cabinet and the SAC is available in greater quantity than any other institution numbering about 2000 known texts. This was due to the central role of this institution during the first fifteen years of the North Korean state but also thanks to the greater openness about legislation until the early 1960s, which mostly featured legislation of the cabinet. Despite the larger number of texts it was not always possible to correct wrong numbering and dates and only complete outliers were excluded in the figures, while smaller deviations were included.

As the figures for decisions and directives or orders show, less were adopted after 1959. The available evidence suggests that legislative activity was from then delegated to the parliament's presidium for higher legislation and individual ministries for lower legislation, which then was approved through cabinet approvals (*pijun*). By 1959, a purge of political opposition was concluded underlined by a secret by-election that revealed that a quarter of the parliament had exchanged.[82] Thereby, presumably the parliament and its Presidium became a more reliable institution to be used for law-making.

After North Korea became more secretive about legislation by the early 1960s, only small amounts of cabinet legislation was released, which limits the insights quantitative information can provide. But the cabinet's greater activity is clearly visible for the late 1970s. In particular, cabinet decisions in 1978 show the onset of legal reform beginning suddenly in March of that year. Other information also shows the increased focus on legal changes. North Korea's yearbook began from 1978 to include a section on legal information,[83] while greater activity in the various departments was also highlighted in an article of *Minju Chosun*, the organ of the Cabinet, around that time.[84] The available information for cabinet decisions and cabinet approvals suggests that activity also was greater during 1992 and 1999, respectively. During the early 1990s North Korea had engaged in further reform of its economy and human rights protection, which might explain this greater activity of the cabinet. After the constitutional revision in 1998 a range of new legislation was adopted including also about 100 cabinet decisions in 1999 requiring implementation regulations on the ministry level of which some again were approved by the cabinet.[85]

### *The President*

With the large constitutional revision in 1972, Kim Il Sung's position in government was elevated from prime minister to president. This office also was given the power to issue orders. As pointed out above, the power to issue orders also had been monopolised in the constitution before by Kim Il Sung in his function as prime minister of the cabinet since 1955. Accordingly, it likely transferred to the presidency through this constitutional revision. Symptomatic of North Korea's inconsistent secrecy and information policy, only very few of these presidential orders were released in the Complete Writings of Kim Il Sung, although some of them might be added in the expanded collection that began being published last year, Titles of unreleased orders cited in other North Korean publications show that many of these orders did not deal with sensitive information. Most of the known presidential decrees not released in Kim Il Sung's writings come from a single publication.[86]

Although the president had officially been reelected during the first session of every newly elected parliament, the legislative numbering of the orders was not reset. This has the benefit that no orders towards the end of presidential terms are hidden

Figure 7. Cabinet Decisions (1948–1963)

Figure 8. Cabinet Decisions (1964–2015)

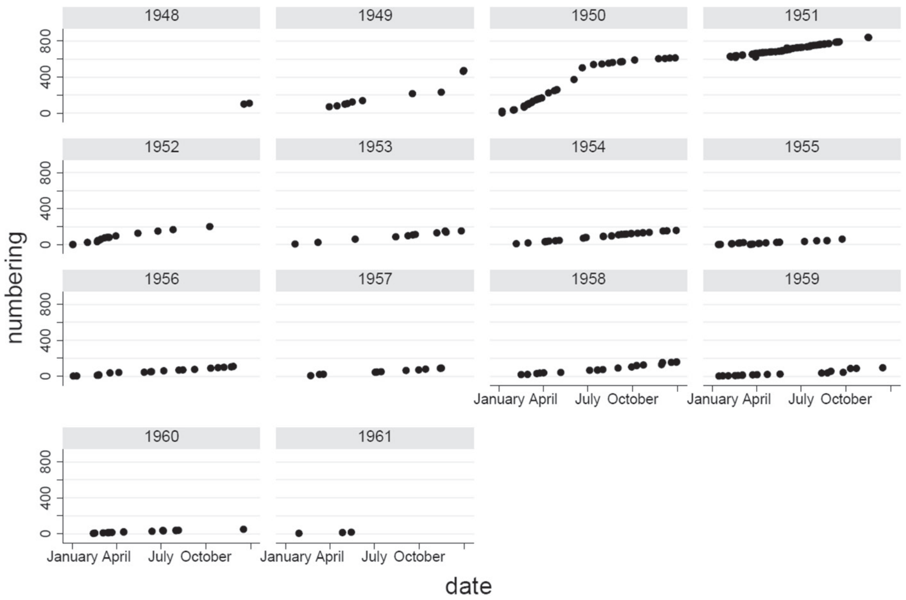


Figure 9. Cabinet Directives and Orders (1948–1961)

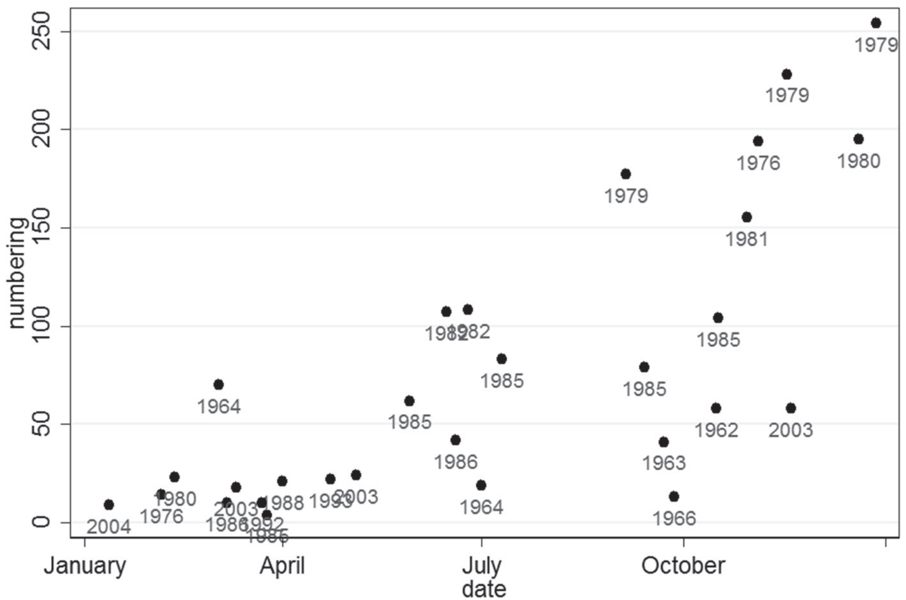


Figure 10. Cabinet Directives and Orders (1962–2004)

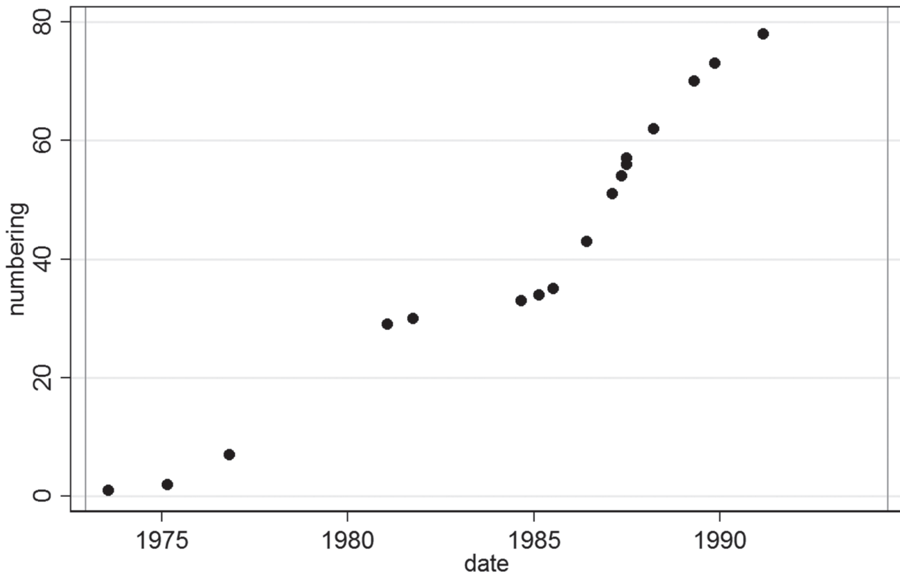


Figure 11. Presidential Orders

by the numbering. Looking at those seventeen orders that are available with date and legislative number, two periods of greater usage of the power to issue orders become visible. After Kim Il Sung used this possibility to enact legal measures only sporadically during the beginning of his presidency, he used it more frequently towards the late 1970s—presumably at the same time when the cabinet embarked on a larger legal reform. Afterwards again presidential orders were adopted less frequently changing only in 1986 when also other legal bodies like the CPC and Presidium became more active. The reduction in activity at the beginning Kim Il Sung's presidency should not surprise as he also had several other possibilities to directly give input to law making through the cabinet or the Korean Workers' Party or the CPC. But it nonetheless shows that giving Kim Il Sung independent legislative power might have been less important in the creation of the constitution. This is in line with Kim Il Sung's statement that the presidential system was introduced to divide 'state work, Party work and economic work more efficiently' between institutions and allow him to focus on 'state work' in his capacity as President.[87]

## *The Supreme Commander of the Korea People's Army*

Kim Il Sung was made Supreme Commander of the North Korean army during the beginning of the Korean War. Despite the frequent references to orders by this

institution in historical writings and propaganda, only few of their numberings were made available. For the time Kim Il Sung held this position it is only clear that he had issued a high number of orders following the signing of the armistice in July 1953, but had barely used them during the 1970s. The twenty years from 1955 to 1975 and the period from 1982 until Kim Jong Il took over this position in December 1991 provide no order numbers underlining that they had become less important.

Differences between Kim Il Sung and Kim Jong Il are not visible because of the yearly resetting of the numbering under Kim Il Sung. Contrary to the different practice of not resetting the numbering when Kim Jong Il took over this position, it was reset once in March or April 2006. Order No. 4 was adopted on April 15, the anniversary of Kim Il Sung's birthday, and the resetting might have been related to this anniversary. The reason remains unknown, but it is noteworthy that few months later in October North Korea conducted its first nuclear test and the next revision of the constitution in 2009 now explicitly stated that the chairperson of the NDC becomes also the Supreme Commander.[88] This reintroduced the idea that both positions are to be held by the same person from the 1972 constitution. A comparison of orders adopted by Kim Jong Il and Kim Jong Un shows that the current North Korean leader has issued them more frequently. That Kim Jong Un reportedly reshuffled the military leadership could explain for the greater activity of this state institution under his rule.

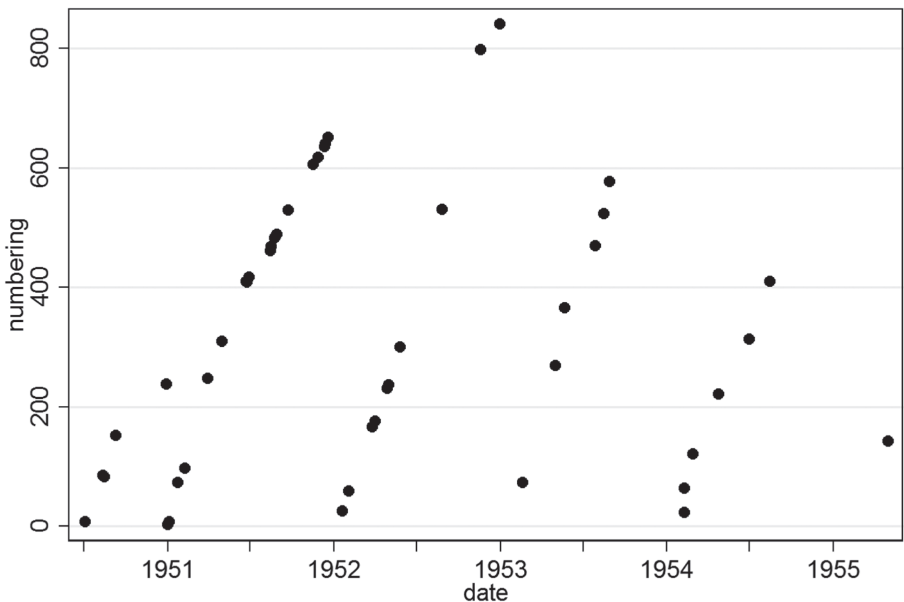


Figure 12. Supreme Commander Orders (1945–1955)

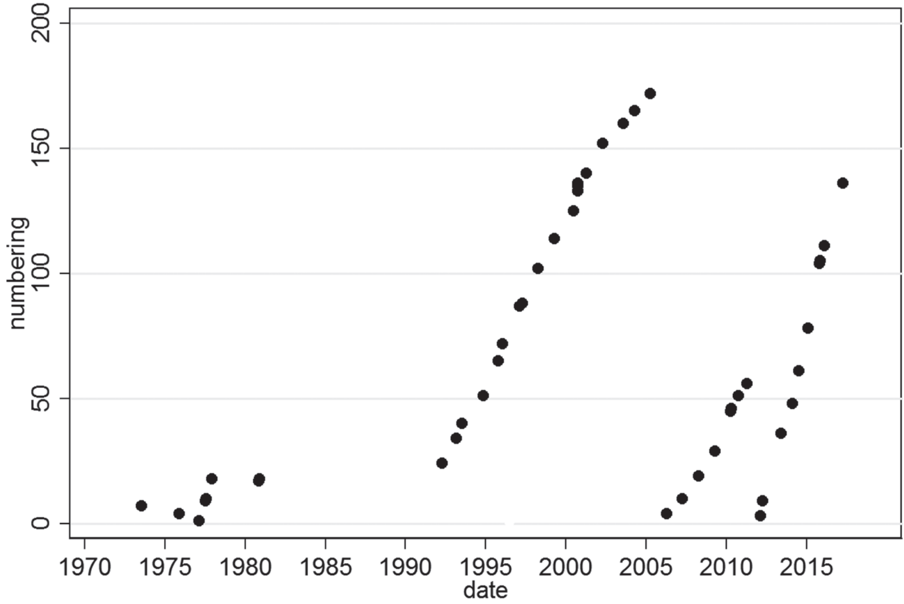


Figure 13. Supreme Commander Orders (1970–2017)

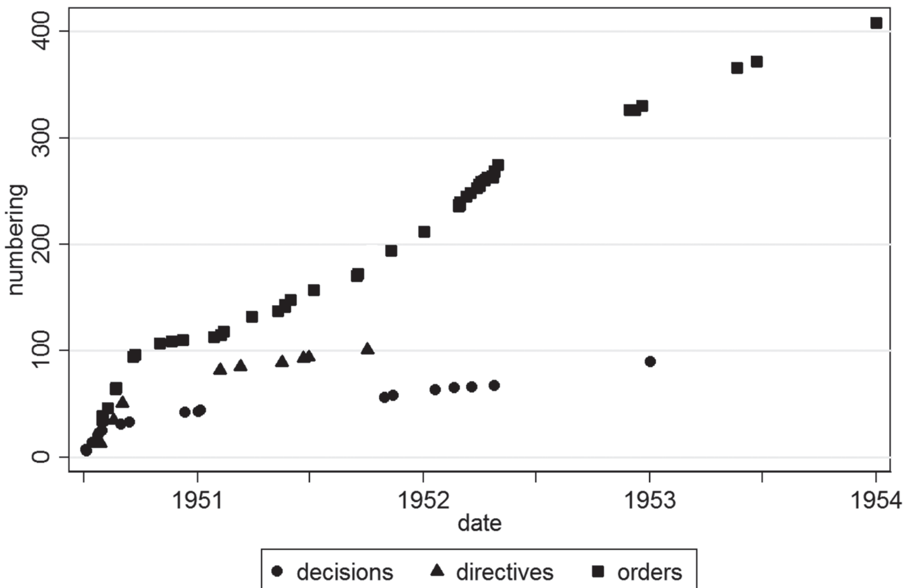


Figure 14. Military Commission

*The Military Commission*

Formed on the second day of the Korean War, June 26, 1950, this institution was meant to enact legislation more efficiently under war time conditions. As the numbering of none its legal decisions was reset, even the fragmented information available of less than 100 texts allows inferences. Naturally, law making by this institution was highest during the first three months of the war. But as the numbers of the Commission's order show, from the time of the Incheon Landing in September 1950 and subsequent fall of Pyongyang, law making stagnated until Chinese troops helped to recapture the North Korean territory. The frequency of orders issued increased in early 1952. This could be linked to the spread in diseases, which eventually led North Korea to claim the USA had used biological weapons, but it also could point at attempts to check political opponents or increase domestic security and social control in wake of constant bombardments of the country.

## Conclusion

Although North Korea's legal system is closed to more detailed scrutiny, a larger review of what official law collections include and what North Korean scholars reference reveals important features. Firstly, as known from other socialist states, the role and importance of institutions laid down in the constitution can strongly change in practice to match political needs. In particular, the handing over of power from Kim Il Sung to Kim Jong Il has significantly shaped the North Korean legal system. With Kim Il Sung occupying the presidency, his son officially was elevated to the position of political leader presumably taking over most domestic affairs and eventually he took over military responsibilities from Kim Il Sung. That the Standing Committee of the SPA and the parliament itself became more active since this political change poses further questions on how Kim Jong Il controlled this institution and if it was able to give independent impulses to law-making outside of policy instructions from the Korean Workers' Party. The greater interest in rule-by-law and legal transparency visible since the early 1990s but also the early 2000s might also have been a result of this leadership transition. Information is not yet sufficient to identify changes under the Kim Jong Un period, but like the retiring of the National Defense Commission and his greater usage of the Supreme Commander's orders these features can likely provide further clues on the agenda of the regime.

Secondly, this article also hopes to show the severe contradictions and inconsistencies in North Korean censorship and release of information. While the information on 4000 legal changes used here was mostly sourced from North Korea's own publications, the North Korean government has not been proactive in helping foreign scholars to achieve access to them. Accordingly, engaging North Korea only on these problems of access

to North Korean scholarship is just as important as engaging it on certain policy issues to overcome misunderstandings and prejudices. While a lot of government legislation might be formally declared a state secret, North Korea's museums and study halls clearly show that a mechanism exists to declassify this information even if it is only for propaganda reasons. Better understanding these processes, the institutions and people involved as well as the leverage individual North Korean scholars hold on accessing domestic legislation and publicly held information on them is another task that can help us to achieve greater access. As also the expansive legal translations offered by North Korea show, the leadership is willing to provide more information, but so far scholars were not able to ask specific enough questions to get a meaningful response. Eventually, the task also involves convincing North Korea that greater transparency can also create benefits in its international standing.

Last but not least, the use of legislative numbering to identify periods of higher and lower activity allowed the author to match known evidence released by North Korea on legal reform that has not been acknowledged in the literature with verifiable, objective changes in law making and the legal system underlining these reforms. Eventually, knowledge that North Korea also is ruled by laws and regulations and a better understanding of them and their context will allow for new ways to engage North Korea on reform and human rights and other aspects but also to create those narratives that are a precondition for meaningful engagement. Although no longer analysis of the available information could be provided here because of the limitations of space, the available evidence suggests that both reforms in the economy and human rights have deeper institutional roots in the North Korean system than scholars are currently aware.

## Notes

1. See, for example, Christopher Green, 'Wrapped in Fog: On the DPRK Constitution and the Ten Principles' in *Change and Continuity in North Korean Politics*, eds. Adam Cathcart, Robert Winstanley-Chesters and Christopher Green (Routledge, 2017), 23–38.
2. Greyson Bryan, Scott Horton and Robin Radin, 'Foreign Investment Laws and Regulations of the Democratic People's Republic of Korea,' *Fordham International Law Journal*, 21:5 (1997), 1677–1718; Brendon A. Carr 'Ending the Hermit Kingdom's Belligerent Mendicancy: New Openness and New Foreign Direct Investment Laws of the Democratic People's Republic of Korea,' *Asia Pacific Law Review*, 6:2 (1998), 29–55; Haksoo Ko, 'Foreign Investment in North Korea: An Assessment of Recent Laws and Regulation,' *Virginia Journal of International Law*, 38 (Winter 1998); Eric Yong-Joong Lee, 'Development of North Korea's Legal Regime Governing Foreign Business Cooperation: A Revisit under the New Socialist Constitution of 1998,' *Northwestern Journal of International Law & Business*, 21:1 (Fall 2000), 199–242; Roh Jeong-Ho, 'Making Sense of the DPRK Legal System,' in *The North Korean System in the Post-Cold War Era*, ed. Samuel S. Kim (Palgrave, 2001), 139–155; Patricia Goedde, 'Law 'Of Our Own Style': The Evolution

and Challenges of the North Korean Legal System,' *Fordham International Law Journal*, 27:4 (2003), 1265–1288; Darren C. Zook, 'Reforming North Korea: Law, Politics, and the Market Economy,' *Stanford Journal of International Law*, 131 (2012), 131–183.

3. Ilpyong J. Kim, 'The Judicial and Administrative Structure in North Korea,' *The China Quarterly* 14 (April/June 1963), 94–104; Pyong Choon Hahm, Ideology and Criminal Law in North Korea,' *The American Journal of Comparative Law*, 17:1 (Winter 1969), 77–93; Kang Koo-Jin, 'Law in North Korea: An Analysis on Soviet and Chinese Influences Thereupon,' Harvard Law School S.J.D. dissertation, Cambridge, Mass., 1969; Chin Kim, 'North Korean Nationality Law,' *The International Lawyer*, 6:2 (1972), 324–329; 'Law of Marriage and Divorce in North Korea,' *The International Lawyer*, 7:4 (October 1973), 906–917; 'Recent Developments in the Constitutions of Asian Marxist-Socialist States,' *Case Western Reserve Journal of International Law*, 13:3 (1981), 483–500; Kim Un-Young, 'A Study of the Legal System of North Korea,' *Korea Observer*, 1:8 (1977). Two scholars, one a Harvard graduate and the other employed at the US Library of Congress, wrote several English articles on the topic. Koo-Chin Kang, 'An Analytical Study of Criminal Law in North Korea,' *Lawasia* (Sydney) 4:2 (November 1973); Koo Chin Kang, 'The North Korean Constitution' in *Jahrbuch des Öffentlichen Rechts der Gegenwart*, 27, ed. Gerhard Leibholz (Tübingen: J.C.B. Mohr, 1978). Kang also wrote several English articles in South Korean journals. Kang Koo-jin 'Comparison of Legal Systems Between North and South Korea,' *Pŏphak* (법학) 12:2 (1971) and 13:1 (1972); 'The Judicial Structure in North Korea,' *Korean Journal of Comparative Law*, 1 (1973); 'Machinery of Justice in North Korea,' *Korean Journal of Comparative Law*, 1 (1973); 'Important Aspects of Criminal Procedure in North Korea,' *Korean Journal of Comparative Law*, 1 (November 1975); 'An Analytical Study on the North Korea Socialist Constitution,' *Korea & World Affairs*, 2:1 (1978). Cho Sung-Yoon's works include: 'The Structure and Functions of the North Korea Court System,' *The Quarterly Journal of the Library of Congress*, 26:4 (October 1969), 216–225; 'The Judicial System of North Korea,' *Asian Survey*, 11:12 (December 1971), 1167–1181; 'Law and Justice in North Korea,' *Journal of Korean Affairs*, 2 (January 1973); The Judicial System of the Democratic People's Republic of Korea (Washington, D.C.: Law Library of Congress, 1974).

4. Dae-Kyu Yoon, 'The Constitution of North Korea: Its Changes and Implications,' *Fordham International Law Journal*, 27:4 (2003), 1289–1305; Sangmin Nam, The Legal Development of the Environmental Policy in the Democratic People's Republic of Korea,' *Fordham International Law Journal*, 27:4 (2003), 1322–1342; Han In Sub, 'The 2004 Revision of Criminal Law in North Korea: A Take-Off?,' *Santa Clara Journal of International Law*, 5:1 (2006), 122–133.

5. Marion P. Spina, Jr., 'Brushes with the Law: North Korea and the Rule of Law,' *Academic Paper Series Korea Economic Institute*, 2:6 (June 2007), accessed February 2, 2017, http://www.keia.org/sites/default/files/publications/Spina.pdf.

6. Son Ki-ung, 'Pukhan hwan'gyŏng kwallyŏn kich'o yŏn'gu (북한환경 관련 기초연구),' 2003 *T'ongilbu yongyŏk pogosŏ* (통일부 용역 보고서) (July 2003), accessed February 22, 2017, http://www.nl.go.kr/app/nl/search/common/download.jsp?file_id=FILE-00008504001.

7. Choi Chong-go, *Pukhan bŏp* (북한법) (Seoul: Pakyŏngsa, 1993), 296–305.

8. Choi Tal-gon and Sin Yŏng-ho, *Pukhan pŏmryul munhŏn mongnok-kwa kŭ haeje* (북한법률 문헌목록과 그 해제) (Kŭnsa ch'ulpansa, 1998), 24; Cho Sung Yoon, *Judicial System*, 234.

9. *Commerce Exterieur*, 4 (2017), 26–28.
10. Second Periodic Report of the Democratic People's Republic of Korea on its Implementation of the International Covenant on Civil and Political Rights (UN document CCPR/C/PRK/2000/2).
11. Yu Ok, 'Pukhan-ŭi bŏp ch'ekye-wa pukhan bŏp ihae pangbŏp: Pukhan hŏnbŏp sang-ŭi pŏmryŏng, chŏngnyŏng, kyŏljŏng tŭng ibbŏp hyŏngsik-ŭl chungsim ŭrŏ (북한의 법체계와 북한법 이해방법: 북한 헌법상의 법령, 정령, 결정 등 입법형식을 중심으로),' *T'ongil kwa Pŏmryul* (통일과 법률), 6 (2011), 50–111.
12. An Yun-sŏk, 'Jayu pukhan pangsong, nodongdang chungang kunsa wiwŏnhoe chŏldae pimil munsŏ ipsu konggae (자유북한방송, 노동당 중앙군사위원회 절대비밀 문서 입수 공개),' *NoCutNews* (노컷뉴스) (4 August 2005), accessed February 22, 2018, http://m.nocutnews.co.kr/news/67562#_enliple.
13. After the constitution was adopted on 8 September 1948, four smaller changes were introduced between 1954 and 1962 lowering. Both the voting age and the size of national electoral districts was lowered, while no institutional features of the state were changed. Only in December 1972 with the new 'Socialist Constitution' the institutional setting of the state was significantly altered. That the constitution was newly adopted instead of revised was to further underline the ideological importance of the text. Two decades later small, but significant changes were introduced followed by a major revision in 1998 which largely reversed the institutional changes of the 1972 Socialist Constitution. With the exception of 2011, the constitution was revised every year in April between 2009 and 2013 every time introducing small, but significant changes to the text. The last revision occurred in June 2016 only substituting the previous executive organ of the highest leader, the National Defense Commission, with the State Affairs Commission.
14. In August 1956 Kim Il Sung had been challenged from within his party leading to large purges of political opponents. In the mid-1990s North Korea suffered a severe famine and in 2008 Kim Jong Il reportedly suffered a stroke. He reportedly suffered the stroke in August about when the new election was to be called.
15. Paek Seong-il, 'Uri nara inminjuŭi hŏnbŏp-ŭi kanghwa paljŏn (우리 나라 인민주의헌법의 강화발전),' *Kim Il Sung University Journal (History, Law)*, 3 (2004). The power to issue orders is not mentioned in the 1948 constitution for any institution and the subsequent change for the cabinet received virtually no attention in the academic discourse. A South Korean scholar provided the revised text of the respective article without mentioning the change in 1955 anywhere in his text. Kim Un-rŭng, 'Hŏnbŏp chilsŏ- ŭi iron-gwa silje (헌법질서의 이론과 실제),' in *Pukhan pŏmryul ch'egye yŏn'gu* (북한법률체계연구), ed. Research Office on Communist States, East Asia Research Institute (Seoul: Korea University Press, 1972), 75. While the cabinet had been able to issue only decisions and directives like the People's Committee before 1948, lower level institutions like ministries were able to issue ministerial orders (*seongryeong*, 성령) or rules (*gyuchik*, 규칙) which before 1948 had been orders (*myŏngryŏng*, 명령) and directive orders (*jiryŏng*, 지령).
16. Different from the presidential systems of the USA or Russia, the North Korean presidency had no formal veto powers. Kim Il Sung's presidential decrees were ranked only below the

constitution and SPA ordinances, but they carried rather broad guidelines on policy than concrete and detailed prescriptions.

17. It has been claimed that only the president could become Supreme Commander under the 1972 constitution and Kim Jong Il taking this position was thereby unconstitutional. The constitution prescribes, however, that the president 'becomes' (*toeda*, 되다) the Supreme Commander—presumably upon election—instead of 'being' (*ida*, 이다) it. Formally, this could have meant the president can offer this position to someone else. It also appears extremely unlikely the North Korean leadership would risk a clear violation of the constitution only months before deleting the problematic article in a revision. For claims that the constitution was violated see, for example, Ken Gause, 'The Role and Influence of the Military' in *North Korea in Transition: Politics, Economy, and Society* (Lanham, MD: Rowman & Littlefield, 2013), eds. Kyung-Ae Park and Scott Snyder, 24; Kim Sung Chull, *North Korea Under Kim Jong Il: From Consolidation to System Dissonance* (State University of New York, 2006), 98.
18. Kim Il Sung, Tasks of the Party Organizations in Ryanggang Province (August 16, 1963), *Works of Kim Il Sung 17* (Pyongyang: Foreign Languages Publishing House, 1984), 315–316.
19. Those gazettes were captured during the Korean War and are also available through the online service of the South Korean National Library. The third issue is the first available and was published in October 1946. The Provincial People's Committee of North Korea had issued decisions since February. But the late publication of the gazette is in line with the late creation of *Minju Choson*, in early June, then the organ of the committee. Institute on Revolutionary History of Comrade Kim Il Sung, Social Science Academy, *Ryŏksa sajŏn* (력사사전), Volume 3 (Pyongyang: Social Science Publishing House, 2001), 326.
20. The gazettes of the North Korean cabinet up to July 1952 were captured with other documents by UN forces and have been organized and republished by the South Korean Institute of National History in their series 'North Korea Related Source Materials' (*bukhan gwangye saryojip*, 북한관계사료집). Despite the name those gazettes are only selections of major legal texts covering also the Supreme Commander of the People's Army, the Military Commission and other institutions, and appeared every seven to ten days. The two gazettes North Korea published after the start of the Korean War are not available. While publication had been strictly bi-monthly since February 1950, the time between each issue was less stable once the Korean War began in late June. Due to the occupation of the North by UN forces the issue of September 30 was followed by the next one only three months later.
21. Judicial Bureau of the People's Committee of North Korea (ed.), *Collection of Laws of North Korea* (북조선법령집) (Pyongyang: Judicial Bureau of the People's Committee of North Korea, 1947).
22. Only two of at least three volumes are available at the North Korea Information Center in Seoul covering texts adopted between 1948 and 1950 and in 1954. Presidium of the SPA of the DPRK (ed.), *Chosŏn minjujuŭi inmin konghwaguk pŏmryŏng mit ch'oego inmin hoeŭi sangim wiwŏnhoe chŏngryŏngjip* (조선민주주의인민공화국법령및최고인민회의상임위원회정령집), volumes 1 and 3, republished by Haku sŏbang (학우서방) in Japan in May 1955.
23. Of an original two-volume collection on labor law only the second appears available.

Research Institute of Labor Science, Ministry of Labor, DPRK (ed.), *Rodong pŏpkyujip: rodong imgŭmpyŏn* (로동법규집: 로동임금편) (Pyongyang: Kungrip ch'ulp'ansa, 1955).

24. Published by North Korea's Korea Central News Agency (KCNA), the majority of the yearbook currently deals with the highest leader. In the first decades the chronicle in the appendix listed, however, not only important events or meetings of political institutions like the SPA but also references on adoptions of legislation by the cabinet or other bodies.

25. Korea Central News Agency, *Haebang hu 10-nyŏn ilji: 1945–1955* (해방후 10년 일지: 1945–1955). Pyongyang: Korea Central News Agency, 1955. This chronology references several legal texts not printed in the regular yearbooks that also have their own chronology and are published by KCNA as well. Same changes revealed in yearbooks are, however, excluded.

26. 'Chosŏn minjujuŭi inmin konghwaguk pŏpkyujip-ŭl ch'ulp'an (조선 민주주의 인민 공화국 법규집을 출판),' *Rodong Sinmun*, September 7, 1961, 5.

27. Naegak pŏpkyu chŏngni wiwŏnhoe ((내각 법규 정리 위원회), *Chosŏn minjujuŭi inmin konghwaguk Pŏpkyujip* (조선민주주의인민공화국 법규집) (Pyongyang: Kuknip ch'ulp'ansa, 1961), 5 volumes. The library of Myungji University in Seoul holds an original copy which could have been found by other researchers or librarians easily through the website RISS which allows the search of almost all of the library holdings in South Korea.

28. In 1963 law collections were published for legal texts on courts, agriculture, traffic and transport, city management, as well as for decrees of the Presidium of the SPA and texts adopted by the cabinet. Surprisingly the latter volumes were said to have been published by the Printing House for Higher Education Publications. The following year possibly separate collections for the ordinances of the SPA and decrees of its Presidium were published including texts as recent as June 1964. Ri Kyŏng-ch'ŏl, *Sahoejuŭi bŏpjejŏng riron* (사회주의법제정리론) (Pyongyang: Social Science Publisher, 2010), 219–220; Ryŏm Chong-nam, Sahoejuŭi pŏp ch'egyehwa-e taehan yŏn'gu (사회주의법체계와 법체계화에 대한 연구), in *Pophak yŏn'gu ronmunjip* (법학연구론문집) 15 (Pyongyang: Social Science Publishing House, 2010), 415.

29. Ri Ju-min, *Uri nara sahojuŭi t'ojibŏp yŏn'gu* (우리 나라 사회주의 토지법연구) (Pyongyang: Social Science Publishing House, 2010), 30.

30. For the lack of statistics since that time see, for example, Daniel Schwekendiek, *A Socioeconomic History of North Korea* (Jefferson, NC: McFarland, 2011), 11 and Nicholas Eberstadt, 'Development, Structure, and Performance of the DPRK Economy: Empirical Hints,' in *North Korea in Transition: Prospects for Economic and Social Reform*, eds. Chang-ho Yoon and Lawrence J. Lau (Cheltenham: Edward Elgar, 2001), 30.

31. Those ordinances were published with several other documents in a collection likely in 1978 but also had been released at the time of adoption in various North Korean magazines. Scholars appear to have had access only to the English or Japanese translations of the collection.

32. Taewoe kyŏngje hyŏmryŏk ch'ujin wiwŏnhoe (대외경제협력추진위원회), *Hwanggum-ŭi samgagju: Rajin Sŏnbong pŏpkyujip* (황금의 삼각주, 라진-선봉 법규집), 8 volumes (1993–1998).

33. This compilation was made available through the blog North Korea Economy Watch in March 2013, a decade after it was officially released (http://www.nkeconwatch.com/nk-uploads/Compilation-of-laws.pdf). Neither information on the person that supplied the collection to the owner of the blog nor information on how the collection was acquired is released.
34. Ryeom Chong-nam, 'Sahoijuŭi pŏp chekye-wa pŏp chekyehwa-e taehan yŏn'gu' (사회주의법체계와 법체계화에 대한 연구), in *Pophak yŏn'gu ronmunjip* (법학연구론문집) 15 (Pyongyang: Korea Social Science Publishing House, 2010), 421).
35. Ri Myŏng-il, 'Haengjŏngbŏp-ŭi t'ŭkching-gwa wŏnch' ŏn (행정법의 특징과 원천),' *Kim Il Sung University Journal* (History, Law), 1 (2003).
36. Kim Kyong-su, Kim Wan-sŏn and Kim Ch' ŏn-il, *Sahoejuŭi todŏg-gwa pŏp* (사회주의도덕과 법) 5 (Pyongyang: Kyoyuk tosŏ ch'ulp'ansa, 2005).
37. The author was only made aware of the existence of the 2008 volume through Chang Myeong-bong, 'Pukhan-ŭi ch'oegŭn sahoejuŭi pŏpche saŏb tonghyang: 2008 nyŏn pŏpchŏn (taechungyong)- ŭl chungsim-ŭro (북한의 최근 사회주의법제사업 동향: 2008년 법전(대중용)을 중심으로),' *Pukhan pŏp yŏn'gu* (북한법연구), 12 (February 2010). The library of Yonsei University appears to be the only South Korean library that holds a copy of this 2008 update on North Korea's law collection. It is not known if North Korea also published an update in 2010 and 2014 in line with previous practice to publish an update all two years. The 2010 update would have been especially important to verify the claim of North Korea made in a report to the UN early 2014 that the penal code had been amended to further reduce maximum sentences. Currently only the 2012 revision is available. UN document A/HRC/WG.6/19/PRK/1, 4.
38. Fifth state report of the DPRK to the Committee of the Rights of the Child (CRC/C/PRK/5), para. 127.
39. Ri Myŏng-il, 'Haengjŏngbŏp.' This issue went into print in early February 2003. Ri Myŏng-il held a PhD and assistant professorship at that time which could mean that he had received access to this otherwise unavailable document for research purposes. An article in 2006 in the same journal revealed that he had become full professor by then.
40. Kim Kyeong-hyeon, 'Haengjŏng pŏpkyu chejŏng-e taehan koch'al (행정법규제정에 대한 고찰),' *Kim Il Sung University Journal* (History, Law), 4 (2010). Although this law was adopted already in 2004, it was only this researcher who referenced it in 2010 in contrast to the Law on Administrative Oversight, which was cited earlier.
41. One recent example with unique information released through this journal is Ri Yŏng-myŏng, 'Uri nara-esŏ chaengaeja poho chedo-ŭi palsaeng paljŏn (우리 나라에서 장애자보호제도의 발생발전),' *Chŏngch'i pŏmryul yŏn'gu* (정치법률연구), 3 (2016).
42. A case in point would be the adoption of the Civil Procedure Regulations (민사규정) adopted by the Central People's Committee by a decree in 1986. While this is widely known, no scholar in South or North Korea was able to cite the actual decree number which usually is given with the title. Only recently a single female scholar on North Korea's legal system of marriage was able to unearth this number. Ri Song-nyŏ, 'Chosŏn minjujŭi inmin konghwaguk kyŏrhon chedo (조선민주주의인민공화국 결혼제도),' in: *Pophak yŏn'gu ronmunjip* (법학연구론문집) 3 (Pyongyang: Social Science Publisher 2010), 97.

43. This can be gleaned from low resolution picture albums released through the website of North Korea's foreign publishing house, www.Naenara.com.kp. Videos released by North Korea or visitors also sometimes show close-ups of legal documents. This can also be only a reference like to Decision No. 6 of Pyongyang City Administrative Committee in August 1978 as founding Pyongyang Mirim School.
44. http://nk.chosun.com/bbs/list.html?table=bbs_12.
45. Originally, the website of the North Korean Information Center under the Ministry of Unification (www.unibook.unikorea.go.kr) had also included a section for legal texts, but it went offline in 2015. Around the same time a website was opened by the World Law Information Center (www.world.moleg.go.kr/KP/law) under the Ministry of Government Legislation (MOLEG) which now also is unavailable. Currently only the Unification Law Database (www.unilaw.go.kr), a cooperation of the MOU, MOLEG and the Ministry of Law is still online. Like the previous MOLEG database most of its content was uploaded in mid-2014 and in late 2017 new content was added. Most of the 239 texts available are simple scans without OCR of texts from official DPRK collections and often no or not all available revisions of a given law are included.
46. Ch'a Nak-hun and Chŏng Kyŏng-mo, *Pukhan pŏmryŏng yŏnhyŏkjip* (북한법령연혁집) (Seoul: Korea University Publishing, 1969). The first issue of the journal *Law and Public Administration in North Korea* (북한법률행정논총) published by the Research Institute on Law and Administration of Korea University appeared in 1970. Because of a lack of funding and lack of access to new sources, it took three years for the next issue to appear and another six for the third. In the 1980s publication became more regular with about one issue every two years until it was discontinued after its tenth issue in 1995.
47. Korea Institute for National History, *Pukhan kwangye saryojip* (북한관계사료집) 5 (Kwachon: National Institute of Korean History, 1987).
48. Ch'oe Dal-gon and Shin Yŏng-ho, 'Pukhan pŏmryŏng nyŏnp'yo (북한법령 년표))' *Law and Public Administration in North Korea* (북한법률행정논총), 8 (December 1990), 325–435. A slightly updated version of the list was several years later also published as part of a monograph. The Sejong Institute (ed.), *Pukhan pŏp ch'egye-wa t'ŭksaek* (북한법 체계와 특색) (Seoul: The Sejong Institute, 1994).
49. Ch'oi Dal-gon and Chŏng Kyŏng-mo, *Pukhan pŏmryŏngjip* (북한법령집), 5 volumes (Seoul: Taeryak yŏn'guso, 1990).
50. *Pukhan pŏp yŏn'gu* (북한법연구), 1 (December 1997), 122.
51. It published legal collections with increasingly redundant content in 2005, 2006, 2008, 2011, 2013, 2015, and 2018. Since late June 2017 it has a website, www.nkls.or.kr, but has not uploaded any legal texts yet.
52. Among those laws are, for example, the Law on Social Security Control (사회안전단속법), the Law on Secrets (기밀법), the Law on Controlling the Prosecution (검찰감시법), the Law on Administrative Punishments (행정처벌법), and the Law on Publications (출판법).
53. Tentatively titled the North Korean Information Project (www.nkip.org), the website will allow the search of known legislation in fulltext. Further search functions and other features will be added over time.

54. Lee Kyu-chang, Revising North Korea's Legislation on Controlling the People and Maintaining the System, Online Series CO 12–45, Korea Institute of National Unification (Seoul: KINU, 2013), http://lib.kinu.or.kr//wonmun/003/0001453783.pdf. The Korean original appeared the year before, and in 2014 Lee still insisted on his claim. Lee Kyu-chang, 'Pukhan pŏpche-ui pyŏnhwa-wa nambuk kangwŏndo hyŏmryŏk (북한법제의 변화와 남북 강원도 협력),' presentation given at the Kangwŏn Paljŏn Yŏn'guwŏn Kangwŏn Forum, 13 April 2014.
55. Ri Myŏng-il, 'Haengjŏngbŏp-ŭi t'ŭkching-gwa wŏnch' ŏn (행정법의 특징과 원천)', *Kim Il Sung University Journal* (History, Law), 1 (2003) and 'Haengjŏng pŏmryul kwangye-e daehan rihae,' *Kim Il Sung University Journal* (History, Law), 4 (2004); Kim Kyŏng-hyŏn, 'Haengjŏng pŏpkyu chejŏng-e taehan koch'al (행정법규제정에 대한 고찰),' Kim Il Sung University Journal (History, Law), 4 (2010) and 'Konghwaguk haengjŏng pŏp-ŭi wŏnch' ŏn (공화국행정법의 원천),' *Kim Il Sung University Journal* (History, Law), 4 (2011).
56. Pak Chŏng-wŏn, 'Nambuk haengjŏng pŏmryŏng chedo byŏl yŏn'gu hyŏnhwang mit kwaje (남북 행정법령 제도별 연구현황 및 과제),' in: *2010 Nambuk pŏpche yŏn'gu pogosŏ* ((2010년) 남북법제연구보고서), ed. Pŏp chech' ŏ pŏpche ch'ongkwal tamdang kwansil (법제처 법제총괄담당관실) (Seoul: Pŏp chech' ŏ pŏpche ch'ongkwal tamdang kwansil (법제처 법제총괄담당관실), 2010), 231.
57. Balazs Szalontai, *Kim Il Sung in the Khrushchev Era: Soviet-DPRK Relations and the Roots of North Korean Despotism, 1953–1964* (Redwood City, CA: Stanford University Press, 2006), 73.
58. Andrei Lankov, *North of the DMZ: Essays on Daily Life in North Korea* (Jefferson, NC: McFarland & Co., 2007), 315.
59. 'Telegram from Pyongyang to Bucharest, No. 76.075, TOP SECRET, March 1, 1967,' March 01, 1967, History and Public Policy Program Digital Archive, Archive of the Romanian Ministry of Foreign Affairs. Obtained and translated by Eliza Gheorghe. http://digitalarchive.wilsoncenter.org/document/116689.
60. Liana Kang-Schmitz, *'Nordkoreas Umgang mit Abhängigkeit und Sicherheitsrisiko: Am Beispiel der bilateralen Beziehungen zur DDR'* (North Korea's Path with Unification and Security Risks: An Example of the Relationship with East Germany), dissertation at the University Trier (2010), http://ubt.opus.hbz-nrw.de/volltexte/2011/636/pdf/Nordkorea_DDR.pdf, 268–269.
61. Sin P'yŏng-gil, 'Nodongdang-ŭi panchonggyo chŏngch'aek chŏngae kwajŏng (노동당의 반종교 정책 전개 과정),' *Pukhan* (북한), July 1995, 59.
62. A less academic South Korean book even claimed it would be meaningless to use these numbers for analysis for this reason. Kwon Yŏng-t'ae, *Nam-do puk-to morŭnŭn pukhan pŏp iyagi* (남도북도 모르는 북한법 이야기) (Seoul: Imaejin, 2011), 18–19.
63. In the first seven volumes of Golden Triangle: Rajin-Sonbong Collection of Law and Regulations, for example, all the numbers of the decisions of the State Administration Council had been excluded. Only its last volume in 1998 provided those numbers as well. Much later in 2007 the decision was made to also publish the numbers of the SPA Presidium decrees in 2007 whenever they were published in state newspapers. In one case in 2012

two decrees amending earlier legislation published in the 1970s were publicly released that included those decrees' numbers in its text. Those decrees updated the design of the Kim Il Sung Medal for the Youth Honor Prize (Kim Il Sung ch'ŏngnyŏn yŏngye sang medal, 김일성청년영예상메달) and Kim Il Sung Batch for the Children Honor Prize (Kim Il Sung sonyŏn yŏngye sang hwijang, 김일성소년영예상휘장). In an unintelligible decision, North Korea's news agency KCNA suddenly also reported on decisions of the National Defense Commission including its numbering twice in 2010 after it had already referenced two decisions of this commission on economic matters without the numbering the same year. But this practice did not continue.

64. Although the North Korean regime is usually perceived as being very secretive and unresponsive to requests for information, this is not completely true. A member of Amnesty International who attended the meeting of the International Parliamentary Union in Pyongyang in 1991 could press his guides for a copy of the new penal code becoming the first foreigner to acquire the text of the new 1987 penal code. This source was also noted by the South Korean government but, ironically, no evidence appears available on whether it was checked if the revisions of 1990 already had been included. Shortly after a Japanese legal scholar could also acquire this legal text during a visit to the North. Another Japanese scholar on trade who regularly visited the North told the author that one of the North Korean officials he met carried a list of laws and regulations with him, but when asked about it refused to show its content. A more specific inquiry might, however, allow for a more constructive exchange like the case of the Amnesty International official showed. Asking only for few legal texts is more likely to be successful than asking the North Korean government to make its whole legal system public. As the tourism agency Korea Konsult was surprised to learn recently, there were no problems to arrange meetings with judges at the Central Court for interested persons possibly leading to further insights and access in the future.

65. 'Kim wiwŏnjang saengil 'myŏngjŏl' ro chejŏng toen kyŏngwi (김 위원장 생일 '명절'로 제정된 경위), *Tongil News* (15 Feb 2002), http://www.tongilnews.com/news/articleView.html?idxno=16138.

66. Conversations with two members of South Korea's Association of North Korean Legal Studies revealed that this approach and its possible insights are something scholars in South Korea are well aware of. But the author could not find a single study mentioning this approach or applying it. For China efforts seem to have focused mostly on Central Documents (zhongfa, 中┌) with little numbering released with other legal text. While the Maoist Legacy Project (http://www.maoistlegacy.uni-freiburg.de/en/2017/03/06/zhongfa-directory/) offers a dataset from 1954 through 1986 for these texts, more recent policy documents from various high-level institutions were compiled by a researcher group around Jessica Batke (https://github.com/jessicabatke/policydocuments). These datasets were already used to challenge the authenticity of unverifiable documents. Ryan Manuel, 'China and North Korea: Following the Paper Trail,' *The Interpreter* (5 Jan 2018), https://www.lowyinstitute.org/the-interpreter/china-and-north-korea-following-paper-trail.

67. Korea Central News Agency, *Chungang nyŏngam* (중앙년감) (Pyongyang: Korea Central News Agency, 1964), 147; *Ryŏksa sajŏn* (력사사전) Volume 4, 368–372.

68. A South Korean collection published in 1990 had claimed a law of October 1954 had carried the number 72. But this was the number of the legal gazette of the SPA it had been published

in. Another South Korean table of North Korean laws published shortly before also had claimed three decrees of the PSPA in the second half of 1954 had been numbered 68, 69 and 75 also confusing the gazette with the actual legal document. The North Korean books always clearly stated whether the number was the numbering of the decree or the legal gazette.

69. Another discrepancy could be found for the ordinances of March 2003. While North Korea's central yearbook only provides information on three ordinances, the law collection of South Korea's National Intelligence Service gives two additional ordinances. But the numbers provided with them do not match the actual number of ordinances adopted prior to them and were therefore excluded.
70. Ri Kyŏng-ch'ŏl, *Sahoejuŭi*, 56.
71. Doris Hertrampf, 'Entwicklung und Perspektiven der Beziehungen Deutschlands zur Demokratischen Volksrepublic Korea (Development and Possibilities of German Relations with the Democratic People's Republic Korea),' in: *Deutschland, Korea—Geteilt, Vereint* (Munich: Olzog, 2005), Harmut Koschyk, ed., 279.
72. Kim Sŏng-ok, 'On sahoe-ŭi chuch'e sasanghwa-ŭi yogu-e matke sahoe saenghwar-ŭl t'ongiljŏk-ŭro chido kwalli haki wihan widaehan suryŏng Kim Il Sung dongji-wa widaehan ryŏngdoja Kim Jong Il dongji-ŭi hyŏnmyŏnghan ryŏngdo (온사회의 주체사상화의 요구에 맞게 사회생활을 통일적으로 지도관리하기 위한 위대한 수령 김일성동지와 위대한 령도자 김정일동지의 현명한 령도),' *Ryŏksa kwahak* (력사과학), 4 (1995). The 1972 constitution had explicitly prescribed the existence of a Jurisdiction-Security Committee (sabŏp anjŏn wiwŏnhoe, 사법안전위원회) but not a legal committee. Another explanation could be that existing legislation was with some delay reviewed and revised to conform with the new Socialist Constitution. Kim Jong Il had instructed cabinet officials already in March 1973 to do so. But no cabinet legislation with numbering is available for that period to confirm the scope of legal changes. Kim Jong Il, 'Sahoejuŭi hŏnbŏp-e kich'ohan pŏpkyubŏm-gwa kyujŏng chaksŏng saŏb-ŭl chal halde daehayŏ (사회주의헌법에 기초한 법규범과 규정작성사업을 잘할데 대하여)' (March 19, 1973), *Kim Jong Il Chŏnjip* (김정일전집) 19 (Pyongyang: Korean Workers' Party Publishing House, 2017), 431–433.
73. Kim Dong-han, 'Pukhan-ui pŏp'hak yŏn'gu tonghyang mit yŏn'guja-dŭl' (북한의 법학 연구동향 및 연구자들), *Pukhan pŏphak yŏn'gu* (북한법학연구), 9 (2006), 58.
74. Martin Weiser, 'Chests Full of Brass: A DPRK Political History in Orders, Medals, Prizes, and Titles', *SinoNK*, http://sinonk.com/2016/01/08/chests-full-of-brass-a-dprk-political-history-in-orders-medals-prizes-and-titles/. Only the awarding of very important titles, orders or honors is released through publications available to us. Less important decrees can only be identified through their numbering on the awarding documents which can be a certificate for the Orders of Kim Il Sung and Kim Jong Il or a booklet for less important titles, orders and medals. While these booklets can be bought, it is unlikely that this approach could shed light on the ratio of awarding decrees to policy decrees even for shorter periods.
75. The speeches in the Complete Collection of Kim Il Sung's Writings also give the event at which they were given thereby also revealing the exact session of the CPC. The increasing importance of the CPC also is underlined in the fact that before only few speeches given in this institution were released.

76. NKChosun, The Central People's Committee, accessed February 22, 2018, http://nk.chosun.com/bbs/list.html?table=bbs_23&idxno=3719&page=11&total=247&sc_area=&sc_word=>.
77. Most of those decree numbers were taken from reproduced award booklets in Warren Sessler and Paul D. McDaniel Jr., *Military and Civil Awards of the Democratic People's Republic of Korea (DPRK)* (Nevada: Incorporated, 2009).
78. Ri Kyŏng-ch'ŏl, *Sahoejuŭi*, 24.
79. Spina, 'Brushes with the Law', 4. Nonetheless this transmission from foreign examples or experiences might occur as for both human rights and economy and trade North Korea reportedly sends scholars abroad.
80. CCPR/C/PRK/2000/2, para. 24.
81. An Ch' ŏn-hun, Ri Yong-ho, and Kim Sŏn-hŭi, *Widaehan Suryong Kim Il Song dongji-kkeso chuch'e-ŭi pŏp kŏnsŏl-esŏ irukhasin pulmyŏl-ŭi ŏpjjŏk* (위대한 수령 김일성동지께서 주체의 법건설에서 이룩하신 불멸의 업적) (Pyongyang: Social Science Publishing House, 2010).
82. Fyodor Tertitskiy, '1959: Secret Elections in North Korea,' *DailyNK* (September 9, 2017), accessed February 12, 2018, http://english.dailynk.com/english/read.php?cataId=nk03600&num=14725.
83. Kim Dong-han, 'Pukhan-ŭi pŏphak yŏn'gu tonghyan mit yŏn'guja-dŭl (북한의 법학 연구동향 및 연구자들),' *Pukhan pŏp yŏn'gu* (북한법학연구), 9 (2006), 51.
84. 'Tosi kyŏngyŏng saŏb-ŭl hyŏnsil paljŏn-ŭi yogu-e matkke—Tosi kyŏngyŏngbu-esŏ (도시경영사업을 현실발전의 요구에 맞게—도시경영부에서),' *Minju Choson* (민주조선) (November 22, 1978), 2.
85. Only two cabinet approvals are available for the time after 1970. Next to Approval No. 214 adopted in February 2004 which allows no inference on overall yearly activity, an article on policies towards people with disabilities revealed the legislation creating the Committee for Supporting People with Disabilities in July 1999, Approval No. 1214. This was the highest number among all available approvals with numbering also showing that North Korea's ministerial level legislation has become more diverse and complex.
86. An Ch' ŏn-hun et al., *Widaehan Suryong*.
87. Kim Il Sung, 'Managing the Economy Efficiently According to the Nature of a Socialist Economy' (April 4, 1990), *Kim Il Sung Works* 42 (Pyongyang: Foreign Languages Publishing House, 1997), 246.
88. This fact lends itself to speculations. While the position of Kim Jong Il in the regime does not appear to have been challenged, the decision to test a nuclear weapon and declare the country a nuclear-weapon state likely faced opposition in the regime. Kim Il Sung had several times stated his objection against nuclear weapons, publicly and in secret conversations with China, and a decision against this wish might have ended in a reelection of Kim Jong Il as Supreme Commander. If he had voluntarily put himself to vote, possibly with the decision to acquire nuclear weapons, is impossible to say.

# NEW NATIONALISM AND NEW DEMOCRACY: ASSESSING AN JAE-HONG'S LEGACY

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## Abstract

To provide a glimpse into this period and ideas prominent at the time, the article explores the ideas of the Korean intellectual An Jae-hong, a scholar-gentleman whose career spans the nation's colonial period and was entwined with debates over Korean nationalism. Natalia Kim channels and develops the insights from her work on the period and her book, *South Korea, 1945–1948: A Political History*. Focusing specifically on An's cultural nationalism, as revealed in his work, Dr. Kim demonstrates how An's thoughts on the Korean nation and the ideal political type (his 'new nationalism' and 'new democracy') were influenced by the historical experience and global political realities of his day.

Key words: An Jae-hong, Korean nationalism, nation-building, political conflict

# NEW NATIONALISM AND NEW DEMOCRACY: ASSESSING AN JAE-HONG'S LEGACY

Natalia Kim

The 'era of liberation' (*haebang sidae*, 해방시대, 解放時代)[1] is critical to understanding the circumstances surrounding the establishment of the Republic of Korea and the subsequent political development of that state. The liberation of Korea from Japanese colonialism in 1945 ushered in unprecedented political activity amongst Korean people in the zone controlled by American occupying forces; Koreans had never before enjoyed such freedoms of expression, assembly, and association. As a result, liberation catalysed the rapid creation of a large number of political and public organizations, stirring a violent competition among them for political power.

Though Korea was liberated by the Soviet Union and United States, and its future depended mainly on the will of the Great Powers, the role of the Koreans themselves within the liberation was disputed: Korean nationalists could not officially agree to no local role in the liberation. Many of those who called themselves nationalists and actively participated in South Korean politics after the liberation were former Korean collaborators during the Japanese colonial period. For example, the leadership of the Korean Democratic Party (*hanguk minjudang*, 한국민주당), one of the most influential political parties in the period of liberation, included famous Korean collaborators (Jang Deok-su, Gim Seong-su, etc.). Officially however it was not politically acceptable for them to agree to having done nothing to support liberation from Japanese colonialism.

With regard to this perception of the liberation, Korean nationalists as well as communists engaged actively in the political struggle for the implementation of their own projects and nation-building strategies. Thus, political contradictions between the rightists (nationalists) and the leftists in South Korea during the era of liberation can be understood as a struggle for the implementation of a single, specific model of nation-building and governance.

An Jae-hong (안재홍; 安在鴻, 1891–1965) was a prominent Korean nationalist who was well-prepared to expound his own concept of nation-building following liberation. In 1914, after graduating from the Department of Political Economy at Waseda University in Japan, he returned to Korea and subsequently joined the Korean national liberation movement in the 1920s. Under Japanese rule, An Jae-hong

served in various executive roles at the *Joseon Ilbo*. Having been arrested several times for his anti-Japanese activities, he spent a cumulative total of eleven years in prison between 1919 and 1945. An Jae-hong was a moderate rightist whose name was rather well-known in the Korean national liberation movement due to his executive position in *Singanhoe* (신간회; New Korea Society), a single and unique united front of nationalists and radicals in the colonial period. Having spent the entirety of the years between 1914 and 1945 in Korea, his background would serve him well in the political environment following liberation.

In September, 1945 he created the National Party (*Gungmindan*, 국민당), whose political program was based on his theory of New Nationalism and New Democracy (*Shinminjok juui-sinminju juuiron*, 신민족주의-신민주주의론). In order to understand the rhetoric of the program, or its appeal to Koreans in the liberation environment, it is necessary to establish the root doctrines underpinning it and to which An would appeal.

## An Jae-hong's concept of 'New Democracy' and Doctrines of Korean Nationalism

Korean nationalism emerged in response to the rapidly changing international environment at the end of the 19th century: colonisation of the East and Southeast Asia by the Western powers, imposition of unequal treaties on China, and Chinese–Japanese rivalry over Korea. All of these developments required flexibility in the domestic and foreign policies of Korean politicians, and skillful adaptation to the ongoing situation. At different stages of Korea's development, the nationalists set related but sometimes different tasks for implementation. What these tasks consisted of was contingent upon the international situation around Korea and the domestic policies of its government.

The international environment created challenges to the preservation of Korean statehood and sovereignty, while the nation's internal political situation in the late 19th century impeded the construction of a modern national state. Differing conceptions of the international challenges at hand, and of issues relating to internal development, resulted in various approaches to government reform. As Michael E. Robinson noted, 'among Korean intellectuals nationalism was not a fixed idea but was subject to a rich variety of differing interpretations.'[2]

The Japanese colonial regime challenged the unity of Korean nationalists. Having been influenced by the sophisticated cultural policy of Japanese authorities, many Korean nationalists inside the country in the 1920s gradually re-evaluated their attitudes towards the current regime and the steps that they should take toward national independence. Instead of promoting narratives of fierce and continuous

struggle against Japanese colonialism, Korean nationalists formulated the idea that cultural self-improvement and spiritual self-cultivation of the Korean nation were preconditions for achieving national independence. As a result, it led to the formation of the ideological phenomenon in Korean nationalism, cultural nationalism, which had various interpretations of the current tasks of the Korean national liberation movement.

An Jae-hong's ideas propounded in the 1920–1930s may be described as a moderate cultural nationalism. In 1930s, An took an active part in the different movements for promoting knowledge of Yi Sunsin's and Tasan's heritages, the spread of Korean language, and the *saenghwal kaesin undong*, or life renewal movement (생활 개신 운동, 生活改新運動).

An Jae-hong's cultural nationalism was strongly criticised by the Korean socialists, who labeled all the activities of cultural nationalists as reformist and fascist. An Jae-hong thought that the Korean nation, beset by its complicated and seemingly insurmountable historical conditions, had to strengthen national unity and internal power through promoting its cultural heritage and spiritual self-improvement, rather than following the precedent of the Bolshevik Revolution. He wrote that, in order to survive in the current international arena, the Korean nation would need to demonstrate its eagerness to purify itself both by promoting its national culture and by developing extensive exchanges with the most progressive cultures of the modern world. Therefore, An Jae-hong strongly advocated nationalism to preserve the Korean people from total destruction and, at the same time, to further progressive development.[3]

Opposing the international spread of communist ideology as promoted by the leftist wing of the Korean national liberation movement, An emphasised the national importance of action based on the following criteria: unity of blood (*kungminui tongil hyeoltong*, 국민의 동일 혈통), cultural legacy, common conscience, and unique affinity with one another. Combined with cherishing the best in national culture, the Korean nation, An argued, ought to learn from progressive cultures to become an equal partner in international relations. Thus he wanted to point out that the path toward true globalization, or internationalisation, opens not through abolishing national differences based on class, but through encouraging national self-purification together with the effective assimilation of progressive experiences with foreign cultures. This is so-called *minsejuui* (a shortened form of *minjok segyejuui*, that is, 민세주의 and 민족세계주의, respectively), a concept that connects the coexistence of an exclusive nationalism with a growing interconnectedness of different cultures in the development of humanity on a global scale.

The liberation of Korea from Japanese colonialism in August, 1945 raised two central questions for the nationalists regarding the furthering of Korea's development, namely: (1) the nation's future form of governance; and (2) the necessity of preventing

any national divisions. Trying to resolve the first issue, many Korean nationalists (i.e., the moderate rightists) shared the concept of the three principles of equity (*samgyun juui*, 삼균주의) immediately following the liberation, thus demonstrating their support of the Provisional Government of the Republic of Korea.[4]

This concept was elaborated by Jo So-ang (조소앙, 趙素昂, 1887–1958), a member of the Provisional Government of the Republic of Korea acting in exile since 1919. Appearing in the second half of the 1920s in an attempt to subdue the ongoing ideological divisiveness within the Korean national liberation movement, Jo So-ang elaborated a nationalistic doctrine that comprised ideas of Western liberal democracy and social democracy. The theory of *samgyun juui* remained an ideological platform for the Provisional Government throughout its history (1919–1948). In November, 1941, the Provisional Government adopted a 'Program for Establishing the Republic of Korea' (*Taehanminguk gongguk gangnyeon*, 대한민국 공국강령), which declared the principles of *samgyun juui* an essential basis of nation-building.[5] It is important to note that the Constitution of the Republic of Korea in the 1987 revision clearly states the continuity of the South Korean statehood with the legislative activity of the Provisional Government.[6]

When An Jae-hong put forth his own doctrine of New Nationalism and New Democracy in September 1945, he had also been much affected by Jo So-ang's idea of three principles of equity. Thus, he demonstrated the theoretical continuity of a Korean nationalistic ideology and its autonomous development. As the reader will have seen, *samgyun juui* contained the fundamental principles of democracy. An Jae-hong thought that democracy was a model of development worldwide at that time, and was to be applied to Korea while taking national context into account. In answer to the question, 'What is New Democracy?' An Jae-hong said:

> This is so called *samgyun juui*. In other words, New Democracy is a harmonious system of governance, in which all people in a state participate in the governmental process (만민공화대중공생)[7] based on the principles of *samgyun juui*.[8]

In a situation of intensifying political opposition between the rightists and the leftists and increasing US influence on South Korean domestic politics, An Jae-hong attempted to keep a balance between two competing models of nation-building—capitalism and socialism. Though the American model of nation-building inspired many Korean nationalists on the right before, and especially after, the liberation of Korea, An Jae-hong thought that in a heightened state of international tension it would be too risky to choose just a single strategy of governance. He perceptively noted that a choice in favor of a single model of development could result in the Korea's further dependency on the USSR or the United States. Their fear at the loss of their long-awaited national independence provoked some Korean nationalists, like An Jae-hong, to seek a way out through ideological compromise with leftists' ideas,

which, incidentally, had wide popularity among Korean workers and peasants after the liberation. An Jae-hong pointed to the equality of economic conditions under socialism as the major advantage of this system. Though one can find An Jae-hong's statement rather disputable today, he was sure at the time that economic equality was guaranteed to be better by the socialist system than the capitalist one. Meanwhile, he pointed to political equality as a particular advantage of the 'capitalist democracy' (*jabonjuui minju juui*, 자본주의 민주주의) of the West.[9]

An Jae-hong's proposal to nationalise former Japanese property as well as the largest industries can be understood as a manifestation of his inclination toward the social-democratic model of development. But most Korean political leaders, from the rightists to the leftists, shared the view that the largest industries must be nationalised. In this sense, An Jae-hong's position did not put him in contradiction with other rightist nationalists—and, incidentally, it did not tie him politically closer to the leftists. An Jae-hong did not support the idea that Korean communists would confiscate the lands of the large Korean owners over a fixed size without compensation and would distribute them among the peasants for free. Instead, he suggested that the government reimburse the costs of confiscated lands but distribute them among the Korean peasants for free. This kind of solution to the land issue was widely supported by the Korean centrist parties after the liberation.

## What's New about An Jae-hong's concept of 'New Nationalism?'

An Jae-hong's concept of New Nationalism arose as a response to the ideas spreading widely amongst Korean leftists surrounding the internationalisation of class struggle and the creation of a new global society without national borders. An Jae-hong was strongly convinced that a theory of class struggle cannot be applied to an analysis of the socioeconomic conditions of Korea after liberation. He wrote in *The New Nationalism and New Democracy* that, under tough Japanese colonialism, the entire Korean nation was a subject of disgrace and exploitation. Moreover, the entire nation was of a lower class, and at the moment of liberation it constituted an underclass. The historical task of post-liberation Korea was to establish a united nation-state using the concerted effort of the whole of this lower class, and to achieve complete national liberation and independence.[10]

Although the social structure of Korean society after liberation was very fragmented and had all the trappings of economic inequality, An Jae-hong believed that stressing class differences in current political and international conditions would inevitably destroy the Korean national unity, preservation of which was necessary for the future establishment of the nation-state. In attempting to protect the entity of the Korean nation, An Jae-hong found it politically important to encourage Korean nationalism based on the unity of blood and cultural heritage. He thought that a nation cannot

be divided or stratified by the application of class principle, or any other principle of division. Assuming that a nation undergoes change in the process of historical development, especially under the influence of the most progressive cultures, An Jae-hong argued that it remains immutable in its essential characteristics—indivisibility and irreducibility.

An Jae-hong's views on the nature of Korean nationalism following liberation are connected to his ideas propounded in the 1930s—that is, to *minse juui* (민세주의). The question that arises, then, is what exactly was new in his perception of nationalism. First, he pointed out that Korean nationalism must differ from German nationalism and Japanese nationalism, both of which were very aggressive, self-righteous, and based on ethnic and racial exclusiveness. Both German and Japanese nationalism failed in their efforts to conquer the world and subdue other nations.[11] Contrary to this type of nationalism, Korean nationalism must firstly uphold universal values of mankind while at the same time preserving national self-esteem. Second, earlier manifestations of Korean nationalism were based on the exclusive rights of the rich, powerful (clan or ancestry), and intellectually influential. Thus, wealth 부, 富, intellect 지, 智, and power 권, 權 of a privileged class were fundamental principles of governance, and which were the cause of either economic or political inequality in the society.[12] The New Nationalism ought to be based on equality of human rights, which were conceptually reflected, as An Jae-hong thought, in the theory of three principles of equity. It has become clear that New Nationalism and New Democracy are dialectically connected concepts in An Jae-hong's nationalistic doctrine: a rise of New Nationalism perforce entails New Democracy, and vice versa.

## Conclusion

An Jae-hong's political views allowed him to build a relatively successful career under the American Military Government (AMG). Occupying the post of Civil Administrator in the AMG, An Jae-hong had managed to sustain close ties with both American military authorities and the extreme rightists, who rapidly gained clout in domestic politics after the liberation. Unlike many Korean nationalists among moderate rightists, An Jae-hong supported separate elections to the National Assembly on May 10, 1948, and pursued his political career in the Republic of Korea. Unlike other moderate rightists An did not go to the joint meeting of the rightists and leftists that was held in Pyongyang, in April 1948. It was Jo So-ang's who went with Gim Gu and Gim Gyu-sik to Pyeongyang by invitation of Kim Il Sung (Gim Il-seong) and Gim Du-bong. After his return to Seoul, Jo gave an interview to some South Korean journalists where he conveyed his impressions of North Korea.[13] He said that he wanted to see Jo Man-sik, a leader of Korean Democratic Party, who had been arrested due to his opposition to the regime of trusteeship, but he couldn't meet

him. Also, he said that they had no freedom of movement in North Korea, he and the others, who came with him from South Korea, were always accompanied by the representatives of North Korea. The latter just brought them to where the appointed meeting might be held. Moreover, he noted that he didn't read any newspapers there, and didn't hear any news. In Seoul, he even said that this was the first time after his return from North he could hold a newspaper. But ironically he escaped to North Korea after the Korean War started. He was found dead in September, 1958 near the Daedonggang River and assumed that he had committed suicide.

In the midst of Korean War, An escaped (officially, he was abducted) to North Korea and never came back to the South. Though there is not much evidence regarding his life in North Korea.[14] It is known that he died in 1965 and was buried as a patriot who struggled for a reunification of the Korean nation.[15]

An Jae-hong was buried in the cemetery of Korean patriots who had escaped from South to North Korea, called the—*jeabuk insadeul-ui myo* (재북인사들의묘), while Gim Gyu-sik, Jo So-ang were buried in another cemetery, the cemetery of outstanding Korean patriots (*aeguk yeolsareung*, 애국열사릉).[16] According to Russian archives, though An Jae-hong participated in the public and political life of the DPRK as a member of the Council for the Promotion of Peaceful Unification of Korea, consisting of the former political and public leaders of South Korea who know lived in the north (재북평화통일촉진협의회), his activity was politically insignificant. In July, 25, 1960, during the conversation between Kim Il Sung and an ambassador of the USSR to the DPRK, A. M Puzanov., the North Korean leader was asked about activity of a group of the former members of the ROK's National Assembly, who had escaped to North. An Jae-hong was among the members of this group. Kim Il Sung answered that they had no any activity due to their old age.[17]

I consider An Jae-hong's views on the nature of the Korean nationalism to be relevant in the present and to the current tasks of South Korea's national development. Although unity of blood and Korean ancestry have been gradually re-evaluated as so-called irreducible attributes of the Korean nation, due to the process of globalisation (and thus some of An Jae-hong's ideas require updating today), it remains a pressing task to preserve Korean nationalism in order to prevent falling into deep dependence on external powers. For An Jae-hong, true nationalism implies both national self-respect (the cherishing of cultural heritage and national independence) and recognising a growing interconnectedness of all nations in order to thereby foster mutual prosperity and well-being.

## Notes

1. The European of Korean Studies generally uses the McCune-Reischauer system of Romanization. In this particular article we have used, for convenience the Revised Standard system of Romanization.
2. Michael E. Robinson, *Cultural Nationalism in Colonial Korea, 1920–1925* (Seattle, WA: University of Washington Press, 2014), 11.
3. Park Chan-seung (박찬승), *Minjok, Minjok juui* (민족, 민족주의) (Nation and Nationalism) (Seoul: Sohwa, 2010), 183–192.
4. *Samgyun juui*, or the theory of the three principles of equity, can be provisionally divided into two parts: the first part contains a program of actions for achieving national independence and re-establishing the Korean state, and the second provides the essential principles of governance. These principles are the principles of equal economic rights, equal political rights, and equal rights to education. Though they are the fundamental principles of democracy, and definitely didn't add anything new to the existing perceptions of democracy in the West, including in Soviet Russia, their implementation had a critical meaning for the historical development of Korea. According to Jo So-ang, the enforcement of the three principles of equality would destroy the long-lasting Confucian tradition with its strict social hierarchy, thus facilitating the development of Korea as a nation-state on the basis of new principles of national unity. Some ideas of *samgyun juui* clearly indicate its social-democratic orientation: namely, requiring state ownership of land and the largest industries, and the obligation of the government to cover expenditures of the citizens on education. In general, *samgyun juui* was an idealised (statist) program of nation-building which is more reasonably understood as an ideological framework for some actions than a set of practical initiatives. See more in. Jin Deok-kyu (진덕규), *Gweollyeok gwa jisigin haebang jeong-gukeseo jeongchijeok jisiginui chamyeo nolli* (권력과 지식인 해방정국에서 정치적 지식인의 참여논리) (Power and Intellectuals: the Rationales of Participation of Intellectuals in Politics after the Liberation) (Seoul: Jisik saneopsa, 2011), 310–317.
5. The Program for Establishment of the Republic of Korea (대한민국 건국강령) is available at http://blog.daum.net/didakfaos.
6. See the preamble of the Constitution of the Republic of Korea (1987) http://www.law.go.kr/lsEfInfoP.do?lsiSeq=61603#0000.
7. In the original text An Jae-hong used the term '*manmin konghwa taejung kongsaeng*' (만민공화대중공생; 萬民共和大衆共生) to describe in whole a democratic governance. This term derives from the Confucianism and was often used in An Jae-hong's text instead of the term 'democracy.' 'Manmin konghwa' was to stress a harmonious participation of all the members of society without class distinction or discrimination in the state governance.
8. An Jae-hong (안재홍), *Yeoksa wa gwahakkwa ui sinminjok juui* (역사와 과학과의 신민족주의) (The New Nationalism of History and Science) in *Minse An Jae-hong seonjib* (민세 안재홍선집) (The Complete Works), Vol. 2 (Seoul, Jisik saneopsa, 1983), 235.
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# THE SINO-DPRK SPLIT AND ORIGINS OF US-DPRK BILATERALISM

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## Abstract

North Korea has identified its official foreign policy as being focused on 'self-reliance' since the mid-1906s. Kim Il Sung (Kim Il-sŏng) had been long preoccupied with external interference in internal affairs, so the escalation of the Sino-Soviet schism created an environment in which to eliminate foreign influence in domestic politics and strengthen his control. North Korea did not only try to balance between the two giant socialist countries, but also expand its diplomatic sphere outside the communist bloc such as with Third World and European countries. In addition, it pursued direct contact with the US to achieve its longstanding goals, the removal of US troops stationed in the South and the replacement of the 1953 armistice with a permanent peace treaty. Since then demands for bilateral talks have become the most distinctive feature of North Korea's foreign policy. With the advent of détente in the early 1970s, discontent with their Chinese comrades also led Kim to seek US-DPRK talks. Despite a mutual hostility generated during the era of the Cultural Revolution, Kim Il Sung's first response to China's rapprochement with the US was not negative, anticipating the potential for Chinese assistance in accomplishing North Korean diplomatic objectives in its relations with the US. At odds with Kim's expectation, however, Chinese behavior did not meet North Korea's demands. China, as well as the US, preferred the status quo to a rapid change in the region, even though they fully supported the beginnings of inter-Korean dialogue that culminated in the conclusion of the Joint Communiqué. Also, Kim Il Sung felt that, in the UN, China was more interested in seeking compromise with the US than asserting North Korea's requests. Kim Il Sung's dissatisfaction with China's half-hearted stance during the détente strengthened his mistrust that Beijing did not consider North Korea's national interests. As a result, North Korea deliberately excluded China in its offer of negotiations to the US such as the Tripartite Talks between the US and two Koreas, insisting on bilateral meetings with the US.

Key words: North Korea, Foreign Policy, Self-reliance, Sino-DPRK relation, US-DPRK relation, Détente

*European Journal of Korean Studies*, Volume 17, No. 2 (2018), pp. 71–79.

# THE SINO-DPRK SPLIT AND ORIGINS OF US-DPRK BILATERALISM

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## The Birth of North Korea's 'Self-Reliant' Foreign Policy

While the North Korean regime is frequently labelled as erratic and irrational,[1] Pyongyang's policy in its quest to acquire nuclear weapons has been consistent in one essential regard: the goal of direct negotiations with the US rather than participation in any form of multilateral talks including South Korea, China, Japan, Russia or anyone else. North Korea's government identified its foreign policy as focused on 'self-reliance' in the 1960s,[2] and bilateral negotiations with the US have since been seen as the essential means to achieve this.

North Korea's preoccupation with bilateral negotiation has a much longer history than the Six-Party Talks. Pyongyang began its push to build bilateral relations with the US when Sino-US détente of 1972 brought change to the Northeast Asian geostrategic environment.[3] Before this, Kim Il Sung and his partisans had struggled for independence against Japanese colonization and tackled the process of state-building following the Korean War. Even though Beijing professed a 'hands-off' approach to North Korean internal affairs after the Korean War, the country was still full of Chinese troops. Therefore, conditions were not sufficient for Kim to take autonomous action in domestic and foreign policy. It is undeniable that Pyongyang had to rely on its two giant neighbours, China and the USSR, for economic and political purposes. North Korea overflowed with anti-American slogans and propaganda, but it did not have enough diplomatic capacity nor capability to stand face to face with the US.

From the late 1960s, however, the DPRK started promoting an independent foreign policy. While the common experiences of the anti-Japanese movement and fight against imperialism and common ideology that they shared helped the Soviet Union, People's Republic of China and the DPRK consolidate relations, North Korea, a small and newly born country, was exposed to the powerful influence of the two larger countries. In particular, an August 1956 failed coup attempt focused on the removal of Kim Il Sung and his political clique only intensified Kim Il Sung's belief that Beijing and Moscow would intervene in North Korea's domestic politics on behalf of their own interests.[4] Consequently, its longstanding concerns about external interference in domestic politics and regime survival crystallised into a

strong sense of self-reliance and anti-'great power chauvinism'. In the wake of the worsening Sino-Soviet split, Kim Il Sung tried to expand his space for movement in domestic and foreign affairs by taking advantage of the antagonism between the two countries.[5] Conflict in the communist bloc served as an opportunity for North Korea because escalation made China and the Soviet Union reconsider North Korea's strategic value, and both countries tried to curry favour. Along with rapid economic development, these courtships provided Kim Il Sung with an opportunity to launch his measures focused on self-reliance.

In order to implement this independent foreign policy, Pyongyang deliberately changed its stance toward the two neighbouring countries and, as a result, maintained the balance between them during the whole period of the Sino-Soviet split.[6] For instance, when Khrushchev maintained a position of peaceful coexistence vis-à-vis the West and de-Stalinisation in his foreign and domestic politics, Kim Il Sung was more attached to the Chinese than to the Soviets.[7] Yet as the Great Cultural Revolution swept through China, he restored closer ties with the Soviet Union. In this

Figure 1. On July 4, 1972, the South and North Korean governments announced a joint agreement, the first of its kind since the division of the peninsula. Image: The Academy of Korean Studies (AKS)

way, Kim removed both pro-Chinese and pro-Soviet groups from the high-ranking officials of the party and kept his distance from the two neighbours.

Along with a policy of balanced relations with Beijing and Moscow, Pyongyang made an effort to enhance relations with what was then called the 'Third World' as part of its pursuit of an independent foreign policy. By 1968, the number of the NAM (Non-Aligned Movement) countries with which North Korea had established diplomatic relations was almost two times higher than the number of communist countries. After Kim Il Sung consolidated favourable diplomatic relations with the Soviet bloc and the Third World, Pyongyang made a plan to extend its diplomatic influence into Japan and some European countries, which had hitherto been hostile to North Korea. Consequently, in 1966, those efforts led Kim Il Sung to declare the foreign policy of North Korea to be one of self-reliance, a policy that put emphasis on national self-determination and resistance to external influence in internal affairs.[8]

## Détente and Pyongyang's Calculation for Survival

For Kim Il Sung, the push for a self-reliant foreign policy was linked to the presence of the US forces on the Korean Peninsula. This was because US troops, stationed only a few miles away from the DMZ, posed a serious threat to Kim's regime. In this sense, Kim had taken into account the measures required to complete the withdrawal of the US troops from South Korea and conclude a peace treaty with the US.[9]

North Korea's attempts to diplomatically court the US intensified following the Sino-American rapprochement in 1972. For example, North Korea asked some Eastern European countries such as Romania to deliver its messages to Washington.[10] Moreover, in May 1974, it issued an official proposal for the face-to-face negotiations with the US to Gerald Ford (the US Vice President and President of the Senate) in the name of Hwang Jang-yop, the Chairman of Supreme People's Assembly (SPA).[11] In a letter to the US Congress, North Korea proposed the following: a pledge not to invade the other side; mutual arms reductions; withdrawal of UN forces from South Korea; military neutrality; and, as a final step, replacement of the Armistice Agreement with a peace treaty. In other words, what North Korea is seeking today is not all that different from what Kim Il Sung desired several decades ago, with the obvious difference being an existent rather than prospective nuclear capability in Pyongyang.

In addition to concerns about security, it is noteworthy that Kim's discontent with Chinese ambivalence towards North Korea was another motivation behind attempts at direct contact with Washington. Sino-DPRK relations had deteriorated rapidly because of the eruption of the Cultural Revolution in Chinese cities and the border region of Yanbian, and both governments publicized harsh criticism of the other.[12] When the Sino-American rapprochement came to the fore in the early 1970s,

however, North Korea unexpectedly described Nixon's visit to Beijing as 'the march of the defeated or a great victory of the Chinese people and revolutionary peoples worldwide' and expressed a more enthusiastic response to Sino-US détente than other communist countries.

Kim Il Sung confessed to a Polish delegation in 1973, 'If we provide hints about bad relations with our socialist neighbours in the North, it weakens our position vis-à-vis the enemy in the South.'[13] Clearly, the sudden thaw between China and the US had triggered a North Korean security dilemma, and pushed Kim to sympathise with the Chinese approach to the US. However, there are strategic reasons behind Kim Il Sung's unexpected response to the détente. First of all, with the advent of Nixon administration, the US sought to diminish its military commitment to the Vietnam War (Vietnamisation) and planned to withdraw substantial numbers of troops from its Asian allies, South Korea and Japan.[14] It is likely that Kim calculated that a similar US decision would be possible on the Korean Peninsula. His confidence was further strengthened by developments in New York. After the People's Republic of China assumed a permanent seat on the UN Security Council in 1971, North Korea believed that the Chinese would take an active role in representing its interests regarding

Figure 2. When Nixon paid a visit to Beijing in 1972, North Korea thought that the withdrawal of US forces from South Korea could be negotiated with the help of the Chinese. Image: Wikicommons.

Korean affairs.[15] In return for his assent to the process for détente in the region, therefore, Kim expected the Chinese to facilitate bilateral talks with the US and create a more favourable environment for the withdrawal of US troops and a peace treaty. In accordance with the Sino-American rapprochement, North Korea decided to open inter-Korean dialogue, resulting in the first official inter-Korean agreement, the 7.4 Joint Communiqué.

## The Slide from Great Anticipation to Disappointment

However, the Chinese did not meet North Korea's expectations. A report by a GDR delegation after a conversation with a Soviet diplomat, Kurbatov (1st Secretary of the USSR embassy to China), in Beijing clearly revealed the different calculations between Beijing and Pyongyang.[16] Kurbatov was convinced that, based on China's national interest, the Chinese only half-heartedly supported Korean unification and the withdrawal of the US forces from South Korea. First, a reunified Korea with a population of 50 million would possess and exert significant political influence in the region, which might be more disadvantageous to China. In addition, China could be willing to negotiate with the US about the withdrawal of United States Forces Korea (USFK) to the extent that North Korea did not stand against the Chinese positions and policies. Kim Il Sung expected the Chinese to push their American counterparts to accept his terms for the reunification and USFK withdrawal. However, the Chinese 'were said not to have insisted enough on the withdrawal of US troops from South Korea.'[17]

Even though conflicting relations between China and the USSR might have affected Soviet perceptions, it is evident that China did indeed hesitate to fully support North Korea's policy objectives. To some extent, China articulated North Korea's policies on Korea such as the peace treaty, the withdrawal of US troops, and developing a unification process on North Korea's terms.[18] During détente, however, both the US and China dealt with their respective allies and the Korean issues in a pragmatic manner so as not to disrupt the negotiation process between them.[19] China, as well as the US, prevented the two Koreas from influencing the talks in such a way that their demands might jeopardise Sino-American rapprochement. Accordingly, for the US and China, stability (or the status quo) in the Northeast Asian region was put ahead of drastic change. China, and even the USSR, changed their perceptions when détente came into effect. The presence of the US forces in South Korea was seen to serve an integral role in the preservation of regional stability.[20] In this sense, it is likely that China and the USSR calculated that US forces on the Korean Peninsula contributed to deterring any adventurist or provocative action that North or South Korea may take against the other. Despite a fraternal relationship born in the experiences of war, China was unwilling to support all North Korea's demands.

North Korea's complaints about China's reluctance intensified at the UN General Assembly, where the two Koreas competed to pass resolutions in favour of each other. In 1972, North Korea tried to push a comprehensive UN resolution on Korean issues, such as the dissolution of UNCURK (UN Commissions for the Unification and Rehabilitation of Korea and UNC (UN Command) in South Korea, the withdrawal of US troops from the peninsula, and the conclusion of a peace treaty. To this end, it coordinated with the Chinese representatives to the UN because North Korea was not an official member, either. On the contrary, South Korea, with the help of the US, preferred a step-by-step solution to the issues. Although North Korea reluctantly agreed to a compromise resolution, which focused only on the dissolution of UNCURK, upon the request of the Chinese, they felt betrayed by their ally.[21] From this time on, North Korea directly approached the US with its key concerns. Indeed, at the 29th UN General Assembly in 1974, North Korea unilaterally laid a bill demanding the immediate breakup of UNC, the conclusion of the peace treaty and withdrawal of the UN forces from South Korea at the same time.

Tripartite talks proposed by the DPRK in the late 1970s are another example of North Korea's willingness to act without China. After it became evident that the DPRK had failed to achieve its objectives at the UN, and the US rejected any form of bilateral negotiations with the DPRK, Kim Il Sung officially proposed tripartite talks between the US, ROK, and DPRK. China was not invited as a negotiating member. Since China was one of the four signatories to the Armistice Agreement, the deliberate exclusion of China showed the degree of North Korea's mistrust of Beijing.

Kim's disappointment with China is illustrated in the conversation between him and the Polish delegation to Pyongyang in 1973. According to the report from Polish delegation, Kim Il Sung 'explained that the DPRK and KWP had, and [still] have arguments with the PRC and the CCP .... The PRC applied pressure on the DPRK but we did not bend. They called us revisionists. Along the border the Chinese installed loudspeakers calling on our people to abandon the revisionist regime of Kim Il Sung.'[22] Kim believed that China wanted to fold North Korea into its sphere of influence, and did not care for his country's national interests. As a result, Kim decided that the normalisation of diplomatic relations with the US was the best means of getting a peace treaty and the removal of US forces from the peninsula.

## Notes

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# 'IF IT'S KOREAN, IT MUST BE GOOD': THE NATION BRANDING OF SOUTH KOREAN POPULAR CULTURE IN THE PHILIPPINES

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## Abstract

Filipinos are avid consumers of exported South Korean media products. Teenagers and young adults know the lyrics and dance moves of their favorite K-Pop performers while older viewers are engrossed in the weekly Korean television dramas (known in the Philippines as 'Koreanovelas'). There exists, however, a fundamental disconnect between the idealised images disseminated in the media and their everyday lived experiences that are characterised by mutual antipathy. My objective in this research project was to examine how Filipino consumers negotiate these conflicting messages by exploring the correlation between the consumption of Korean media products and the consumerism of Korean non-media products by Filipino fans of the Korean Wave.

Key words: South Korea, Philippines, popular culture, consumerism, globalisation.

*European Journal of Korean Studies*, Volume 17, No. 2 (2018), pp. 81–95.

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Sam Pack

This article will explore the impact of what has now been referred to as the 'Korean Wave' to describe the phenomenon by which South Korean media exports, such as cinematic films, television dramas, and popular music, are spreading throughout Asia and, increasingly, the world. Indeed, Psy's 'Gangnam Style' has been viewed more than three billion times on YouTube, making it the site's most 'liked' video until 2015.[1] Not surprisingly, Euny Hong has declared of the Korean Wave that 'it would not be an exaggeration to say that *Hallyu* is the world's biggest, fastest cultural paradigm shift in modern history.'[2]

The South Korean government has supported the expansion of the country's culture industry abroad, seeing it as a tool to promote Korea's global reputation. The Korean Wave serves as a vehicle for 'soft power' through the marketing of Korean cultural values as opposed to traditional methods of 'hard power' based on coercion and oppression. The purpose of soft power, following Nye's[3] argument, is to make people in other countries more receptive to South Korea's positions through the dissemination of its culture and values.[4] In an article for NPR titled, 'Three Reasons K-Pop is Taking Over the World,' Zoe Chace attributes the global phenomenon of 'Gangnam Style,' and South Korean pop music more generally, to the government's deliberate decision to produce mass media in the same way that it produces cars: 'An infrastructure to make and export culture can develop just like an infrastructure to make and export anything else'.[5] In the 21st century, the South Korean government has emphasized the importance of cultural content as the new driving engine for the national economy. As part of its '10 Point Action Plan,' the Council on Korea's Nation Branding decided to promote the Korean Wave program by providing developing nations with the technical assistance to help their economies move forward based on its past achievement of double-digit economic growth during the industrialisation period (2009).

The objective in my research project was to investigate sites of media reception in one particular developing Southeast Asian country, the Philippines, to determine how these messages are transmitted and interpreted. Although Koreans now constitute the largest immigrant population in the Philippines, there is a tenuous

relationship between these two groups marked by mutual antipathy. I have overheard many Koreans describe Filipinos as impoverished, lazy, and socially backwards. Conversely, Filipinos complain incessantly that Korean immigrants and visitors alike are arrogant, rude, and provincial, refusing to learn not only Tagalog but also English.

Yet Filipinos are avid consumers of South Korean media products. Teenagers and young adults know the lyrics and dance moves of their favorite K-Pop performers while older viewers are engrossed in the weekly Korean television dramas (known in the Philippines as 'Koreanovelas'). South Korea's perceived cultural superiority is asserted through the spread of its popular culture.[6] There exists, however, a fundamental disconnect between the idealised images disseminated in the media and their everyday lived experiences. Thus, my primary goal was to examine how Filipino consumers of Korean media negotiate these conflicting messages by exploring the relationship between Koreans and Filipinos in the Philippines through the prism of the Korean Wave.

As I inquired about the popularity of South Korean exported media in the Philippines, I repeatedly stumbled upon a strong correlation between the consumption of Korean media products and the consumerism of Korean non-media products such as food, fashion, and gadgets. It was as if the former served as advertisements for the latter. Indeed, the title of this article comes from a statement made by a Filipino female university student when asked why she prefers Korean-made products instead of their counterparts from other countries. This correlation clearly demanded further investigation. As such, I determined that it was necessary to investigate how music spreads and is consumed by a global market, and how this feeds back into the business of production. More specifically, I wanted to know what cultural ideals are disseminated via K-Pop music and how messages that are either ignored or rejected impact the economic success and reproduction of these ideals. I therefore proceeded to critically analyse the messages and themes in Korean media consumed in the Philippines that may influence Filipino values. I focused on the ways in which Filipino consumption and interpretation of Korean media is impacted by tensions of ethnicity and nationality between Koreans and Filipinos. Finally, I explored the sociocultural relations underlying both the rise of consumer demand for Korean pop culture products in the Philippines as well as the subsequent rise in supply to meet that demand.

## Methodology

Six months of research in the Philippines focused on the consumption of South Korean media and non-media products by Filipino fans of the Korean Wave. De La Salle University (DLSU) in Manila served as a central field site. DLSU is widely considered to be one of the top research universities in the country, and my institutional affiliation as a Visiting Professor[7] in the Department of Behavioral Sciences for

two years provided use of facilities and materials, provision of office space, and assistance in informant recruitment. College students are a logical constituency since college-age consumers constitute a key demographic by advertisers. I targeted more than three-dozen students ranging from first years to seniors and made deliberate efforts to ensure that they came from different colleges within the university. I also interviewed over 100 working adults in Manila and other areas of the country such as Angeles City, Baguio, Cebu, and Iloilo in order to expand the sample size beyond college students.

In keeping with my anthropological training and previous fieldwork experience, I employed the standard ethnographic techniques of participant observation, an online survey, focus groups, and semi-structured interviews to collect my data. Field sites outside the university included coffee shops, restaurants, and shopping malls. Respondents were recruited through snowball sampling wherein my DLSU students solicited their friends and classmates as part of a mandatory class assignment. I located off-campus informants by randomly approaching individuals sitting alone or in pairs in public spaces. The majority of those who agreed to participate happened to be young female professionals.[8] The research design was organised in the form of an inverted triangle, proceeding from the broad to the increasingly narrow. Thus, the responses from the surveys helped to identify members to invite for the focus groups, from which the most engaging individuals were selected for one-on-one interviews.

## K-Popped

K-Pop is situated within a larger context of increased Korean cultural exports. In addition to music, Korean television dramas and films have gathered a large following among fans in Asia, particularly in China, Japan, Vietnam, and, of course, the Philippines. The Korean Wave emerged during a period marked with decreased media restriction and censorship by the South Korean government.[9] This era of neoliberal globalisation, characterised by market deregulation and reduced state intervention in economic and cultural affairs, led to a large amount of unscheduled airtime.[10] Television networks consequently turned to the music industry to fill these slots. This resulted in the development of music videos, which established the high degree of visibility and aesthetic focus of K-Pop music. The industry also created promotional programs, such as interviews with musicians, reports about concerts, shows hosted by singers, etc. that served to increase interest in the artists, in addition to the music.[11] This led to a culture of idolisation, where stars are constantly scrutinised in their role as 'national representatives' of Korea.

Filipinos have developed a taste for all things Korean—whether it be grilled *samgyeopsal* (pork belly) or gadgets or cosmetics. However, the most popular Korean products tend to be media-related. Koreanovelas are appealing to Filipinos

because of their more riveting plotlines compared to the locally produced telenovelas and also because the characters are more aesthetically pleasing. Matthew Banzon,[12] a Behavioral Sciences student at DLSU described Koreanovelas as 'more unpredictable' than their local counterparts. Filipino fans find mass mediated Koreans attractive yet also easy to relate to because they share similar Asian values such as the importance of family and respect for elders. But there is also something else happening.

The immense popularity of South Korean media exports in the Philippines can also be attributed to the ways in which they are 'packaged' for local consumption. Ellie Santos, a 20-year-old chemistry student, elaborates:

> I think the reason why more and more Filipinos are starting to be K-Pop fans is due to the effective marketing strategy that Korean companies use. I say it is effective because K-Pop creates a strong impression that picks on the curiosity and interest of the public. Also, it was a good point to target teens in promoting music. I think it was also the influence on one another that contributes to the growing number of Filipino K-Pop fans. Social networking sites also contribute in the growing number of Filipino fans. Television also plays a big role especially now with a lot of Korean dramas airing in several local channels.

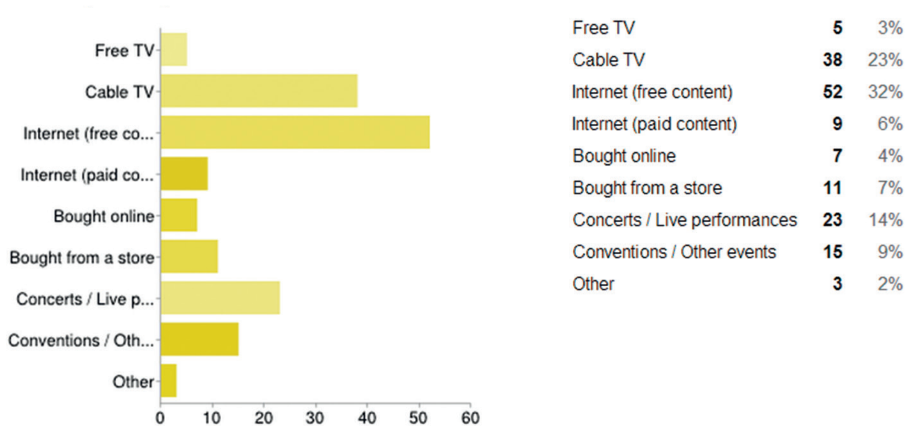
Filipino fans of Korean media exports do not seem to be discouraged about the language barrier. As the saying goes, music is a universal language. Moreover, fans of K-Pop are drawn mostly by the beat and choreography. In addition, Mary Jane Sevilla, a 24-year-old hotel receptionist in Angeles City, stated that the first thing she looks for in a K-Pop song is not the message or its lyrics but the catchiness of their music.

> Language isn't always the barrier in liking K-Pop. It is the essence of music that makes it unique to the ears of the people. And it gives motive in achieving one's passion in dancing. The emotion of the singer is what's more important in listening to their music. And their conservativeness allow us to even love their music videos rather than in English. For me, K-Pop is one of the successful pop groups in music industries nowadays, because even if I can't understand the lyrics of their music but by just listening to the beat and melodies of their music, it makes me want to listen more to it.

Fans are also attracted to the universal themes present in these songs, such as romantic love, unrequited love, friendship, and diligence. So in spite of the unfamiliar language, fans still found a way to understand the stories behind the music.

## Media consumption

The first area of inquiry related to the consumption of Korean media exports. Here, I focused on fans of K-Pop and other forms of Korean media among the student body of De La Salle. I began by distributing an online survey among students enrolled in




| | | |
|---|---|---|
| Free TV | 5 | 3% |
| Cable TV | 38 | 23% |
| Internet (free content) | 52 | 32% |
| Internet (paid content) | 9 | 6% |
| Bought online | 7 | 4% |
| Bought from a store | 11 | 7% |
| Concerts / Live performances | 23 | 14% |
| Conventions / Other events | 15 | 9% |
| Other | 3 | 2% |

Figure 1. How do you acquire media connection?

the College of Liberal Arts. To my pleasant surprise, there were 276 total respondents. Although the surveys were anonymous, we included a section that asked for contact information if they were willing to discuss their interests further in interviews. Almost a third of the respondents complied. It became abundantly clear to me that not only are young Filipino men and women avid consumers of Korean media products, they are more than willing to share their enthusiasm as fans.

Although television and the Internet both offer K-Pop content, these media differ in the amount of content they provide. For instance, free television channels like ABS-CBN and GMA have little or no airtime for Korean music and videos, which explains why so few of the respondents selected it as their primary means of consumption. Meanwhile, pay cable channels such as Arirang and KBS World have relatively more content available but these are also available online in free media-hosting sites such as YouTube and MediaFire. There are many Internet users worldwide who upload videos, songs, and other media content in these media-hosting sites, which in turn become available for free to anyone who wishes to access the links.

Due to the proliferation of online content, Filipino fans primarily utilise the Internet to access Korean music and videos. Aside from being the main source of media content such as videos, songs, and images, the Internet also served as a tool for news and updates. Indeed, my interviewees mentioned sites like allkpop and dailykpop as their main sources for the latest news about their favorite idol groups. According to one of my informants, this type of crowdsourcing enables fans such as herself to feel closer to their idols: 'Fans are able to share their fan art, get info about their idols, and the idols themselves are able to communicate with their fans in a personal way.' Another informant told me that she regularly checks updates from her favorite K-Pop idols through various social networking sites. The rapid

growth of social media, such as Twitter, Instagram, and Facebook, is also credited with promoting Korean content in foreign markets.[13] Having browsed the accounts of some of these Korean stars, I noticed that they openly provide information about themselves for the fans to read. Through these, fans can obtain a closer look to the daily lives of their favorite idols with just one click.

To pursue this phenomenon further, I followed several K-Pop fans via Twitter and observed the happenings in their timelines. A large number of tweets were devoted to their favorite K-Pop groups and idols. Noticeably, all the tweets contain stories about what a certain artist was doing at a certain moment and included promotional information about their albums, music videos and the like. There were also videos and live streams that have millions of views from users around the world with a great number coming from the Philippines.

Figure 3 indicates the most common reasons given for the popularity of Koreanovelas: Koreanovelas are appealing to Filipinos because of their more riveting plotlines compared to the locally produced telenovelas and also because the characters are more aesthetically pleasing. Filipino fans find mass mediated Korean attractive

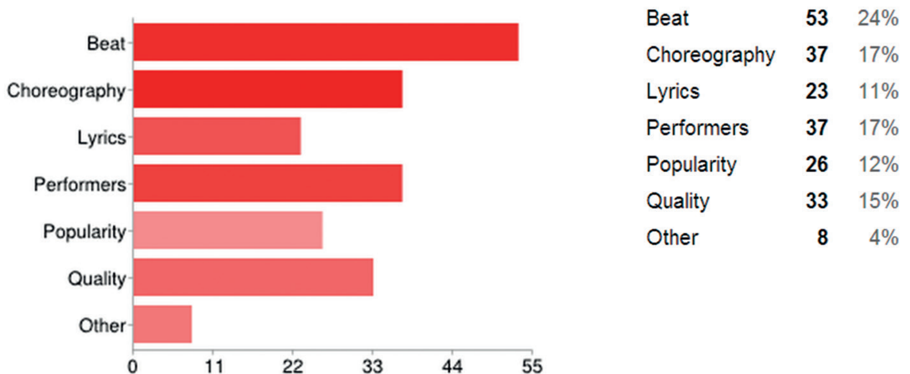



Figure 2. What affects your taste in Korean music?

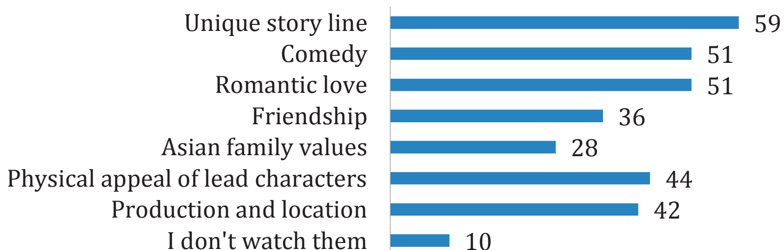



Figure 3. Reasons for watching Korean series and movies

yet also relatable because they share similar Asian values such as the importance of family and respect for elders. Only 10% of survey respondents did not watch the K-dramas.

## Non-media consumerism

For some fans, K-Pop has a more profound effect. Elmira Mirano, a 34-year-old civil engineer, explains:

> When I listen to it, it makes me want to become a better person. It transforms me and creates a better side of me. Honestly, I think K-Pop affects most aspects in my life. Doing something Korean-related makes me tingly and giddy inside.

This motivation to improve their lives was frequently expressed by my informants. Dr. Crisanta Flores, a professor of Filipino Literature at the University of the Philippines in Diliman, stated that 'the target audience of the Korean dramas is not the poor but the lower middle class with aspirations to advance in their economic and social status.' In poorer countries such as the Philippines, the peoples and lifestyles presented in the Korean music videos and soap operas are aspirational. Exported media products are exceedingly popular throughout Southeast Asia precisely because they represent an idealised future. This explains why Korean media products encourage Filipinos to consume their non-media counterparts: they are, in essence, attempting to get closer to an idealized way of life.

Janine Barcelon, a 27-year-old executive, offers an illuminating case study as an avid consumer of all things Korean. She loves Korean food, eats *jajangmyeon* and *japchae* whenever her family goes out for lunch or dinner. Korean cosmetics have likewise earned her stamp of approval: 'I love buying products in Etude house and the Face Shop because I feel secure and I think their products are well trusted since know many things about beauty.' Although Janine considers herself to be reserved, she does follow Korean fashions as well: 'I'm a shy type person, so I don't usually show it to others that I'm affected by their fashion. But sometimes, yes, because they (the Korean outfits) are really cute, and the hairstyle are really nice. I learned how to match this kind of dress to that kind of dress, what color looks good with what color.' The common thread is her consumption of Korean media, which serves as a de facto infomercial for all of these other aspects of fandom. She readily, and unabashedly, admits: 'K-Pop has influenced me to buy Korean products.'

There are also a tremendous variety of Korean products available in the Filipino marketplace. Some of these products, such as cosmetics, are marketed directly in connection with Korean media. According to Soo Jin Hwang, a marketing manager of The Face Shop: 'Sales of cosmetics usually reflect the popularity of Korean pop culture so K-Pop stars are the most effective advertising.' Moreover, the way these

idols and stars are marketed is very specialized. As one of my interviewees stated, 'Koreans offer something for everyone.' She added that 'if you like the badboy type, they'll market one of the members of the boy band to be like that. Every pop star and artist has his or her own appeal and character marketed to audiences.' The use of single-gender bands is effective at focusing their target demographic on only one gender rather than trying to please both.

## Koreanisation

The surge of Koreans into the Philippines further helps to promote their products in the country. As more Koreans arrive, they invest or start their own businesses selling Korean-related products. Min Kyong-ho, minister and consul general of the South Korean embassy, told the *Philippine Daily Inquirer* in a 2013 article that 'Korean companies are very much interested in investing in the Philippines, because there are many good elements, favorable elements for investing.'[14] In fact, some areas have already been earmarked as 'Korean territories' due to their large Korean presence. So true to any effective marketing strategy, supply and demand are mutually constitutive and reinforcing.

'Koreanisation' has been observed in at least three distinct kinds of urban spaces: residential neighborhoods, university districts, and commercial areas.[15] Korean establishments are readily identifiable by the signage in Hangul script that is unintelligible to locals, thereby functioning as a de facto 'No Trespassing' sign. Once Koreans start moving into neighborhoods, their presence becomes immediately—and indelibly—palpable and visible.

A similar intrusion occurs near the nation's top universities, where Korean students occupy several floors of high-rise apartment buildings. At DLSU, several state-of-the-art condominium complexes that cater mostly to Korean students have been recently constructed directly adjacent to the campus. The monthly rent at these properties is significantly higher than other accommodations in the area, which serves as a form of economic apartheid by bifurcating the haves from the have-nots. The commercial spaces on the ground floors, such as restaurants and coffee shops, also predictably target a Korean clientele by mimicking the décor and products commonly found in their motherland.

The sudden influx of Korean immigrants to the Philippines has coincided with other kinds of transmissions as well. The anthropologist, Arjun Appadurai, has identified five dimensions of global cultural flow: ethnoscapes (the movement of people), ideoscapes (the movement of political ideas), finanscapes (the movement of money), technoscapes (the movement of technology), and mediascapes (the movement of media).[16] The suffix '-scape' is intended to demonstrate that these dimensions are not fixed in that they cross national boundaries. All of these 'scapes'

apply to the Korean influences in the Philippines, but the migration of people has magnified the impact of ideologies (and counter-ideologies) and mass media. Indeed, these are mutually constitutive. As Adrienne Sison, a 26-year-old call center worker from Cebu, explains:

> It's because a huge part of the Philippines is into the so-called 'Korean invasion' to the point that they really idolise Korean idols and they end up dressing and looking like the idol. Korea has also become the fashion trendsetter for some reason. There are many instances wherein the Filipinos always follow what they think is cool or a lot of people is wearing it, so Filipinos would end up buying a lot of Korean look-a-like clothes so they could just be in the 'in' group.

These perceptions of Koreans as 'fashion trendsetters' are rooted in their mass mediated representations.

## 'Glocalisation'

Despite the relaxation of direct control and regulation, the South Korean government remained involved in the film and, to a lesser extent, music industries in the late 1990s. Following the economic collapse in 1997, the Korean government began to invest in the cultural industries, recognising the importance of local production; for instance, it required that movie theaters show only locally produced movies for a certain number of days per year.[17] With the rising popularity of Korean media abroad, cultural exports such as film, television shows, and music became a significant component of South Korea's economic growth. Fans from all over East and Southeast Asia spend money on Korean language courses, tours of locations depicted in television dramas, and camps that will bring them closer to their idols. Some artists are also linked to Korean consumer products and services through marketing and advertisement campaigns in foreign countries.[18] In these ways, 'Korean' culture is commoditised, packaged and exported throughout Asia.

K-Pop reflects issues of cultural rights, given its place as a locally produced and globally consumed medium. It could be argued that K-Pop is counter-hegemonic, in its attempts to challenge the influence of traditionally colonial, Western media. With the rapid expansion of the Korean cultural market in the Southeast Asian region, some critics have alluded to the end of cultural imperialism in Korea.[19] Yet at the same time, Korea's cultural influence has been characterised as 'soft power,' an expression of influence that relies on manipulating images and values, rather than the typical military or economic control of 'hard power'.[20] The global spread of K-Pop represents a wider assertion of Korea's competitive edge in its political interactions with other countries, resulting in a sense of 'cultural nationalism,' where culture is associated with knowledge and economy.[21] This can also lead to feelings of cultural

essentialism, where producers or government officials express the sentiment that K-Pop is appealing because of the inherent 'superior' nature of Korean culture and values conveyed in the music. This discourse tends to overemphasise the national consciousness of the artists, while disregarding the hybrid nature of K-Pop music, such as the influence of Western styles like hip-hop and rap.

Others argue that the localisation of K-Pop messages and artists can be a hindrance to its future ability to attract a global audience. Yi Oh Yong, the former Minister of Culture and Tourism in Korea, claims that K-Pop must lose its 'parochial' character in order to appeal to a mainstream, global audience.[22] Some Korean celebrities and producers even bristle at the negative connotations associated with the Korean Wave—namely, the myopic planning, poor financing, and crude nationalism.[23] One method for creating a more global product is by 'pluralising us,' where the boundaries of 'Korean-ness' in the music become broader through tropes, such as the use of non-black hair dye and non-Korean lyrics.[24] Although the Korean character of the music may not have changed, the artists aesthetically link themselves to a more international culture.

The imagery of K-Pop music videos reflects both a sense of nostalgia and modernity. Many of the music videos focus on an urban setting, to appeal to its primarily socially mobile, young audience. A sense of Korean identity is presented as belonging to a pure, yet modern past. This is particularly apparent in the ballad genre of Korean popular music, where the singers place themselves and their sad love story within a cityscape that reflects elements of nostalgia, such as old shops or small towns.[25] Consequently, the 'traditional' themes and messages of Korean media reflect a wish to return to this purified past, while remaining relevant in an urbanised, modern setting.

Perhaps authenticity is found precisely in this type of hybridity. Cultural expression is not necessarily found at the point of first contact but after local populations have internalised the new influences and made them their own. Studies have shown that inter-Asian media culture consumption has sparked mutual understanding and self-reflexivity about people's own society and culture on a larger scale that has never been observed before.[26] The sociologist Roland Robertson calls this simultaneity of traditionalism and modernity 'glocalisation'.[27] In McDonald's outlets throughout the Philippines, the most popular menu item is not the Big Mac but the Chicken McDo, a piece (or two) of fried chicken, that is always accompanied with gravy and a cup of rice.

Anthropologists do not conceive of 'culture' as fixed or static but dynamic and constantly in flux. In other words, it is not something that you can 'lose' like a set of car keys. To be sure, after almost four centuries of colonialism, Filipinos have a long history of actively and creatively incorporating outside influences and making them their own. If you ask a Filipino to name the types of things that are 'uniquely

Pinoy,' the most common responses will invariably include popular dishes such as adobo (marinated chicken or pork), lechon (whole roasted pig), and menudo (stew with pork, liver, and assorted vegetables), Catholicism (the Philippines is the third largest Catholic country in the world after only Brazil and Mexico), and the jeepney, which was named after the General Purpose (or 'GP') military jeeps used by the Americans during World War II. Not coincidentally, all of these were appropriated from their former Spanish and American colonisers. Seen in this light, South Korean media and non-media exports may simply constitute the most recent iteration of an ongoing process of cultural domestication. To be sure, that which was modern and strange yesterday becomes modern but familiar today and 'authentically traditional (or Filipino)' tomorrow.

## Acknowledgements

This research was supported by an Academy of Korean Studies Research Grant (AKS-2015-R35). I would also like to extend my gratitude to the anonymous reviewers for their critical and helpful feedback.

## Notes

1. 'Despacito' by Luis Fonsi featuring Daddy Yankee and Wiz Khalifa's 'See You Again' have since usurped 'Gangnam Style' as the most-viewed videos on YouTube.
2. Euny Hong, *The Birth of Korean Cool: How One Nation is Conquering the World through Pop Culture* (New York: Picador, 2014).
3. Joseph Nye, *Soft Power: The Means to Success in World Politics* (New York: Public Affairs, 2004).
4. Koichi Iwabuchi, 'Pop-Culture Diplomacy in Japan: Soft Power, Nation Branding and The Question of International Cultural Exchange.' *International Journal of Cultural Policy* 21 (2015): 419–432, p. 420.
5. Zoe Chase, 'Gangnam Style: Three Reasons K-Pop is Taking Over The World.' *NPR*. October 12 (2012).
6. In ''Soft' Nationalism and Narcissism: Japanese Popular Culture Goes Global' (2002), Koichi Iwabuchi argues that Japan's cultural exports to East and Southeast Asia is underpinned by its historically constituted desire for 'Asia' and its lingering asymmetrical power relations with other Asian countries.
7. The Fulbright Specialist Program funded my first visit in 2013. I returned to DLSU in the summer of 2014 as part of the university's Visiting Scholar Program.
8. Nobody older than 40 admitted to being a fan of the Korean Wave, and men generally had very little to say on the subject.

9. According to Jin, the most significant yet least discussed factor in the development of Korean popular culture is the shifting role of the Korean government (2014).
10. Dal Yong Jin, 'Cultural Politics in Korean's Contemporary Films Under Neoliberal Globalization.' *Media, Culture & Society* 28 (2006): 5–23, p. 19.
11. Hee-Eun Lee, Seeking the 'others' within us: Discourses of Korean-ness in Korean Popular music. In *medi@sia: Global Media/tion In and Out of Context*. T.J.M. Holden and Timothy J. Scrase, eds (2006): 132.
12. All respondents have been given pseudonyms in order to protect their anonymity.
13. Dal Yong Jin, 'The Power of the Nation-State Amid Neo-liberal Reform: Shifting Cultural Politics in the New Korean Wave.' *Pacific Affairs* 87 (2014): 71–92, p. 79.
14. Tarra Quismundo, 'Koreans Keen on Investing in PH, Says Diplomat.' *Philippine Daily Inquirer*, 2013.
15. Jose Edgardo Abaya Gomez, 'The Korean Diaspora in Philippine Cities—Amalgamation or Invasion?,' *Transcultural Cities* February 11–13 (2011): 49–59.
16. Arjun Appadurai, *Modernity at Large: Cultural Dimensions of Globalization*. Minneapolis: University of Minnesota Press, 1996.
17. Hee-Eun Lee, Seeking the 'others' within us: Discourses of Korean-ness in Korean Popular music. In *medi@sia: Global Media/tion In and Out of Context*. T.J.M. Holden and Timothy J. Scrase, eds (2006): 128–145.
18. Doobo Shim, 'Hybridity and the rise of Korean popular culture in Asia.' *Media Culture & Society*, 28 (2006): 25–44, p. 38.
19. Dal Yong Jin, 'Reinterpretation of Cultural Imperialism: Emerging Domestic Market vs Continuing US Dominance.' *Media, Culture & Society* 29 (2007): 753–771, p. 754.
20. Keehyeung Lee, 'Mapping Out the Cultural Politics of 'the Korean Wave' in Contemporary South Korea,' In *East Asian Pop Culture: Analyzing the Korean Wave*. Beng Chua Huat and Koichi Iwabuchi, eds, 91–125 (Hong Kong: Hong Kong University Press, 2008).
21. Ibid.
22. Ibid.
23. Mark James Russell, *Pop Goes Korea: Behind The Revolution in Movies, Music, and Interet Culture* (Berkeley: Stone Bridge Press, 2008).
24. Hee-Eun Lee, Seeking the 'others' within us: Discourses of Korean-ness in Korean Popular music. In *medi@sia: Global Media/tion In and Out of Context*. T.J.M. Holden and Timothy J. Scrase, eds (2006): 128–145.
25. Ibid.
26. Koichi Iwabuchi, 'Globalization, East Asian Media Cultures and Their Publics.' *Asian Journal of Communication* 20 (2010): 197–212, p. 201.
27. Roland Robertson, 'Glocalization: Time-Space and Homogeneity-Heterogeneity,' In *Global Modernities*. Mike Featherstone et al, eds., 25–44 (London: Sage Publications, 1995).

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# BOOK REVIEWS

## Carter J. Eckert, *Park Chung Hee and Modern Korea: The Roots of Militarism, 1866–1945*

Clark Sorenson, University of Washington

The group of senior scholars working on South Korea today that includes Professor Eckert had the good fortune to first encounter Korea during the 1960s and 1970s, a period of unprecedentedly rapid change during which the country transformed itself from a poor agrarian country into an industrial powerhouse within a single generation. This experience has influenced their work in a variety of ways. In his previous book, *Offspring of Empire* (University of Washington Press, 1991) Professor Eckert (Yoon Se Young Professor of Korean History at Harvard University) explored the colonial origins of Korean capitalism. While that book displays, perhaps, the young man's glee exposing the sins of the fathers, the present volume shows mature understanding of the difficulties colonials faced fitting into the total institutions established by the Japanese Empire.

The first of two volumes, Eckert here begins addressing what he calls the 'enormous elephant in the room,' the influence of the South Korean military under the leadership of Park Chung-hee from 1961 to 1979 in creating and sustaining a 'developmental state' single-mindedly devoted to 'modernization' (*geundaehwa*; 근대화). Eckert organises his argument around 'four salient martial orientations' that he sees constituting a 'technology of nation building and economic development:' (1) that the military has a right and duty to intervene in the political system, (2) that capitalism must be planned and controlled for the sake of increasing national wealth and power, (3) that bold action combined with willpower and confidence can bring results, and (4) that the state must discipline society so that the two can work in tandem (pp. 2–3).

In his postscript, 'Sources and Acknowledgments,' Carter relates that this work began twenty years ago with a simple question about how Park Chung-hee's military background shaped his thinking and approach to South Korean development. Confronted with a paucity of documentary evidence for Park's early years, Eckert makes a virtue out of limited sources. Rather than write a conventional biographical narrative focusing only on Park Chung-hee, Eckert has focused on the context and milieu out of which Park emerged. Despite the title promising extensive engagement

with Park Chung-hee the man, in this first volume Eckert mentions Park just enough to whet our curiosity about his formative experiences and to suggest that what Park learned in his training at the Manchurian Military Academy and Japan Military Academy 1940–1944 stayed with him right through his presidency of South Korea.

The bulk of the book is, thus, actually about the historical forces that led a Korea that during the Chosun dynasty (1392–1910) had held the military in disdain to begin militarizing—a process that was taking place contemporaneously in both China and Japan—and then how Japan's military culture during the Colonial Period (1910–1945) was inculcated into a critical mass of Korean cadets who later joined the South Korean military and became the core of Park Chung-hee's military-developmental state. As the book ends with 1945 a second volume will presumably be dedicated to Park's post-World War II activities.

The present volume is divided into two parts. In the three chapters of 'Part I: Contexts,' Eckert argues that Korean militarisation proceeded in waves beginning with self-strengthening of the 1860s as Korean leaders realised that their hitherto placid part of the world was entering a 'new Warring States Period.' (p. 20) This attempt was cut off when the Japanese disbanded the Korean army in 1907 during the Protectorate, but was followed by Imperial militarisation in the 1930s and 1940s as the Japanese Empire moved toward continental war. The Korean War (1950–1953) led to a third round of militarisation in South Korea that is not covered in this volume. Part I ends by zeroing in on Park Chung-hee's experience at Taegu Normal School from 1932–1936, an institution that had already become highly militarised under the leadership of Arikawa Shuichi, and Park's subsequent writing of an application letter in his own blood to the Manchurian Military Academy.

The five chapters and conclusion in Part Two: Academy Culture and Practice, however, is the real core of the book. Using an amazing variety of sources including personal interviews with as many surviving Korean, Chinese, and Japanese classmates of Park at the Manchurian Military Academy as he could find, personal diaries of cadets, published school histories, training manuals, published memoirs, documents from the Yasukuni Archives as well as captured Japanese military documents in the United States archives, and published sources in Japanese, Korean, Chinese, and English, Eckert paints a detailed ethnographic portrait of the Manchurian Military Academy, its ethos, its students, social relations between cadets, and social relations and between instructors and cadets. This 'deep description' explains and illuminates the values and attitudes from which the 'four salient martial orientations' must have been stitched.

Park Chung-hee seems to have drunk the Kool-Aid fully and deeply. Eckert's interviews with classmates reveal Park to have been a 'crazy-serious' (*baka majime*) cadet, avid kendo fighter, and the kind of man who would make the cadets march double-time between duties when he was placed in charge. In the context of his

ethnography of the Manchurian Military Academy Eckert easily makes the case for a connection between the 1940s and the 1960s with a few telling anecdotes showing attitudes and phraseology learned in the military academy being applied in post-World War II South Korea. Eckert's work, thus, puts flesh on the bones of the theory of the Kwangtung Army's distinctive Manchurian developmental state suggested by Bruce Cumings, Louise Young, and Meredith Woo-Cumings, and the influence of this state on South Korea in the 1960s and 1970s.

One waits with bated breath for the second volume that will show fully and in detail how the martial orientations imbibed by Park and his close associates in the Manchurian and Tokyo military academies in the 1940s were applied to South Korea in the 1960s. The book as it stands, however, is an impressive achievement, and not simply a prehistory of the military authoritarian regimes of the 1960s and 1970s in South Korea. Part II on Academy Culture and Practice is at least as big a contribution to Japanese history as it is to Korean history. More Japanese and Chinese went through these institutions than Koreans, and it must have been a formative influence on them, too. Have these cadets left no historical marks on Japan, China, or Taiwan? And some of the practices of the Manchurian Military Academy are eerily reminiscent of attitudes found in contemporary North Korea. Could there be a connection there? Professor Eckert tells his story about Park and South Korea very well, but clearly there are also other stories waiting to be told.

## Janet Poole, *When the Future Disappears: The Modernist Imagination in Late Colonial Korea*

Christopher Richardson, University of Sydney

The spectre of colonialism looms large in the history of the Korean Peninsula. The legacy of Japan's imperial project, and its demise at the end of the Pacific War, continue to haunt the political, economic and cultural landscape of both North and South Korea. In the DPRK, the *Kimist* Cult of Personality demands the maintenance of a perpetual state of enmity between Koreans and the old colonial foe, and in the Republic of Korea state and society alike struggle to balance ancestral grievances and a desire for restitution, with the belated recognitio1n that, just perhaps, Tokyo and Seoul ought to bury their hatchets—and not in each other's skulls for once—in the pursuit of common economic and security interests.

Much of the problem, of course, rests in the unfinished business of history, by which I mean literally the business of historians and scholars, seeking to offer a full accounting of the experience of empire. Too often, in both North and South Korea, the colonial era is reduced to a caricature of Japanese villainy, with Koreans divided between the ranks of victims, collaborators, and valiant resisters. Indeed, the legitimacy

of the DPRK is premised on a mythologized vision of revolutionary resistance to occupation, and in South Korea barbs continue to fly about whose grandfather did what and to whom. Adding further complications, upon decolonisation many writers and intellectuals of the late colonial era would migrate to Kim Il Sung's republic—some more willingly than others—leading to the suppression of their intellectual and literary legacies in the nationalist histories of a once-authoritarian Republic of Korea. And, in the ultimate tragedy, most of these men and their families soon ran afoul of Kim Il Sung, their names, writings, and indeed lives, extinguished in the DPRK that was to be their paradise (pp. 2–3).

Into the fractured, divisive, and all-too-often infantilised debate about Korea under Empire comes Janet Poole's *When the Future Disappears*. Piercing the gloom of this so-called 'dark period' of 20th Century Korean history, Poole illuminates the way the peninsula's intellectuals, and writers in particular, responded to the experience of imperialisation (pp. 4–5). Cutting through the hackneyed dichotomy of collaboration and resistance, Poole reminds us that by the late 1930s any hope Korea might soon regain political and cultural autonomy was fading. Old visions of the future had disappeared from view. After all, Poole notes, most of the writers of the late colonial era had been 'born just before or after colonial rule had been imposed in 1910.' This meant, she argues, that 'they had no lived memory of precolonial society, and all their schooling had taken place within the colonial education system' (p. 10). Writers and intellectuals began to reconceive what it meant to be Korean, encountering the disruptions, and indeed potentials, of modernity within the context of an Empire that, for all they knew, might rule the peninsula for as long as had the Chosŏn Kings.

Indeed, this so-called 'dark period' of Korean history emerges as a time of intense experimentation, in which the fascist preoccupation with culture 'offered a space for practices where notions of self, whether individual or communal, were elaborated and contested' (p. 8). Through an incredible array of texts, Poole teases out the innovative—sometimes collaborative, sometimes quietly defiant—ways writers and intellectuals responded to the challenges of urbanisation, modernisation and imperialisation, all whilst enduring the systematic suppression of their native Korean language, in favour of the imperial tongue. Responses ranged from Choe Myongik's exploration of the 'urban everyday,' to 'the politics of late colonial nostalgia' in the ruminations of philosopher So Insik, to Choe Chaeso, whose embrace of 'fascist modernism' led him to perceive Japanese imperialisation as the source of Korea's national redemption.

Poole's most fascinating research surveys the lives of writers who, in fact, embraced this vision of Empire, exhorting their countrymen to join Japan's war effort, even to the point of blissful death for the emperor. These are fascinating for two reasons. Firstly, because they make salutary reading from the point-of-view of nationalist Korean history, which all-too-often occludes the extent to which Koreans

embraced Tokyo's idea of empire, and Korea's place within it. Yet they are most remarkable because, far from finding quaveringly weak or preening quislings in the ranks of Korea's pro-Japanese writers and intellectuals, Poole finds that men like Choe Chaeso embraced the imperialising project precisely because they believed that the best way to *defend* Korean national identity was by rallying to the emperor's cause.

For Choe, embracing a vision of Japanese and Korean oneness was, paradoxically, perceived as an act of resistance, resistance against Western power, and against the creeping decadence of the *fin de siècle* cosmopolitanism, individualism, and liberalism he believed were rapidly corroding Japanese and Korean politics, society and arts, as they had already corroded the European metropolises, which Choe had studied with fascination, fear and contempt. Instead, Choe proposed that 'new beauty is to be discovered in an entire school's worth of children marching in formation' (p. 174), and in those texts he termed 'Happy Literature,' in which Koreans were depicted 'living happily without division and conflict but according to one intention' (p. 175). And to what end? Ultimately, for Choe, 'a meaningful life … is one that sacrifices itself for the emperor' (p. 173).

It sounds familiar, does it not? Indeed, for those of us interested in the art and culture of the DPRK, a further revelation in Poole's research is the extent to which the literature of Korean fascism, and the proletarian literature of resistance that would produce most of the first generation of North Korea's 'soldiers on the cultural front,' had more in common than that dividing them. Each had rejected the ideal of art for art's sake, and both—in their own ways—sought to protect Korea from perceived enemies, foreign and domestic. This will come as no shock to adherents of Brian Myers' thesis that the DPRK is, above all, a fascist state, more closely related to the politics and culture of Imperial Japan than the communist politics and culture of the Soviet Union.

Yet Poole's rigorous and sensitive exploration of Korean writing draws out the affinities between the seemingly competing schools of Korean fascist and proletarian literature in careful ways. Poole's scholarship is exquisitely detailed, and clearly a labour of love for its author. *When the Future Disappears* is a fine work of scholarship, illuminating a period of Korean history that was certainly bleak, but by no means devoid of light.

## Jang Kang-myung, *Uri sowon-eun jeonjaeng (Our Aspiration is War)*

Robert Lauler, Seoul National University

Imagine that the Kim regime has finally collapsed. A 'Unification Provisional Government' has been setup in North Korea and order is maintained through a

combination of UN peacekeeping forces and the old North Korean public security bureau. Korean unification, however, is far from complete. The North and South remain separated by the 38th Parallel and North Koreans are not allowed free movement into the South. North Korean drugs flowing across the border are a major issue between the two Koreas. Partly as a result, North Koreans find entering South Korea more difficult than ever.

This is the setting of South Korean author Jang Kang-myung's new novel *Uri sowon-eun jeonjaeng*, or *Our Aspiration is War*. Jang is the author of several other well-known books, including *Hanguk-i sireoseo* (Because I hate Korea) and *Daetgul Budae* (Army of Commenters), the latter a novel loosely based around the Korean National Intelligence Service's influencing of the 2012 election in favor of Park Geun-hye by getting operatives to post pro-Park comments on progressive-leaning websites. Needless to say, he is not a great supporter of the now thoroughly disgraced Park Geun-hye administration.

*Our Aspiration is War* centers around a plot by members of the Chosun Liberation Army (CLA), made up of former North Korean soldiers, to use one of North Korea's old tunnels across the 38th parallel as a drug distribution route into South Korea. The CLA teams up with a local businessman and drug kingpin in Jangpung County, an area just outside Kaesong, to pave the way for the opening of the new route. Jang Ri-cheol, the main character, is a former member of North Korea's elite special forces who becomes entangled in the plot, ultimately becoming the key figure in exposing (and laying waste to) the CLA's plans.

The novel's 'action story,' briefly summarised above, may be the page-turner element of the book for some readers. From this reviewer's perspective, however, it fell flat on both character development and authenticity, and was further marred by over-the-top fights to the death and torture scenes. In the Author Notes, Jang says that his protagonist was based on 'Jack Reacher,' which perhaps explains the lack of character development and extended fight scenes. The book's storyline, taken as a whole, reads more like a script ready to be made into a (bad) film.

More interesting than the storyline, however, is the backdrop of what Jang calls the 'ideal' Korean unification scenario. The South Korean version of ideal unification, in Jang's telling, would have the 38th parallel maintained and North Koreans not allowed to enter the South. Indeed, there are academics and others in South Korea who do argue for the separation of the two Koreas, at least in the initial stages of the unification process. Shin Chang-min of Chungang University, author of the book *Tongil-eun daebakida*, or *Unification is a Bonanza*, argues that the two Koreas should be separated for a period of least ten years before they are ready for 'total reunification.' Shin's justification is that North Korea would not be ready for democracy, and major reconstruction of the economy of the northern region would be needed before it could be holistically integrated into the South.

Jang's entire novel appears devoted to tearing that entire scenario apart to expose its flaws. He paints a picture of mass exploitation by South Korea. In his telling, South Korean corporations become free to use North Korean labour and the South Korean government builds all its 'undesirable' facilities (waste treatment plants, prisons, etc.) in the North. To make matters worse, as maintaining stability is the overriding goal, the infamous Ministry of People's Security is not dismantled but continues to keep order along with foreign UN troops (China and Japan are conveniently not part of this contingent). Jang also portrays the post-unification North Korea as swamped by drugs and drug abuse.

Jang tries to paint a picture of how South Koreans and North Koreans would interact at the human level under such a scenario. The picture is not pretty, and for this he has plenty of ammunition. North Korean defectors—of which there are some 30,000 in South Korea today—are frequently considered second-class citizens and many have trouble adjusting to South Korean society. Jang takes this to (one) logical conclusion in his unification scenario, under which North Koreans are hired as 'military support personnel' and end up doing menial jobs around military bases. Cultural differences abound, with South Korean characters in the novel variously describing their North Korean counterparts as 'corrupt' and commenting on their 'untrustworthy' nature. North Korean characters, understandably, see South Koreans as 'uppity' and look to exploit them and their country as best they can.

But Jang paints this picture of inter-Korean disharmony in broad strokes, completely missing the opportunity to pair characters from each Korea together to develop a memorable North-South relationship or two for the reader. The main South Korean character in the book—a game developer-turned-soldier—is paired, oddly, throughout the book with a 'super-hot',' Malaysian-born overseas Korean who is part of the local UN peacekeeping contingent. There is no instance of sustained, worthy dialogue between a North Korean and South Korean in the entire book. Jang Ri-cheol is perhaps the only North Korean character we learn anything about. Yet he only interacts with other North Koreans and is mainly a blunt fighting instrument.

Jang is not the first well-known South Korean novelist to write a novel set in an imagined unification scenario. Lee Eung-jun's *Gukka-eui sasaenghwal*, or *The Private Life of the Nation* describes the 'worst scenario' for unification. In Lee's telling, North Korean drugs, poverty and strange idiosyncrasies become part of a new, united Korea. In Jang's scenario, the chaos of North Korea is contained only by the 38th parallel. Jang's book, and interviews he has given since it was published in November last year, all indicate that aside from writing a 'thriller,' his main aim was to write critically about the 'ideal unification scenario.' He has succeeded in drawing up a scenario whose individual parts may have credence.

From the perspective of authenticity, however, the book is lacking and this makes it hard to recommend. The lack of authenticity not only surfaces in the book's

characters, but also in the dialogue, which lacks any uniform use of any form of North Korean dialect. For readers looking to quench their thirst about North Korea, there are far better books written by North Korean defectors describing the country in their own words. Look to the works of Kim Yoo-kyung, such as *Cheongchun yeonga* (The Love Song of Youth) and Bandi's *Gobal* (The Accusation), both of which also make statements—as Jang attempts to—on the difficulties the two Koreas will have in becoming unified once again.

## Suk-young Kim, *DMZ Crossing: Performing Emotional Citizenship Along the Korean Border*

Robert Winstanley-Chesters, Australian National University

Crossing the absurd infrastructural behemoth and dividing line between the two Koreas is as problematic and difficult as ever, and currently virtually impossible for natives of the Korean peninsula. One emotion that citizens, institutions, and political cultures of both nations do share surrounding their separation is intense sorrow, no matter how triumphant the representation of the conflict that created it might be. Division is in many ways acutely painful, felt as such, manifested in commemorative architectures and monumentality as such, and held in both private and public memories as such. Yet extraordinarily most research and academic writing on this unfortunate stasis focuses primarily on both the military and ideological conflagrations that resulted in it, and the political and bureaucratic relationality that essentially still sustains and propagates it and that prevents any real movement towards its resolution.

Suk-young Kim's 'DMZ Crossing: Performing Emotional Citizenship on a Divided Peninsula' serves as a frankly quite brave, personal, and heartfelt riposte to much of that writing, which is generally as sterile and abstract as the environment of the plane in which I write this review. While underlining the ludicrousness and injustice of the division and separation and its crystallisation on the 38th parallel, Kim is primarily focused on the real encounter of the division through both attempted, undertaken, and longed for crossings of the division, both in conceptual or internalised forms and in its practical, infrastructural physical form. On the 65th anniversary of the war, and nearly the 70th anniversary of the Liberation of the Korean Peninsula, which brought with it the extraordinarily bitter pill of division, the separation and separateness of the Korean Peninsula now has a long history to itself, and it is intriguing that before delving into the realm of current personal performance and encounter with the division, Kim moves backwards to explore the cultural representations of its earlier years. Investigating early theatric representations of division in Yu Chi-jin's 1958 play *Thus Flows the Han River* and Sin Go-song's *Ten Years* from the same year but from north of the dividing line, she encounters social productions that are still in the

process of learning to live with separation, concerned with its geographies, and in *Ten Years* with familial impact of attempting to cross the newly re-bordered terrain. Later from the filmic output of the peninsula from the 1960s and 1970s in South Korea's *The DMZ* and North Korea's *The Fates of Geumhui and Eunhui*, Kim suggests a peninsula exploring notions of citizenship, belonging, and nationality in the face of continuing, fearful, anxious division.

It seemingly would not be until matters connected to Lim Su-kyung's fateful and famous attempt at a personal unification on the cusp of the collapse of transnational communism on August 15th, 1989 that journeying across the DMZ is presented by Kim in an example of personal embodiment. Lim's journey and her optimism it seems was utilised by North Korean narratives as a fracture in South Korea's 'division system.' Lim's eagerness, though seemingly reflecting the deep personal longing for connection across the space of the 38th parallel, is more generally still extant some 44 years after the initial political moment of separation. This, for the reviewer, opened really the most exciting element of the book and one that is grounded in personal experience from Kim.

Lim Su-kyung's journey was between two spaces locked, it seemed, in something of a cultural stasis, not dramatically changed in cultural or psychic ways (other than the impact of the separation), since 1945. In contrast, in the near present, when Kim goes searching for a route of connection across the ossified terrain between the two Korea's, she is doing so as a citizen of a country that has undergone radical socio-political changes and structural adjustment during the 1990s and 2000s. Kim encounters border spaces concocted around the dividing line which, while ultimately offering no real passage across the division, are presented as a confusing melange of pained commemoration and consumption-focused touristic experience. Spaces like Imjingak Peace Park, which while seeking and manifesting an interest in objects that channel the raw authenticity of a war-time border, are equally happy to adopt the role and style of a theme park. Or, consider the briefly opened Geumgang mountain crossing, which, in homage to its corporate benefactor, appears to have focused on encountering the North Korean other through processes of consumption.

Ultimately of course, despite her previous fascinating exploration of the nature of citizenship on a divided peninsula, Kim, like any South Korean, is not allowed to cross the real border, to break the bounds of the division. While she points out that non-Korean foreigners are allowed to do so on occasion and may visit and encounter North Korea itself, they never really existentially experience the division as an impact on their bodily subjective, as North Korea in reality is as foreign and bordered as South Korea. Kim can, it seems, not cross as a Korean, in the unified sense, but instead must carry the structures and processes of her South Korean citizenship either as she approaches or crosses the demarcation line. Therefore in this frequently intense book, crushingly, the only emotional citizenship she and any contemporary

South Korean is allowed to perform is one of silent, pliant consumption. Real border crossing, of the kind her mother so poignantly wishes to perform for the memory of her uncle, will have to wait.

## **Hye-ran Shin** (신 혜란), ***Urinŭn modu Chosŏnjogida: Nyumoltŭn esŏ Ch'ingdao kkaji, onŭlto ttŏnanŭn saramdŭl*** (우리는 모두 조선족이다: 뉴몰든에서 청다오까지, 오늘도 떠나는 사람들)

Ruixin Wei, Goethe-University of Frankfurt

Awakening stories of Chosŏnjok fascinated readers in Hye-ran Shin's book *Urinŭn modu Chosŏnjogida: Nyumoltŭn esŏ Ch'ingdao kkaji, onŭlto ttŏnanŭn saramdŭl* (We are all Chosŏnjok: from New Malden to Qingdao, and those who are also leaving today). It is a qualitative longitudinal study based on five years of field research by conducting interviews with Chosŏnjok, North Korean defectors and South Koreans who live in the clustered residences in London, Qingdao, and Seoul. While acknowledging the high mobility of Chosŏnjok, Shin makes a provocative argument in the first chapter: 'the life of Chosŏnjok now could be our future' (p. 13). In many ways, this book lives up to the compelling claim throughout its overall 13 chapters.

The Chosŏnjok (also known as Korean Chinese) is one of the 55 ethnic minorities in the People's Republic of China (hereafter China) and have their ancestral countries on the Korean peninsula. With the normalisation of diplomatic relations between China and the Republic of Korea (hereafter South Korea) in 1992 and the opening-up reform in China, it has witnessed a high geographical mobility for the Chosŏnjok in China and beyond. Much of the literature has analysed the migratory experiences of Chosŏnjok as a case that provided scholars different vantage points to exemplify the illegal migration, the dissolution of family across borders and the social discrimination experienced by migrants. Fewer scholars have taken the other way around and de-particularised Chosŏnjok as a group of people who are merely the pioneer wave riders in the tide of globalisation.

Chronologically, the book unfolds with an introduction of Chosŏnjok and the cities for which they are leaving. It is the economic incentives that trigger one of the essential motives for Chosŏnjok to migrate; their choice of migration destination largely depends on the availability of Korean ethnic kinship and the route planed by the immigration brokers. However, their way of achieving for a better future seals them into a liminal time and space. Life fluctuates in responses to the currency rate, the labour market demand, and policy changes. Notwithstanding, passive and vulnerable at first glance, Chosŏnjok are not a monolithic entity. Power and social position are hierarchical and capitals are valued differently across different scales.

Chosŏnjok living in Qingdao feel more secure, while those who live in Seoul feel despised; Chosŏnjok in New Malden, London share some sympathy with North Korean defectors or South Koreans as they are the minority living in the alien land. People from divergent backgrounds found common ground on what they all went through from leaving for an expected bright future, settling down in completely strange surroundings, adapting to the new environment and then to the rumination of where to return. Each chapter juxtaposes and interleaves Chosŏnjok's individual encounters at different stages as a migrant. Not limiting itself to simply depicting and explaining the migratory process of Chosŏnjok, this book offers vivid episodes of their life experience from the angle of North Korean defectors and South Koreans. With details and sensitivity, Shin illustrated the process of place making and self-making of Chosŏnjok as sojourners in their daily life in the neighbourhood of the given societies, as well as how the border crossing affected and transformed their family into a transnational form. Other than pointing out the disassembled trend of Chosŏnjok families across borders, Shin argued that the transnational form is a reconstitution of family and a coping mechanism that responds to the the era of mobility. The role of Chosŏnjok as intermediators between South Koreans and North Korean defectors, between China and the 'two Koreas' is self-evident. Their intermediate and somehow ambiguous location generates confusions revolve around Chosŏnjok's sense of being and belonging. Just as they are often posed with the question, 'which team will you support if there is a football match between China and South Korea?' (p. 163) China and South Korea are to Chosŏnjok what birth-mom and foster-mom are to the child (p. 165). It should not be an either/or question. Complex as it is, the identity of Chosŏnjok is constructed and reconstructed on the level of individual, family, and the given society in the fluid world. In the end, the last chapter echoes the first—embarking on a new journey is the beginning and the end for each Chosŏnjok migrant.

In terms of a methodological approach, concerned with the local context and the situation of Chosŏnjok migrants, Shin expanded her analytical focus beyond the limits of nation-state by focusing on neighbourhood place making and on the socio-spatial configurations. A translocal approach overcomes not only the notion of nation-state but also the dichotomy between 'here' and 'there.' The translocalism of Chosŏnjok refers to the emergence of multidirectional networks as social capital that facilitates the circulation of people, information, practices and ideas. In the translocal social field, both internal and international migrants, migrants and non-migrants are embedded in the networks. Material flows, such as remittances; symbolic flows, such as religion, information, and knowledge, enable Chosŏnjok to sustain the translocal network and further encourage their imagination of positive life possibilities. Building on a translocal framework, the book places a strong emphasis on the micro level of Chosŏnjok's life and elucidates the interpersonal relations between

Chosŏnjok and their South Korean employers, North Korean co-workers, landlords, and family members; it demonstrates the relational dynamics to explain the socio-spatial phenomenon of New Malden in London, Chengyang District in Qingdao, and Daerim-dong and Garibong-dong in Seoul.

Ultimately, Shin's book is about reflection and reconciliation. Shin considers Chosŏnjok as 'the international nomadic people' (p. 13) and sojourners who grapple with the uncertainties in the age of migration and mobility. This is a timely and aspiring book with valuable viewpoints for our understanding of the drifting life of Chosŏnjok, their flexibility and resilience; more broadly, for us to reflecting on the life and position of ourselves in this irresistible rapidly changing world. Shin endeavours to incorporate the perspectives of North Korean defectors and South Koreans and to reconcile with the stereotyped image of Chosŏnjok—alienation, displacement, and opportunism. Theoretically sophisticated and informatively organized, yet written in an accessible style, this book is especially apropos for a comprehensive and updated overview of Chosŏnjok.

Special Research Note

# NORTH KOREA AND CHINA: COMPETING NATIONAL MISSIONS

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The similarities between the political system in the People's Republic of China (PRC) since 1949 and that used in the Democratic People's Republic of Korea (DPRK) since 1945 are obvious. Both involve governance by a Marxist Leninist political organisation enjoying a monopoly on power. Both were largely borrowed from the Soviet Union, despite subsequent ruptures in the relationship with their erstwhile patron. But both involved significant amounts of indigenization however, with the Maoist model in China creating a system adapted to the country's largely agrarian situation before 1978, and that in the DPRK veering under Kim Il Sung (Kim Il-sŏng) to a more severe, isolated idiosyncratic iteration. What is more striking however is in the ways that both the PRC and DPRK involved significant amounts of appeal to nationalism as part of this indigenisation, and the ways in which the Korean Workers Party and the Communist Party of China became vehicles of nationalism. Korean identity and Chinese identity are profoundly wrapped up in the respective programmes of both ruling political organisations. It is in this space that they are both the same—commitment to similar ideals and aims—but also so different—articulations of nationalism that are often antagonistic to each other.

Comparing the way that two such different leaders as Kim Jong Un (Kim Chŏngŭn) and Xi Jinping talk of the national mission of the political organisations they lead in 2017 is striking. Xi Jinping is Party Secretary of the Communist Party of China at a time in which it is moving towards delivery of the first centennial goal, marking the hundredth anniversary of the foundation of the Party in 1921. By 2021, China aims to be a middle income country, and to have achieved the restoration and rejuvenation of the nation so that it can be seen to have put its experience of colonialism, feudalism and victimisation in modern history behind it. On 18th October, at the 19th Party

*European Journal of Korean Studies*, Volume 17, No. 2 (2018), pp. 109–111.

Congress in Beijing, Xi Jinping stated frequently in his epic speech that day of the 'historic mission' of the Party he leads and the country he is president of—to be rich, powerful, respected, and to have its central position in the world restored to it. This message is the main source of legitimacy and appeal of the Communist Party today, long after any residual belief in Marxism-Leninism has gone amongst the general population. China's sense of power and confidence is now tangible. It is, for the first time in modern history, a powerful country, and being recognised as such.

For North Korea the context might be different, but as Kim Jong Un's comments in response to US President Donald Trump's speech at the UN in September 2017 shows, resting on nationalist laurels and presenting himself as the guardian of national stability, security and survival play as much a part in his political messaging as they do in Xi's. As Kim stated directly that day (and it is rare that he speaks unmediated in this way):

> As a man representing the DPRK. and on behalf of the dignity and honour of my state and people and on my own, I will make the man holding the prerogative of the supreme command in the U.S. pay dearly for his speech calling for totally destroying the DPRK.[1]

'Dignity' and 'honour' are, of course, words that are not often accorded to Kim's leadership of North Korea. International coverage, and external discourse, focusses on lack of rights, rogue-nation behaviour, and a discourse that is overwhelmingly negative. And yet the source of Xi's appeal to legitimacy in the PRC and Kim's in the DPRK are the same: their fundamental responsibility is to defend the security and stability of the nation states they have stewardship of. And that remains the basic appeal that they make to their own people.

The question between the DPRK and PRC and the links that exist between them, along with the points of leverage and dependence on the part of the former towards the latter rarely factor in the convergence between their respective needs for nationalistic messages and the ways in which these create tensions between each other. The DPRK after all is seeking survival. For the PRC, it is seeking something much more ambitious—global leadership and great power status. Both of these are huge incentives—to continue to exist, and to exist prosperously. But they are also often sources of real conflict.

There is a simple reason for this. The DPRK has to use provocation, accepting high risks and the remorseless promotion of means that serve to at least help it continue to exist. This has involved developing a nuclear programme as the ultimate guarantee of this, despite unanimous international opposition, including that of China. That the DPRK has succeeded in coming so far in developing this capacity is a sign of how little it regards a treaty based security alliance with the PRC as being important. In the end, it has opted for self-reliance, despite the massive strains nuclear capacity has placed on the links with Beijing. For China, the quandary is to

be on the cusp of achieving its great national dream of rejuvenation and yet tolerating a small, impoverished neighbour whose adventurism has created highly unwelcome distractions, and real security issues with the US and others.

China's strategy so far, even under Xi, has been to maintain the status quo, trying to balance itself between escalating demands from the US for more action against Pyongyang, and push back from Pyongyang in the form of a number of nuclear tests and missile launches over the last year.

Will Beijing ever act more strongly towards the DPRK? The assumption is that it would never take a military option, because of its security alliance, and the indignity of a socialist country attacking a fellow socialist state. Even so, the nationalist dynamic has to be factored in here. The calculation is a simple one. Will China, with national greatness in its grasp and rising public nationalist sentiment, be able to tolerate a DPRK whose actions increasingly threaten this? The achievement of this aim matters hugely to Xi's China. On every level, it is part of the Communist Party's mission. Having a DPRK threaten this might cross an invisible red line. We just don't know what China might do and how it might respond to this sort of provocation. As the poet Yeats said, 'tread softly, for you tread on my dreams.' The DPRK risks jeopardising the great Chinese national dream. This is a different issue from that of the past—the realisation of the China dream now is a reality, not an aspiration. In that context, we should not be complacent about what China might do. Individuals and countries in the situation which China is in, with so much at stake, behave differently. We know how China as a second order power dealt with the DPRK. We do not know how it deals with the same issue as a first rank power. But we are likely to soon find out.

## Note

1. Full Text of Kim Jong Un's Response to President Trump, New York Times, September 23rd 2017, at: https://www.nytimes.com/2017/09/22/world/asia/kim-jong-un-trump.html, accessed 6th December 2017.

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Persons submitting articles for consideration should note the following requirements:

1) Articles should be submitted only in English, using British spelling conventions.
2) The body of the manuscript should normally be around 5,000 words in length. Endnotes, bibliography, and other additional material are excluded from this word count.
3) The manuscript should use endnotes and follow the ‘Chicago style’ for references.
4) Romanization of East Asian names, place names and terms should follow the McCune-Reischauer system for Korean, Hepburn for Japanese, and pinyin for Chinese.
5) Where appropriate, the use of Chinese characters and indigenous scripts following the initial occurrence of a term is encouraged. Use Batang font whenever possible.
6) The manuscript should be submitted as a Microsoft Word file attachment and should be written in double-spaced Times Roman 12 point font. This rule applies to both the text of the article and its section headings. All endnotes should be in Times Roman 10 point font. All inserted East Asian characters should be in 11 point font in the text and all East Asian characters in the notes should be in 9 point font.
7) The page format should be set for A4 size with **left-hand justification only**.
8) The manuscript should have a separate cover page that gives the full name of the author, academic affiliation, and full postal and email contact details. The cover page should also have a one-paragraph summary of the contents of the article, and five (5) key words.
9) The first page of the text of the manuscript should have only the title of the article at top. The name of the author(s) should NOT be included.
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