

KIM DAE JUNG TESTS SEOUL AND HIMSELF

INTRODUCTION

South Korean opposition leader Kim Dae Jung plans to return to Seoul early next month after a two-year stay in the U.S. Although he faces possible imprisonment stemming from his 1980 conviction on sedition charges, he hopes once again to become a key figure in South Korean politics. Kim's determination to return is a test of the Seoul government. It would focus renewed attention on human rights and political development in South Korea, which has been showing encouraging signs of moving toward democracy. But the return also would test Kim, challenging whether he is capable of recognizing the political advances of the last few years and the fact that he has been exaggerating greatly the limitations that Seoul places on South Koreans' political liberties.

During his stay in the U.S., Kim has been extremely critical of the current Korean government, which was formed in 1981 after the assassination of President Park Chung Hee. Seoul argues that Kim's activities have included involvement in South Korean politics, which would violate the terms under which Kim was allowed to leave. Kim's critics characterize him as an ambitious politician who has distorted the South Korean political situation for his own advantage.

Kim's political career was at its peak in 1971 when he made a strong showing in his presidential bid against incumbent Park. During most of the late 1970s, Kim was barred from political activities for his harsh criticism of the Park administration. Following Park's death in 1979, Kim's political rights were restored. However, he was arrested in May 1980 and subsequently convicted of inciting civil riot for the purpose of toppling an interim government. In December 1982, he was given permission by the current president, Chun Doo Hwan, to seek medical treatment in

the U.S. While in the U.S., Kim has attacked the Chun government for becoming even more repressive than the Park regime. Kim thus wants to return to Seoul to push for political liberalization. To succeed, he will have to demonstrate that he realizes that the country to which he returns is not the same as that which he left. Kim sincerely may want to change South Korean reality. First he must recognize the reality of 1985.

KOREA'S POLITICAL LEGACY

Modern Korean history explains Korea's recent turbulent politics and lack of strong democratic institutions. In 1945, the Korean peninsula was liberated after 36 years of harsh Japanese colonial rule. Syngman Rhee, a famous nationalist, was elected president of what was known as the First Republic of Korea (ROK) and a democratic constitution was adopted. Yet Korea's long history of subjugation had inhibited the growth of effective political and social institutions. After the Korean War of 1950-1953, the ROK was a shambles. Its economic infrastructure had been almost completely destroyed. While President Rhee was widely respected for his patriotism and zealous anti-communism, he ignored the need for systematic political and economic development and turned most of his attention to perpetuating his own rule. Dissatisfaction with Rhee mounted and massive demonstrations erupted. By 1960, what is now referred to as the Student Revolution of April 19 toppled the Rhee government.

The Second Republic was established under a cabinet form of government, heavily influenced by student demands. The political climate was chaotic, and the economy was edging towards bankruptcy. In reaction to this, a group of military officers under the leadership of Major General Park Chung Hee in May 1961 seized power and declared martial law. In December 1962, the constitution of the Third Republic was adopted by national referendum, and the following October, Park won the presidency by a narrow margin.

Park's highest priorities were social stability and economic development. The ROK's economic achievements over the next 15 years earned the country its "economic miracle" image.¹

Park was reelected to a second term in 1967. Though the constitution imposed a two-term restriction on presidents, Park pushed a constitutional amendment lifting that restriction through the National Assembly during a hastily arranged predawn session. The main opposition party was not present.

¹ For a more extensive discussion of the South Korean economy, see Daryl M. Plunk, "How a Booming South Korea Exports Jobs to the U.S.," Heritage Foundation Asian Studies Center Background No 16, October 1984.

With the change, Park ran for a third term in 1971. His main opponent was Kim Dae Jung of the New Democratic Party (NDP). Though Kim was defeated, he received an impressive 46 percent of the vote. Furthermore, the ruling Democratic Republican Party's (DRP) share of seats in the National Assembly fell to 47.7 percent from the 52.8 percent it had gained in the previous election. It was a clear signal to Park and his DRP that their power was slipping.

By the early 1970s, Park was prepared to begin negotiations with North Korea. Warning that North Korea might take advantage of any domestic dissent during the talks, Park declared a state of martial law on October 17, 1972, and proposed constitutional "Revitalizing (Yushin) Reforms" to embody "Korean democracy." The Yushin system ushered in the Fourth Republic.

Under the Yushin system, the president was to be chosen by an electoral college whose delegates were, in effect, chosen by the president. The president was given the authority to appoint one-third of the National Assembly, virtually assuring a government party majority. The chief executive was also given broad power to enact emergency measures and martial law and suspend civil liberties. Emergency decrees in 1974 and 1975 prohibited criticism of the Yushin system and restricted most political activities.

Domestic political tensions grew steadily. Kim Dae Jung, who had spent considerable time abroad criticizing Park, was kidnapped in Tokyo by South Korean government agents, returned to Seoul, and placed under arrest. Park's most effective weapon against dissent, however, was the ROK's dynamic economic growth of the 1970s. Koreans seemed willing to make political sacrifices in return for rapidly improving economic standards. But when the oil crisis of the late 1970s slowed economic growth, economic dissatisfaction was translated into political dissent. In the 1978 National Assembly election, the opposition NDP won more of the popular vote than did Park's ruling DRP. The government party retained its majority only through Park's power to appoint one-third of the assemblymen. In May 1978, the NDP chose as its leader the outspoken Kim Young Sam. He immediately took the offensive and branded Park as a dictator. In retaliation, the government expelled him from the National Assembly. On October 13, NDP members resigned en masse from the Assembly.

This triggered huge student demonstrations in Pusan, South Korea's second largest city, on October 16. Within Park's small circle of advisors, there was heated debate over how to handle the situation. Park initially followed the advice of Korean Central Intelligence Agency head Kim Jae Kyu. When the situation began to deteriorate, Park rebuffed Kim and turned to Presidential Security Chief Cha Chi Chul. During a dinner at the presidential compound on October 26, 1979, Park and Cha sharply criticized Kim's poor handling of the situation. Following an angry exchange between Cha and Kim Jae Kyu, Kim shot and killed both Cha and Park. Moments later, Kim approached Army Chief of Staff Chung

Seung Hwa, who had been invited to the compound by Kim earlier in the day and was waiting in a nearby building. Kim told General Chung that the President had been killed and urged that they go together to the Ministry of Defense headquarters and take measures to ensure domestic stability and national security. Only hours later at military headquarters was Kim arrested for the assassination. General Chung became martial law commander the next day when an emergency was declared.

THE YUSHIN VACUUM: ECONOMIC DECLINE AND POLITICAL CHAOS

Prime Minister Choi Kyu Ha became acting president but could not fill the political vacuum created by the assassination. It was clear that Park's Yushin system had no legitimacy without him and should be dismantled. One of Choi's first acts was to abolish the emergency decree prohibiting criticism of Yushin. On December 8, he released many political prisoners, including Kim Dae Jung. The National Assembly formed a committee to draft a new constitution.

Meanwhile, the Army's Defense Security Command (DSC), headed by Major General Chun Doo Hwan, was charged with investigating Park's murder. Military investigators felt Chief of Staff Chung had not moved quickly enough to arrest the assassin and to report immediately to his superiors at the Ministry of Defense. As such, Chung was arrested, tried, and convicted of dereliction of duty.

Immediately following Chung's arrest, officers loyal to him attempted to mobilize troops and station them in Seoul. The DSC averted a crisis by explaining the situation to commanders around the country and by mobilizing reserves from several divisions around Seoul and moving them to the capital. Included were reserve forces divisions near Seoul with backup regular troops stationed along the western section of the DMZ. Contrary to numerous reports that a frontline division was diverted to Seoul and consequently a section of the DMZ left unguarded, only reserve troops were redeployed.

In the wake of Park's death, meanwhile, the ruling DRP was wrestling with "rectification," or the purging of corrupt members, who had amassed illicit fortunes by exploiting their positions. A more intense struggle was shaping up in the opposition NDP party between former chief Kim Dae Jung and the new leader, Kim Young Sam. After months of infighting, it was clear to Kim Dae Jung that he lacked the support to recapture the leadership post. On April 7, he announced he would seek his political base elsewhere.

The economic situation, meanwhile, continued to deteriorate. For the first time in 16 years, the economy had stopped growing. It seemed that the "economic miracle" was fading. The situation was made worse when university classes resumed in March, and

student demonstrations erupted again. The students were calling for a new democratic constitution and the immediate lifting of martial law. On April 16, Kim Dae Jung addressed a huge student rally in Seoul. While the authorities did not interfere, the gathering was in violation of martial law. That month, moreover, a mine workers protest resulted in the death of a policeman. On April 30, the military warned it would assume civilian police duties if violence escalated. The first large street demonstrations occurred on May 13; two days later, a policeman was killed during a student riot in Seoul.

Military leaders feared that North Korea would move to take advantage of the ROK's mounting instability. General Chun Doo Hwan believed that "when civilians are unable to, on their own, cope with the extreme dangers to national security stemming from political, economic and social chaos, the Armed Forces must carry out their duty of preserving national security."² On May 17, President Choi proclaimed a heightened state of martial law to curb student violence. The universities were closed and demonstrations prohibited. Kim Dae Jung was arrested and charged with plotting to overthrow the government and attempting to incite riots by funneling money to student agitators. The authorities claimed Kim had arranged for demonstrations to begin around the country on May 23 in hopes that they would topple the government.

On May 18, the day after Kim's arrest, student riots broke out in Kwangju, the capital of Cholla province, Kim's native region. When troops entered the city, violence erupted, forcing the soldiers to withdraw. Negotiations dragged on for days. In the meantime, rioters seized control of the entire city; many armed themselves with weapons taken from police and military installations. In the minds of the military authorities, the Kwangju riots had become a full-scale insurrection. At dawn on the ninth day of the standoff, army forces moved in and regained control of the city. The official death toll resulting from the incident was placed at 189.

Events then moved very quickly. On May 31, the Military Civilian Standing Committee, chaired by Chun, was charged with setting the course for South Korea's future. Over 8,000 government officials, suspected of graft and corruption, were forced to resign, and 567 politicians were banned from political activity until after the 1988 election. On August 16, President Choi resigned, and on August 27, Chun Do Hwan was elected president under the Yushin system's electoral process.

² Chun Doo Hwan, The 1980s: Meeting a New Challenge (Seoul, Republic of Korea: Korea Textbook Co., Ltd., 1981), p. 254.

THE CHUN ADMINISTRATION

Chun and his colleagues set out to construct the Fifth Republic Constitution and "reform the political culture in Korea so that democracy could take root."³ Chun and his close associates are a new generation of Korean military officers. Whereas President Park and his colleagues received military training from the Japanese during colonial rule, Chun and his advisors were graduates of the Korean Military Academy (KMA), established in 1952 under U.S. guidance and patterned after West Point. None of the KMA graduates had participated in politics during the Park era.

The new constitution was endorsed on October 22, 1980, in a national referendum by 91.6 percent of the voters. Presidential and National Assembly elections were set for early 1981. The new constitution was a dramatic improvement over the Yushin system. The President could no longer simply appoint one-third of the National Assembly. Instead, 184 of the 276 seats in the body were directly elected with the remaining 92 being proportional. The party winning the most seats receives two-thirds of the proportional slots. Yet no party's strength in the National Assembly is to exceed 54 percent. Chun has praised the role of political parties. He claims that, while a strong party foundation is vital to effective democracy, past corruption and authoritarianism prevented its development.

The most significant changes made by the new constitution affect the presidency. The chief executive is indirectly elected by a popularly chosen electoral college of at least 5,000 delegates. Unlike the Yushin method, the new system allows direct involvement of competing parties in the delegate selection process. While the president still enjoys emergency powers under the new constitution, they can be lifted by a majority vote of the legislators.

In the 36-year history of the ROK, there has never been a peaceful transfer of presidential power. The present constitution calls for a single-term, seven-year presidency. As a safeguard, it stipulates that no amendment designed to extend the term of the president can apply to the president in office at the time of the change. Chun claims the lack of a tradition of peaceful power transfer was a major contributor to the political upheavals in the 1960s and 1970s.

In February 1981, Chun was elected under the new constitution, receiving 70 percent of the electoral votes. National Assembly elections the next month gave Chun's Democratic Justice Party (DJP) a 54 percent majority, while the major opposition Democratic Korea Party (DKP) captured 29 percent.

³ Young Whan Kihl, Politics and Policies in Divided Korea (Boulder, Colorado: Westview Press, Inc., 1984), p. 49.

In the recent legislative session, compromises were reached on several sensitive issues. For one thing, a measure of local autonomy was restored, as proposed by the opposition party. Under Park, local autonomy had been abolished, with administration of provincial, county, and township affairs being transferred to the national government. This had been a divisive political issue for years. The new law creates elected governing bodies at the provincial level and in Seoul and several other major cities in June 1987. The plan will later incorporate county and township autonomy.

Another major piece of legislation expands press freedom and eases restrictions on press access to government information. It also strengthens the right of journalists to protect anonymous sources.

Well aware of their importance, President Chun made concessions to the students. In December 1983, 1,300 students and professors expelled for political reasons were allowed to reapply for admission or employment, some having been banned by Park up to 15 years earlier. In early 1984, Chun further eased student restrictions by withdrawing police from university grounds, effectively allowing demonstrations and rallies to proceed unchecked on campus. Authorities can be called in if students attempt to take to the streets. Unlike Park, Chun has allowed press coverage of demonstrations.

Chun has granted amnesty to about 500 people jailed for political activities. In December 1982, Kim Dae Jung was released from prison to seek medical treatment in the U.S. Of the 567 politicians banned from politics in 1980, only 15 remain on the list. Lifting the ban on nearly all the former politicians has ensured the creation of a new and outspoken opposition party. Indeed, the New Korea Democratic Party (NKDP) was formed in December 1984 by the Committee for the Promotion of Democracy (CPD). The CPD was organized in June 1984 by government opponents and is co-chaired by Kim Young Sam and Kim Dae Jung. The CPD and the NKDP almost surely will become the primary means through which the government's harshest critics will work for reform. The new party has already become a significant factor in the upcoming National Assembly elections slated for this month.

THE POLITICS OF KIM DAE JUNG

The return of Kim Dae Jung to South Korea is a major political event. While he has spent the last decade either in exile or under arrest, his influence is potentially strong, especially in his home province of Cholla. He now wants to "open a dialogue with Chun" on the issues of democratization. In an interview with The Heritage Foundation, Kim said he will encourage his supporters to be "moderate" and "nonviolent."⁴

⁴ Interview, October 29, 1984.

But Korean authorities are bitter over Kim's efforts to discredit the performance of the Chun Administration and have charged Kim with practicing "demagogic politics" and spreading "false, distorted, and exaggerated views" on the political and human rights conditions in South Korea during his two-year stay in the U.S.⁵

Kim's strategy has relied primarily on appeals to American public opinion through an exhaustive series of speeches, rallies, seminars, and press interviews. He is a compelling speaker whose observations on the nature of democracy are eloquent and stir the sympathies of U.S. audiences. Close scrutiny of his analysis of Korean history and the current government, however, reveals inaccuracies and, in some cases, glaring inconsistencies.

Kim is extremely critical of Chun's treatment of the press. While systematic censorship is not imposed, the Korean press practices self-restraint in reporting on politically sensitive issues. The government has been known to voice disapproval over some reporting. On at least one occasion, the government suppressed news of an event that it felt was politically explosive. When Kim Young Sam went on a hunger strike in May 1983 to mark the third anniversary of the Kwangju incident, his actions were not fully reported until after he had ended his fast. Freedom of the press in South Korea, therefore, is not as complete as it is in the U.S.

Kim Dae Jung, however, exaggerates the limits on press freedom and ignores the gains. He describes the Korean system as one devoid of any press freedom whatsoever and one that tolerates no government criticism. He has said, for instance, that South Korean "news media are under the strictest government control ever"⁶ and that the political climate is "substantially worse"⁷ than that of the Yushin system. He claims that "the name of Kim Dae Jung is taboo" and that the activities and influence of the dissident CPD group are "extremely limited...because no Korean newspapers can report about them."⁸

These assertions are simply not true. For example, the CPD and its efforts to form a new political party have received substantial press coverage. Most reports clearly state that the group is "led by Kim Young Sam and Kim Dae Jung."⁹ Various CPD spokesmen have been quoted in the press as saying that the group will "continue to struggle for the removal of the political ban still imposed on Kim Young Sam and Kim Dae Jung" and fight "against the political evils and economic wrongdoings of the present government."¹⁰

⁵ Washington Post, November 30, 1984, p. A21.

⁶ Speech given at Harvard University, March 10, 1983.

⁷ Interview, October 29, 1984.

⁸ Interview, October 29, 1984.

⁹ Korea Times, Seoul, Republic of Korea, December 8, 1984, p. 1.

¹⁰ Korea Times, December 4, 1984, p. 1.

