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## ACCESS AND REPRESSION IN KOREA

*Taru Salmenkari*

### ABSTRACT

This study assesses political opportunities available to civil society in the Republic of Korea. After democratisation, democracy movement activists simultaneously organised within civil society and entered political society, creating many links between the two. Street politics and violence have not decreased in relation to government responsiveness to civil society's demands. Antiauthoritarian struggles lent demonstrations prestige, which, together with authoritarian influences in policing, has sustained a history of confrontation. Thus, Korea defies the theoretical assumption that political systems open to civil society initiatives use repression sparingly.

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The Republic of Korea offers a surprising array both of opportunities and constraints for civil society actors. Korean democratic consolidation has resulted in the combination of a democratic political system, policing strategies and an oppressive legislation partly inherited from the dictatorship alongside a self-confident civil society capable of using a variety of strategies suitable for democratic and authoritarian contexts alike. This article uses the political opportunity framework to analyze this seemingly inconsistent combination of open opportunities and the regular use of repression. It investigates various political opportunities available for Korean civil society organisations and analyzes how different political opportunities, especially openness and repression, relate to each other. Finally, it scrutinises the reasons for mobilizing contentious action even when access to the decision making process is available.

This research is based on open-ended interviews of civil society organisations and participatory observation of protests. I interviewed 62 people active in Korean civil society organisations, 40 of these organisations being non-governmental organisations (NGOs), five labour unions, and three student organisations. These advocacy NGOs work with a variety of issues, including environmentalism, women's rights, international solidarity, patients' rights, peace,

human rights, and political transparency. All organizations were interviewed in metropolitan Seoul between November 2006 and July 2007. In addition, I observed many NGO and trade union activities and had many casual conversations with participants. My ethnographic research on Korean protest culture has permitted firsthand observation of protest policing complemented by discussions with participants and interviews with riot police captains and human rights organisations.<sup>1</sup>

My eight-month-long fieldwork in 2006–2007 revealed the specific mix of political opportunities in Korea during the last year of the Roh Moo-hyun presidency. As a former human rights lawyer, he advocated a participatory government ready to consult civil society. With the assumption of the presidency by conservative Lee Myung-bak, progressive civil society has had fewer elite allies and institutional openings to decision-making organs, but has managed to mobilise bigger protests. This research probes into the opportunities available for Korean progressive<sup>2</sup> civil society.<sup>3</sup> This choice facilitates a consistent analysis, because progressive organisations are subjected to different patterns of repression and use different openings and allies than conservative groups. In addition, ethnographic study relies on trust and networks and thus my method itself led me to work with contacts and observe activities that are movement-specific.

## POLITICAL OPPORTUNITIES

The framework of political opportunities examining how polities facilitate or hamper social movement activities helps in exploring the peculiarly Korean mix of political access and repression. As Kitschelt (1986: 58) puts it, “Political opportunity structures are comprised of specific configurations of resources, institutional arrangements and historical precedents for social mobilisation, which facilitate the development of protest movements in some instances and constrain them in others.” Political opportunities explain whether the discon-

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1 For more empirical detail, see my articles about Korean protest culture, Salmenkari 2009 and a forthcoming article.

2 This article uses the word “progressive” for the position that champions both democracy and social justice and “reformist” for the position that is pro-democratic.

3 In contrast to the Western understanding but in accordance with a common Korean usage, civil society in this article is shorthand for the progressive movement. Yet, the Korean discourse demarcates between the citizen movement and the people’s movement on the grounds of tactical, ideological, and class differences. While the citizens’ movement pursues reforms within the democratic political system, the people’s movement challenges the existing system. My usage includes both of these movements that emerged in the 1980s and 1990s from the democracy movement but leaves out conservatives who began to mobilize in civil society later.



tented take collective action and whether they choose institutional channels or protest (Koopmans 1999).

Scholars highlight various political opportunities. Tarrow (1998) inspects access to the political system, division within elites, presence of elite allies, and the state propensity for repression, to which Tilly and Tarrow (2007) add the multiplicity of independent centres of power, facilitation, and changes in any external conditions. Kitschelt (1986) studies factors determining openness to social actors, such as the number of parties, the strength of the legislature and mechanisms to aggregate demands, along with the state capacity to implement policies. Kriesi (2004) examines the degree of institutional accessibility, cultural models influencing the elite's and the public's reactions to challengers, configuration of political actors, and the interaction context. Della Porta and Diani (1999) include political institutions, political culture, and the conduct of movement opponents and allies. Rucht (1996) lists access, allies and opponents, policy implementation capacity, and value resonance. Of these, this article will examine access to political institutions, availability of elite allies, state propensity to repress opposition, elite values, and political culture in Korea.

Although political opportunity framework is widely used, it has its detractors. According to critics, the political opportunity approach is too deterministic and structural to recognise the role of a strategic agency and the cultural factors needed for perceiving and utilising opportunities (Goodwin & Jasper 1999); it concentrates only on state institutions, forgetting other external distributions of political, economic and social power (Crossley 2002; Goldstone 2004); it overlooks situational variance in strategic action at meso and micro levels (Lichbach 1998); it sees social movements as restrained by external conditions, forgetting that movements themselves create facilitative political opportunities (Kenney 2001).

I agree with much of this criticism. Political opportunities are not deterministic. They can only tell how external constraints shape a movement's choices, not causes and social cohesion needed for movement mobilisation and maintenance. This article examines political opportunities from the perspective of the actors who actively interact with the political system and elites. It recognises the micro-level strategic choices civil society makes to impel the macro-level political system to respond to meso-level social needs and political demands. Political opportunity research expects that political opportunities translate into collective action because social movements react either to signals from the elite or to changes in policies and rules (Meyer & Minkoff 2004), but my research shows that civil society creates and utilises opportunities in much more nuanced and active ways.

Some earlier studies have applied the political opportunity approach to Korea. Yong Cheol Kim (1998) explains the general strike of 1997 with political oppor-

tunities arising from the government's breach of the democratic process. Kim Park (1997) finds that state facilitation and repression explain labour insurgency better than the intensity of grievances. Sang Woo Lee (2000) observes how the Korean environmental movement utilised openings to the political establishment. Suh (2001) examines how perceived, rather than objective, opportunities motivate labour movement activities. In Korean, Ku To-wan illustrates how the Korean environmental movement emerged when democratisation, a changing ideological landscape and high levels of pollution opened up political opportunities (summarised in S.W. Lee 2000). Yoongkyung Lee (2006) explains Korean labour militancy and Alemán (2004) the Korean proclivity to protest as stemming from the impermeability of political institutions and the lack of party allies. These studies analyze choices made in one single movement and only look at one or two factors of political opportunities. This article will look into a wider variety of opportunities and civil society organisations than any earlier research has done to produce a general picture of the different opportunities and constraints at work in Korea.

### THE KOREAN CONTEXT

The pre-modern Korean state was authoritarian. Korean modernization started under colonial and domestic authoritarian rulers, apart from a short interlude in 1960–1961 following a popular uprising that had overthrown one authoritarian president and lasting until the military usurped power. Japanese colonial rule and the military dictatorships restricted the autonomous development of civil society and kept tight control over associations (Isozaki 2002). Military presidents suppressed independent labour organisations and cultivated capitalists with close ties to themselves.

Before the 1980s, legal associations were either government-patronised or apolitical (Cho 2000). Independent, mostly illegal civil society became visible at times: the Independence Movement of 1919, the April Revolution of 1960, and the Gwangju Uprising in 1980. Korea became a democracy because massive demonstrations forced the military government to announce direct presidential elections in 1987. This democracy movement began to legalise its status and build an autonomous civil society when the end of dictatorship made it possible. When Korea adopted civilian rule in 1993 the common enemy of the democracy movement was gone and civil society organisations needed to find new tasks and tactics. The presidents coming from the democracy movement background adopted many policies initiated by civil society and recruited its representatives.

After the opposition gained presidential power in 1998, conservative forces started to mobilise in civil society.

Protests tend to follow cycles: at first the number and intensity of protests rise when newly realised opportunities and earlier actors inspire others, but after a culmination point most activists start pursuing more conventional political activities and institutionalisation (Tarrow 1998). Korea saw the most intense protests during the late period of dictatorship when the threat of not protesting was great and during the early years of democratic transition when new opportunities to organise in civil society became available. Just as predicted, the democracy movement inspired various other movements and its activists began to organise around new issues. Now the most intense period of mobilisation is over, although both progressives and conservatives are regularly able to mobilise 10,000 demonstrators on the streets. Currently institutionalisation and participation in conventional politics predominate, but civil society organisations still have the capacity and ethos to mobilise collective action. The descending movement cycle is evident in ordinary citizens becoming politically passive, making recruitment and membership maintenance more difficult for civil society organisations.

I now turn to examine various political opportunities as they are perceived by Korean civil society organisations. Along with analyzing access, allies, and repression, I will introduce some factors relating to political culture that can explain the prevalence of a high level of repression in Korea.

## ACCESS

During the Roh Moo-hyun presidency, Korean civil society had good access to decision-making. NGOs held positions in committees, submitted policy proposals and monitored budgeting whilst former NGO representatives worked as ministers, presidential aides and leading bureaucrats. The government asked NGOs for advice and NGOs sent citizen initiatives and complaints to the relevant authorities and requested official information that they made public. Decentralisation of administrative powers opened new opportunities to shape local policy-making. Some NGOs successfully used litigation to change policies or practices. Others monitored court cases and sent their analyses to judges, prosecutors and lawyers to set better standards. Labour has its own particular openings too. There have been some efforts to create a tripartite system of wage negotiations, although according to Buchanan and Nicholls (2003) the system proved more symbolic than substantive. The government has consulted labour representatives, including the Korean Confederation of Trade Unions (KCTU), not participating in the tripartite system.

Civil society has both indirectly and directly influenced the institutional structure itself. New concerns on the public agenda introduced by civil society made the governments establish institutions, such as the Ministry of Environment and the National Human Rights Commission (NHRC), to deal with these issues. The Ministry of Gender Equality, for example, was established directly out of feminist NGOs' demands (feminist, 6 Mar. 2007). These new institutions became avenues for pursuing civil society demands and were staffed with former civil society activists.

Free and direct elections have created institutional openings for civil society organisations. Before elections NGOs publicise information necessary for citizens to hold politicians to account. Their campaign was highly successful in defeating incompetent or corrupt candidates in the National Assembly elections of 2000. Labour entered into party politics with the Democratic Labour Party (DLP). Although its few seats in the National Assembly do not give it much legislative power, its discursive power nevertheless is strong: in introducing alternatives and criticising shortcomings of policy proposals, it has gained a voice in the legislature and in the press. In local elections, some activists have successfully run under an NGO umbrella (environmentalist, 24 Jan. 2007).

Although Korean civil society has many channels to decision-making institutions, the government is not an easy partner. The government has no experience of cooperating with civil society (feminist, 28 Mar. 2007) and, at worst, regards NGOs as obstacles rather than partners with which it can coordinate its policies (human rights activist, 21 Feb. 2007). A grassroots activist (3 July 2007) remarked that public officials only listen to NGO opinion, but do not adapt policy accordingly. A patient rights activist (8 June 2007) confessed that NGOs gain little impact from committee memberships, but they join to receive information about government plans. "The government makes us attend meetings", he says, "because it claims to have consulted NGOs anyway". Appeals to courts or government can help in individual cases, but for solving widespread problems like political imprisonments NGOs need to arouse social awareness and pressure (human rights NGO, 27 June 2007).

The dominant discourse of economic growth weakens both civil society's concerns and the ministries NGOs have good access to. An environmentalist (26 Dec. 2006) regretted that the Ministry of Environment, staffed with former environmental activists, has little power compared to the ministries in charge of construction and trade. Other organisations saw that human rights and privacy protection do not interest politicians because they are not economic issues (human rights NGO, 18 Jan. 2007; political transparency NGO, 2 May 2007). Feminists dominated the agenda of the Ministry of Gender Equality, but had

to promote their cause in an environment where their conservative opponents inside and outside of the legislature campaigned against their initiatives (Moon 2003). A grassroots NGO (24 Apr. 2007) noted that as civil organisations do not enjoy equal partnership with the government they still need to engage in protest to pressure the government.

Originally NGOs joined politics to make the government adopt reforms. In Korea, most social issues tended to converge into political dynamics, making civil society focus on reforming the political system (D.C. Kim 2006). For example, environmental organisations joined anti-corruption campaigns, blaming political corruption for environmental degradation (S.W. Lee 2000). The involvement of civil society in the government has given NGOs channels to submit proposals for decision-making (lawyers' NGO, 16 Apr. 2007) and influence on budgets, laws, and policies. In the process, they have gained opportunities for institutionalizing their own agendas (feminist, 22 Mar. 2007) and have learned about how politics work (feminist, 15 Mar. 2007). Yet, others criticise this orientation towards macro-level political change, saying it makes NGOs pay too little attention to the grassroots and citizen participation.

Institutionalisation of NGO agendas makes it difficult for NGOs to maintain their influential role. Several interviewees lamented that when the government has adopted so many civil society proposals, it becomes challenging to provide always new initiatives and to distinguish the civil society position from the government's. It becomes difficult to promote NGO agendas when the government attends to their concerns, but only symbolically (political transparency NGO, 30 Jan. 2007). Before only civil society organisations had expertise about socio-political reforms, but now the government has its own expertise and is able to dominate the discourse (feminist, 26 Mar. 2007). State-established organs such as the NHRC have more resources than NGOs which consequently lose power (human rights activist, 9 Jan. 2007).

Korean NGOs emphatically stress that they should be independent from the government because a close relationship makes it difficult for NGOs to criticise the government and its policies, especially if the government and NGOs draft policies together from the start (peace activist, 24 May 2007) or NGOs provide services the state pays for (grassroots activist, 3 July 2007). As a consumer NGO (11 May 2007) commented, it is not NGOs' job to help government in its projects. Instead, they should persuade officials about undertaking new projects. Progressives need distance from state institutions to be able to formulate new alternatives and take into account marginalised people (feminist, 22 Mar. 2007). A feminist (17 Jan. 2007) regrets that the agenda of some women's organisations' is too close to the Ministry of Gender Equality, making them inattentive to

radical feminist issues. Ex-activists having participated in making governmental decisions that civil society opposes sometimes even ask for understanding for the government's position (international solidarity NGO, 26 June 2007).

### ELITE ALLIES

Korean history explains the strength of civil society organisations in institutional politics. Reformist presidents Kim Young-sam, Kim Dae-jung, and Roh Moo-hyun manned the administration with people sharing their democracy movement background. Progressive presidents with weak parliamentary and bureaucratic support invited civil society as their partner to hammer out reforms in the name of citizens' demands. By monitoring candidates' behaviour and disclosing their policy stands, NGOs succeeded in making candidates whose opinions are congruent with their own more electable.

Consequently, Korean civil society has a good number of elite allies and many ways to contact them: Organisations lobby, send their policy proposals to politicians, and visit ministries, lawmakers and bureaucrats. They organise conferences and symposia and invite politicians and public officials as participants or speakers. They work together with lawmakers to formulate policy proposals. Some organisations visit abroad with politicians to participate in conferences, familiarise themselves with foreign practices, or pressure foreign governments.

Close contacts to elite allies are not unproblematic. Recruitment to the government has meant the loss of experienced civil society leaders that voluntary organisations find difficult to replace. A feminist (15 Mar. 2007) lamented that making space for second-generation activists is difficult when NGOs consists of a small group of people who are all connected to the government. The movement culture does not automatically prepare these leaders for politics. Many politicians coming from the movement background have a clear mission, but lack the flexibility necessary for promoting their ideals in politics (feminist, 5 Apr. 2007). Interviewees saw that civil society strength in the 1990s came from its image of transparency, honesty, and independence, and opting for entering politics, generally seen as a dishonest and corrupt sphere, weakened NGO power. When people became disappointed with the government and former civil society activists in it, NGOs that had in many ways backed reformists in elections got the blame. Now many Koreans think that NGOs are too politicised and do not want to participate in their activities (political transparency NGO, 14 June 2007).

Korea has a presidential system of government. Korean presidents have tended to interpret their authority as if all power was delegated to the president not accountable to any other political institution (Im 2004). Due to the immature

democratic culture, presidents seldom consult the opposition or the legislature (Seong 2000). To solve consequent gridlocks, presidents have used decrees, veto, and questionable manoeuvres to have their way, such as preventing opposition lawmakers from discussing or voting on the bills (Croissant 2002). Im (2004) labels the Korean presidency “imperial but weak”. Elite structures of this kind render civil society relations to decision makers dependent on who holds power. President Roh Moo-hyun promoted participatory government to which civil society had easy access, but this relationship deteriorated when conservative Lee Myung-bak was elected president. Even with reformist presidents, a strong conservative influence has handicapped many progressive reforms (unionist, 10 Apr. 2007). Thus, a feminist (4 Jan. 2007) remarked that civilian governments have been weak and able to change little, considering that the National Security Law is still intact and labour and unification activists are still arrested.

The Korean party system is unstable. Only two of the seven parties participating in the National Assembly elections of 2008, the conservative Grand National Party (GNP) and the progressive DLP, had contested the previous National Assembly elections four years earlier. In the fluid party scene personal loyalties and power calculations mean more than party platforms. Thus, civil society organisations often find allies in many parties, but the support is unstable. The weak party system and the single-term presidency mean weak political responsibility. This situation is problematic for NGOs belonging to an alliance promoting progressive issues and surveying candidates’ stands before elections. In the presidential elections of 2002, all candidates simply agreed with NGO proposals leaving no distinction between candidates (political transparency NGO, 14 June 2007). After the elections, the government postponed attending to NGO-promoted issues (Jaung 2005). However, the fact that influential Korean civil society organisations, most of which emerged in the late 1980s and the early 1990s, are more stable than political parties brings them credibility.

Most NGOs emphasise that NGOs need to be politically neutral, but some confessed that unofficially they had supported reformist candidates like president Roh Moo-hyun and his Uri party. Because parties align around personalities, not programs, the Uri party was not a consistent ally for progressives. A human rights activist (9 Jan. 2007) called Uri “a confused party” having a mix of progressive and non-progressive lawmakers in its ranks. Accommodating a large spectrum of people with different ideas, it betrayed civil society’s expectations of it advancing democracy (feminist, 5 Apr. 2007). Although Uri appeared friendly to NGO ideals, it became quite conservative in power (political transparency NGO, 30 Jan. 2007; unionist, 10 Apr. 2007). Only one NGO I interviewed continued to work exclusively with Uri, recognising that it is criticised for this

choice. Its leader (6 Mar. 2007) explained that because lawmakers from different parties seldom cooperate, it uses the power of the majority party.

By 2006 NGOs had become disillusioned with Uri and found most support in the small DLP. Civil society commonly turned to the DLP and the DLP actively sought cooperation with NGOs. The DLP provided to activists information the government had tried to withhold (anti-FTA activist, 27 Feb. 2007). Small NGOs benefited from the DLP's ability to mobilise many people to campaigns and demonstrations, and the DLP provided media publicity and financial help for them (27 June 2007) demanding the release of political prisoners, including arrested DLP members. Some NGOs borrowed the DLP identity and networks when going abroad to conferences or to learn about foreign experiences. Although most NGOs are politically neutral, many of their activists are DLP members, permitting many mutually beneficial personalized contacts. For example, a feminist (26 Mar. 2007) helped the DLP in preparing its gender policy program. Other NGOs, preferring assistance from many parties, found that only the DLP has an interest in their concerns (international solidarity NGO, 2 Apr. 2007). Certain activists mentioned not so much the DLP, but single-issue parties as their preferred choice, but there is no satisfactory green party or women's party in Korea. Besides, in progressive civil society, North Korean human rights violations is an issue only the conservative party addresses.

Most civil society organisations do not rely on one party only. Some NGOs consciously seek elite allies from all parties either to build legislative strength or non-partisan relationships with lawmakers. Most organisations approach lawmakers known to have either an interest in or some power over the issue, including party and committee chairpersons. Women's organisations turn to female legislators. Some NGOs contact former board members and other lawmakers they already know. A political transparency NGO (10 July 2007) finds new lawmakers seeking to establish themselves in the National Assembly who are receptive to civil society ideas. Others, however, refrain from any party contacts either because as local organisations they have no strength to lobby or because they want to remain politically independent and promote their agendas through protests only.

NGOs turn to particular ministries too. An aid organisation (5 Mar. 2007) prefers contacting bureaucrats rather than politicians, because bureaucrats are technocrats who know the issues, implement policies, and give recommendations to the government. Grassroots organisations have various relationships with local or district governments, including one (9 May 2007) that contacts a progressive ally, the Korean Government Employees' Union (KGEU), inside the administration.



Although Korean civil society has many elite allies, they are not always satisfactory. Politicians often prepare in secrecy the projects that civil society is likely to oppose (environmentalist, 10 Jan. 2007) and care more about their own power than civil society priorities (feminist, 15 Mar. 2007). Even when it is easy to find support for an NGO agenda, most politicians are too busy to really do anything (environmentalist, 26 Jan. 2007). Finding a good ally is not always enough because this lawmaker may be away to perform his other duties or engage in logrolling when the decision is made (environmentalist, 26 Apr. 2007). Especially for grass-roots NGOs (12 July 2007) job rotation among bureaucrats makes it difficult to maintain contacts with persons familiar with the issue.

The adversaries of progressive civil society have their allies in the government too. While a political transparency NGO (30 Jan. 2007) lobbied lawmakers to accept its proposals for the enterprise law, conglomerates lobbied other lawmakers against their proposals. Big capital and powerful conservative interest groups have non-public connections with the political elites, many of them inherited from the era of dictatorship. According to an environmentalist (10 Jan. 2007) politicians sponsor supportive organisations, and sometimes genuine NGOs encounter groups they have never heard of defending the government's proposals in meetings.

## POLITICAL CULTURE

Elite strategies towards challengers can be either integrative or exclusive. Elites might either try to assimilate and co-opt challengers, or they can confront, even repress them. (Kriesi et al. 1992) In Korea, political culture favours exclusion of challengers. This pattern appeared again and again during my fieldwork: the government forbade FTA-critical demonstrations and advertisements to silence criticism; employers and university authorities expelled all employees or students challenging them.<sup>4</sup> The same lack of tolerance prevails in Korean party politics. The conservative and reformist fronts still engage in zero-sum political games that were typical between the ruling party and the opposition during the dictatorship (S. Kim 2003). Even electoral results are contested through extra-electoral means by the losing party. After its candidate's defeat in the 2002 elections, the conservative GNP joined the attempt to impeach president Roh Moo-hyun for electoral corruption, while before the 2007 presidential elections the reformist front launched an investigation into the alleged corruption of the conservative candidate Lee Myung-bak who was then expected to, and a few days later did, win.

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4 I refer to the cases of KTX, Sisa Journal, Gwangju City Hall, and Korea University.

The democracy movement has not been free of this culture of exclusion. It has held its principles uncompromisingly (Han 2001) and sometimes escalated conflict to demonstrate moral integrity regardless of it losing members and public support (Kim & Lim 2000). I witnessed how conflicts over principles still split a civil society organisation from within. An aid organisation worker (5 Mar. 2007) lamented that although accommodation, not coercion, belongs to democracy, progressive civil society is unprepared to accept differences within itself. A peace activist (24 May 2007) sees that powerful progressive networks explain the demarcation within civil society, making activists support the purposes of those belonging to the network, but not of others.

Often civil society organisations promote positions that do not enjoy consensus in society. Taking one side in a controversial issue, like the anti-FTA struggle where progressive civil society united to oppose the agreement that both major parties and the majority of the populace favoured, shows that civil society chooses its position not for representativeness but for correctness. Sook-Jong Lee (2005) argues that Korean civil society has contributed to division in Korean society and that government partnership with civil society has led to confrontations with other groups and difficulties in implementing policies.

The past authoritarianism explains the continuance of exclusive elite strategies, but they have even longer cultural continuity. In Korean culture, concession implies weakness or cowardice, easily causing a deadlock in which neither side will compromise or retreat (K.D. Kim 2005). People should hold fast to their principles and mediating seems only opportunistic (unionist, 4 June 2007). A similar pattern is found in Japan (Pharr 1990), but it is not an automatic outcome of Confucian culture, since the Chinese paternalist model combines incentives to use officially promoted or personalized access to administration alongside sanctions against disobedience. Thus, the Taiwanese paternalist labour system pre-empts protests, while the Korean highly hierarchical authority patterns and police support for management result in confrontational and militant labour unions (S.W. Lee 2003). However, Korean culture provides values for reprimanding strong repression too. An environmentalist (11 Apr. 2007) cited Dao De Jing's dictum that the ideal state is one people are not aware of and concluded that his country is far from ideal.

Exclusion makes challengers adopt transgressive methods of contention. Pharr (1990) evaluates that exclusion strengthens the position of authorities by permitting them to resolve the problem autonomously. This conclusion is not fully convincing considering that exclusion comes with a high social cost. It divides the community and radicalises the excluded who have nothing to lose but much to win if their actions prove costly to their excluders. The excluded seek inclu-

sion when they find the authorities out among the public. They block authorities' cars, rally outside their offices or homes, even disrupt ceremonies the authorities take part in. Exclusion usually brings a bad name to the authorities and wider social support and media attention to the excluded than negotiation, cooptation or other inclusive tactics would. According to Kyong-Dong Kim (2005), exclusion prolongs conflicts and fuels the passions involved. In contrast, Western democratic systems and Chinese paternalism often succeed in reducing and containing conflict by offering institutional or personalistic channels for political expression. Moreover, uncompromising exclusion is detrimental to some of the elite's aims. Kim and Lim (2000) show that, by fragmenting labour representation, Korean political elites have lost the opportunity to build a broad political coalition supporting state initiatives and to moderate wage demands at workplaces through strong labour confederations that consider overall class welfare.

Exclusion does not necessarily deprive civil society of all its allies. Challengers use courts to fight exclusion and to win compensation and they seek out civil society organisations and politicians supporting their claims. Foreign pressure, especially when coming from an influential organisation like Amnesty International or the ILO, is troubling from the government's point of view.

Exclusion does not rule out influence in policy outcomes. Although the government strongly repressed the movement against the free trade agreement (FTA) between the US and Korea, many of the anti-FTA movement's demands were attended to in the final agreement. The extensive transgressive mobilisation of domestic civil society together with similar pressures in the US was decisive in pressuring the two governments to attend to concerns the movement expressed.

Gaffney (2003) maintains that the myths informing political culture mould political opportunities. In Korea, one national myth favours civil society. The role civil society played in the process of democratisation has given it a special aura of selfless sacrifice and willingness to fight for the common good. This image contrasts clearly with the low trust Koreans have in politicians and political institutions in general (Chu, Diamond & Shin 2001).

Another national myth has provided a tool for the state and the conservative media to use the third dimension of power against civil society. This myth stresses security and order and sees pluralism undermining economic growth and national security. It criticises challengers of the status quo and employers of any divisive methods. It sees labour activism as pursuance of selfish interests harmful to the national economy and security. The labour movement has lost much moral authority derived from the democracy movement due to its being accused of pursuing selfish interests against the public good (Koo 2002). Unions I interviewed fought this image by promoting public interest issues, such as good

governance and education. According to Hyuk-rae Kim (2000), the government has used national security as a justification for not opening policy-making to the public and civil society. This discourse has even been used to pressure reformist presidents to give up some reforms (Buchanan & Nicholls 2003). However, the preference for consensus benefits civil society when lawmakers delay controversial issues in the name of forming consensus, and often it has been civil society that has made them controversial. Jaung (2005) argues that lawmakers' blame-avoidance thus provides an opportunity for NGOs to dominate the political debate and gain concessions for their demands.

### ELITE VALUES AND CLEAVAGES

Political opportunity researchers assume that when elites are divided civil society has a better chance to find support and allies within the system (Tarrow 1998). Demands have a better chance to gain support if they resonate with widely shared values (Rucht 1996). In other words, convergence with mainstream political values or certain elite platforms provides civil society opportunities to incorporate its demands into elite agendas.

In Korea, however, highly divisive elite politics and the lack of trust between the two sides often make civil society choose sides rather than empower it, or empower it only when it is on the winning side of a zero-sum game. Before the presidential elections of 2007, some interviewees categorically rejected the conservative political alternative as if it was still tantamount to promoting dictatorship. Others were more cynical, hoping for a conservative victory to strengthen and unite civil society against the common enemy or noting that civil society activists are involved in elections to help their old buddies remain in power. Recently this division among the elite has spread into civil society and polarized it. Since conservatives began to use mass mobilisations, wide social cleavages have generated countermovements and counter-mobilisations.

The Korean party system has not provided civil society a strong party ally. As the major parties have small programmatic differences and neither has a strong social justice agenda, some issues civil society focuses on receive little support from reformist and conservative parties alike. A medical NGO activist (23 Mar. 2007) observed that Korean NGOs have pursued democratic reforms with parties opposing dictatorship but have no party ally against neoliberalism. He lamented that without a major progressive party ally, NGOs themselves became involved in politics. Major parties have not provided channels for the inclusion of labour (Y.[K.] Lee 2006). Conservatives are anti-communist and thus view labour issues with suspicion. Reformist presidents advocated liberal economic policy

and at best were lukewarm towards labour. The Roh Moo-hyun administration was even accused of a state-conglomerate alliance (D.C. Kim 2006). The statistics collected by a human rights group the Committee to Support Imprisoned Workers illustrate this situation well. During the Kim Dae-jung presidency, 892 workers were imprisoned for labour activism, while by the end of May 2007 the Roh Moo-hyun government had put 958 worker activists behind bars.

The main cleavage in Korean politics was defined by the democracy movement that set itself against the dictatorship to promote democratisation and social justice. This is the demarcation between progressives and conservatives. This cleavage was useful in anti-dictatorial struggles and during the early period of democratic consolidation, but over twenty years after democratisation the simple demarcation between democracy and dictatorship no longer applies, but one can be progressive in one matter and conservative in another. Consequently, many interviewees emphasised the need for civil society to find new strategies and agendas as Korea is diversifying. The dominant cleavage preceding democratisation had emphasised the national and ideological division between South and North Korea. The conservatives and elderly people still use national security to discredit progressive demands and activities for social justice and national unification.

## REPRESSION

In Korea, protest policing, police investigations, and legal sanctions are regularly used against challengers. Despite the violent image of Korean protests, the reality is quite orderly. The prevalent protest policing strategy relies on spatial control for which the police use manpower and police buses to establish no-protest zones, envelope demonstrators or block their advance (Salmenkari 2009). Although the number of riot policemen in any demonstration is high, the police mainly display their force. Della Porta and Fillieule (2004) call this strong police presence, often at a distance, “ritualistic stand-off”. It leads to many encounters between the police and demonstrators. Violence is often there, but is mostly contained and often ritualistic. Violence can express personal anger, but usually it is used instrumentally for physical negotiation over the control of the space. The majority of confrontations are peaceful. Korean policing no longer relies on domination, but on what della Porta and Fillieule (2004) call “negotiated exchange”. The police and demonstrators discuss the event beforehand and often organisers voluntarily choose an uncontroversial protest size and place. Although Korean riot police are not overly brutal, their style is not lenient or tolerant either. To apply the categories

of della Porta and Fillieule (2004), the Korean riot police combine the confrontational approach with the consensual, and often appear rigid, although professional.

Some Korean repression tactics are preventive. The police may prohibit demonstrations and block protesters' arrival at protest sites (Salmenkari 2009). They announce arrest warrants for union leaders before strikes. Korean authorities have systematically used labour leaders' arrests, riot policing and legal constraints to prevent trade unions from organizing (J.K. Kim 2000), including the case of the KGEU during the Roh Moo-hyun presidency.

Korean government uses legislation as a means of repression. Korean laws restrict democratic participation, including demonstrating, striking, and electoral campaigning. Laws permit the police to ban all demonstrations on a certain issue if protesters have used violence or obstructed public order in the past (AHRC 2007). During my fieldwork, anti-FTA demonstrations were categorically forbidden after some protesters torched a government office in Chungnam in November 2006. Participation in illegal demonstrations is punishable, and an international solidarity NGO (26 June 2007) remarked that the fines the police impose are exorbitant for activists to pay. Buchanan and Nicholls (2003) maintain that despite some improvements in individual workers' rights, Korean labour laws remain quasi-authoritarian. Laws penalise even peaceful strikes as "obstruction of business", prevent state employees from striking, and prohibit more than one union in each workplace (ILO 2007). Consequently, independent unions in companies having a company union, possibly on paper only, remain illegal, of which the Samsung union is a famous example. The most notorious legal tool is the National Security Law, used during my fieldwork to arrest a photographer catching a silhouette of a US military base in his artwork, a second hand bookstore owner selling some North Korean novels, and two high school teachers publishing information about North Korea on their website. All leaders of the student union Hanchongryon, outlawed in 1996, must go underground to avoid arrest on the grounds of violating the National Security Law. The human rights group Minkahyup reveals that twenty persons were imprisoned on the basis of the National Security Law in 2006.

Throughout Korean monarchical, colonial, and dictatorial history, coercive forces have been tools of the ruler. Still now, political leaders sometimes ban demonstrations that oppose their views, as happened to the anti-FTA demonstrations throughout 2007 and the demonstrations protesting beef imports from the US in summer 2008. The police (15 May 2007; 20 Dec. 2006), although cautious about incurring blame for failures to maintain order, balance duties towards the government with duties to serve civilians. The fragmentation of political power usually provides space for the police to choose which demands

to respond to, leaving no space to manoeuvre only if the political pressure is united. As the beef demonstrations of 2008 well demonstrate, harsh repression tends to coincide with political pressures, while otherwise the police resort to less confrontational tactics. Sometimes the police make the standards of good policing a priority over political demands. On 16 Jan. 2007, regardless of publicly swearing to prevent the anti-FTA march, the police took the initiative to inform organisers that they would not interfere with their march, although they will impose fines for the defiance (organiser, 27 Apr. 2007). It thus recognised that demonstrating on a predictable route threatens order less than unpredictable, secretly mobilised marches in the city centre.

Repression inflicts costs on protestors, but does not stop opposition. Police repression succeeds in reducing the numbers of protesters by physically stopping protesters from entering demonstrations, by forcing social movements to resort to secret mobilisations and by using the threat of violence to discourage potential participants. Especially costly are arrests of experienced and charismatic movement leaders, although they are costly also to the Korean government, receiving reprimands from the international human rights watchdogs. Repression takes time, energy, and attention away from political activities. Organisations use energy to tackle repression and prepare for the legal battle. Confrontations direct media attention away from the issue to violence. External stress may cause internal crisis. I saw the internal split emerging in one repressed organisation, and heard that the case was not unique.

State repression can open opportunities for protesters. Police blunders and vulnerabilities may help in undermining opportunities of the state (Jasper 1997). The press and public opinion might condemn police violence. An environmentalist (23 Feb. 2007) regarded his imprisonment under the dictatorship as an opportunity to achieve domestic and international publicity for the pollution case he had revealed. Protesters may find foreign allies, such as international human or labour rights organisations, against the irresponsible state. Sometimes repression provides opportunities for mobilisation and recruitment. Harsh repression aroused the Korean people to overthrow the military dictatorship, and even nowadays external threats motivate activists.

Korean civil society utilizes legal opportunities, often successfully, although the weakness of the judicial system compared to the executive branch limits their effect. When courts or the NHRC back civil society claims, the government sometimes simply ignores their rulings, as it did with the NHRC judgment that the ban of anti-FTA demonstrations is unconstitutional. The government fights against court decisions unfavourable to it. When an intermediary court decided that the Migrants' Trade Union (MTU) must be legalised despite its members being

undocumented immigrants, the state not only appealed to a higher court, which in itself made MTU (23 Jan. 2007) uncertain of how it can afford the process, but even arrested and deported MTU leaders for violating immigration rules.

Korean activists' reactions to violent repression vary. Sometimes, especially if one is unprepared, violence can be a shocking and sometimes humiliating experience, as it was to an elderly religious leader who never believed that the riot police would beat him. For human rights activists police violence is a moral issue, but for trade unionists apparently it is a natural external element in the protest environment. They talk about violence, recalling how the police had knocked someone's teeth in during the march or remarking suddenly that although this union office might appear tranquil, the city government sometimes tries to forcibly evict the unionists who reply with an equally strong action such as occupying the mayor's office. This casual way of talking reveals how repression is a practical problem to be expected. For unionists, coping with the means of repression demands technical solutions, such as secret mobilisations, alternative plans, and equipment allowing demonstrators to skirt the police. Their strategies seek to minimise the harm repression causes or even impose material and moral costs on the repressors. Unions show photographs and videos of police violence to gain bystanders' sympathy. Moving proofs of victimization, such as letters of the imprisoned and pictures of the dead, are used to arouse a shared sense of indignation among the activists. Being targeted with repression together can be a highly emotional bonding experience, as I experienced on 10 March 2007 when the police attacked anti-FTA demonstrators with batons and water cannons. Retreating demonstrators exhibited caring for others and there were many affectionate gestures like touching that is not common in Korea.

## RELATION BETWEEN ACCESS AND REPRESSION

Political opportunity scholarship presumes that political access correlates with the sparing use of repression. Della Porta (1995) even takes repression to be a barometer indicating state openness and Sikkink (2005) interprets repression to be one dimension of openness. Eisinger (1973) presents a curvilinear model predicting that violent protests emerge where repression is not too harsh but where access to institutionalised policy making is still closed. Strict repression deters protest while open polities encourage assimilative strategies, making confrontational strategies typical of closed political systems (Kitschelt 1986). Thus, democratisation encourages challengers to participate in institutional interest representation and electoral politics and consequently reduces protesting (Hipsler 1997; Smolar 1996). However, Wisler and Kriesi (1998) find that democracies with



open access might be more repressive than closed democratic systems because in these challengers are presumed to use available institutional channels and not street protest. Obviously, Korea defies the assumption that democratic political participation would mitigate state coercion (S. Kim 2003; Nam 2006). It shows that the inverse relation between openness and repression does not automatically hold. The Korean government has been very open to civil society initiatives and still uses much repression. The rest of the article will examine this puzzle.

Using the concept protest cycle, Tarrow (1998) predicts that after a period of intense mobilisation mass participation decreases due to repression, exhaustion, disillusionment, and institutionalisation of demands. In Korea, the mobilisation peak occurred already two decades ago in 1987 and immediately thereafter when widespread demonstrations forced the government to democratise and consequently opened social space. Predictably, democratisation led to the institutionalisation of democracy movement organisations and opened access to political institutions for them. However, institutionalisation has not made Korean civil society cut back collective action. According to the Korean National Police Agency,<sup>5</sup> Korea saw 11,904 demonstrations in 2007, 64 of which were violent. Social Science Research Institute data,<sup>6</sup> reported in Shin (2001), lists somewhat over 10,000 protests yearly for the first post-democratisation years, with the exception of 1988, showing that demonstrating has remained prevalent since democratisation. Although demobilisation is seen in smaller numbers of protesters and a decreased ability to mobilise people outside organised groups, Korea still sees a high number of protests and protesters. The largest demonstration I participated had around 25,000 participants, but the protests over food safety in 2008 brought non-political citizens to the streets in hundreds of thousands. Thus, there is another anomaly to explain. Either the Korean protest cycle takes much longer than expected or other factors keep the level of protests high regardless of the stage in the protest cycle.

According to della Porta and Diani (1999) protests are most likely when a government is not sympathetic to challengers, making inaction risky and institutional channels ineffectual. Indeed, many large Korean mobilisations using controversial tactics deal with issues having few institutional openings or little elite support. Foreign policy issues, such as opposition to FTAs or US soldiers' misbehaviour in Korea, have seen massive street demonstrations. Nevertheless, elite unresponsiveness may rather prolong protests, and thus bring them more

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5 <[www.police.go.kr/eng/index.jsp](http://www.police.go.kr/eng/index.jsp)>, accessed 31 May 2011.

6 His paper does not mention how this data was collected. This number, therefore, is not necessarily comparable with the KNPA count.

media attention, than explain the original decision to protest. Besides, Han (2001) argues that movement politics does not directly respond to conciliatory or exclusive elite strategies because activists are not necessarily utilitarian, but often also have ideological and value-oriented aims.

Although Korean polity generally speaking is open to civil society initiatives, protests and repression might concentrate in groups and demands for which access is difficult. Yoongkyung Lee (2006) explains Korean labour militancy by the lack of access to the political system. True, when militant labour culture emerged labour had no access whatsoever, but this is no longer the case. Now labour has no fewer institutional openings than NGOs, considering that apart from normal openings to courts, politicians, and relevant bureaucracies, unions use special labour-related institutions and a small working class party. However, the low priority of labour's interests and the strong position of their opponents in Korean politics explain the paucity of labour's elite allies. Therefore, labour needs struggles to pressure political and economic elites to take its demands into account and open negotiations (unionist, 10 May 2007). As a unionist (13 July 2007) remarked, the government seldom moves voluntarily unless unions mobilise public support and attract media attention. According to him, the limitations of this method made KCTU establish a party to channel its demands.

In Korea many confrontational protests concern relatively neglected labour and agricultural issues. Discourses of anti-communism, modernisation, and global competitiveness disfavour labour security or the protectionist market policies the farmers demand. However, this conclusion is difficult to prove because the police (20 Dec. 2006; 15 May 2007) are automatically vigilant with any groups that are well organised, political, or have a history of violence. Workers, farmers, and students' superior mobilisation capacity, violent movement history, and radical ideologies could alone explain the police concern for their activities. These groups face more coercion than NGOs because they are readier to fight back against the political system they do not uphold than NGOs promoting incremental improvements within the existing system. However, NGOs taking part in controversial demonstrations are not spared from repression.

What explains their superior capacity of mass mobilisation is not the difficulty of the issues, but the natural bases for recruitment that labour, farmer, and student organisations representing genuine sectoral interests have. Labour unions can by themselves organise any size of demonstration ranging from one-person demonstrations to events with tens of thousands of participants. NGOs lack comparable mobilisational capacity and turn to labour unions if they want large scale mobilisations (unionist, 7 June 2007; peace activist, 24 May 2007). Understandably, the police (20 Dec. 2006) are more cautious with large demon-

strations and with marches disturbing traffic. Apart from workers, farmers, and students, Korean demonstrators seldom march.

As Goldstone (2004) observes, access and allies do not automatically translate into successful policy outcomes, and often the groups having access but frustrated with their efforts become militant. Frustration is an explanation an environmentalist (11 Apr. 2007) offered too, noting that farmers act strongly because they would lose a lot with the opening of trade barriers. A former riot police captain (14 June 2008) likewise interprets that disillusionment with the government or its unresponsiveness can explain protests, but sees that protesting might also be a familiar method to register political opinions for those uninformed with the ways the democratic system works or be selected because protesting has proven effective before. Indeed, in Korea non-institutional methods can be as effective as institutional ones (S.J. Lee 2000).

## WHEN TO DEMONSTRATE

Korean civil society uses both conventional and transgressive forms of claim making. Each civil society organisation determines its own mix of strategies. The big progressive NGOs and trade unions are active in finding access, approaching elite allies, and mobilizing collective action alike. As Goldstone (2004) finds, in democracies protests and institutional channels are both used often by the same people for the same goals to target the same institutions.

Korean demonstrations are mostly reactive and oppose government plans or policies. Some countries commonly see proactive demonstrations demanding that the government take action, but in Korea they are few. Even street campaigns for new legislation usually introduce victims of current laws and thus involve a strong defensive element. Although collective action is mostly reactive, civil society organisations work for many proactive issues, but use institutional channels to advance them.

Apart from pressuring the government, collective action enables communication with the public and draws media attention. Seven of my interviewees mentioned that demonstrations are a way for civil society organisations to meet ordinary citizens. A unionist (7 June 2007) noted that apart from strikes and rallies the media is not interested in union activities, making many union leaders choose militant action. Because demonstrations make good pictures and thus make the issue more newsworthy, Korean press conferences often resemble small demonstrations. Major political parties demonstrate to register their opposition to certain policies or negative presentations of their party; mayors demonstrate to demand central government investments to their areas; even capitalists

sometimes express their demands to the government through demonstrations. Some of the biggest mobilisations in recent years, demonstrations demanding an apology for the killing of two schoolgirls by a US army vehicle in 2002 and the beef protests in 2008, started among non-political students and netizens. Obviously, the Korean democracy movement has made demonstrating into a culturally appropriate manner of making claims.

Korean trade union rallies show how demonstrating contributes to movement maintenance. Movement songs, demonstration rituals and collective presence in a mass of likeminded people enforce emotional commitment and rational calculations about the chances of success and the shared nature of the grievance. Demonstrations help in maintaining the identity of a unionised worker, an identity that KCTU members proudly display with items of clothing they regularly wear. Collective action can thus boost self-confidence, determination and will to participate in the future.

Jasper (1997) observes that apart from what works, civil society organisations choose tactics expressing identities and moral visions. For the Korean progressive movement the identity as an independent civil society organisation requires non-institutional politics. A feminist (26 Mar. 2007) noted that her NGO has two faces: one cooperates with the government towards policy change, but another offers alternatives and promotes them with aggressive methods. Some other NGOs see protests as the only proper way to influence and refrain from seeking access or elite allies they consider corrupt. However, many activists regret that old methods like demonstrations target the government instead of citizens and give an impression that civil society only knows how to criticise but not how to advocate new things.

Many general benefits of public protest apply to Korea too. Della Porta and Diani (1999) see the force of protests coming from displaying commitment, indicating intense and large support for the demand, and posing a threat. Since non-institutional methods signify threat and power, they can bring leverage and news coverage for the movement (McAdam 1996).

## REPRESSION AND VIOLENCE

In Korea, repression and violent confrontations between the state and civil society groups are relatively common. Although the police are deprived of many methods that they misused during the military dictatorship, police culture and organisation still sustain many characteristics of the authoritarian era. According to della Porta and Fillieule (2004), authoritarian police organisations are typically centralised, militarised, and have little accountability to the public. Although

Korean citizens have recently succeeded in challenging police violence in courts, most Korean riot policemen are serving their involuntary army service and the police organisation is very hierarchical.

Confrontational protest policing has reinforced the militant protest culture in Korea. Although the evidence about whether repression deters protest is mixed (Lichbach 1987; Opp & Roehl 1990), often it produces a backlash (Francisco 1995). In Korea the Gwangju massacre in 1980 incited such vigorous resistance that repressive measures, according to Han (2001), generated more costs than benefits to the dictatorial regime. Often repression discourages peaceful protest and fuels radical protest (R. White 1989). It dampens weaker actors' protests, causing strong organisations to dominate the protest scene (Titarenko et al. 2001). Illegitimate use of force creates feelings of injustice and disillusionment with the state that motivate protest (della Porta and Fillieule 2004; Opp & Roehl 1990). Repression strengthens solidarity among the repressed and commitment to movement organisations (Khawaja 1993).

In line with these findings, Korean protest organisations are well-organised and committed. According to a peace activist (13 Apr. 2007), Korean civil groups cooperate well because otherwise they would have been suppressed by the dictatorship. Sang Woo Lee (2003) finds that hierarchical authority patterns and the non-protected status of the workforce contribute to subversive solidarity and militancy in the Korean labour movement. The prediction that well-organised groups have better chances to survive state coercion (Nam 2006) proves to be correct in Korea. Organisations are useful for micromobilisation, making people perceive repression as injustice and encouraging their expectations of success (Opp & Roehl 1990; Rasler 1996).

There is a reciprocal relationship between protest and repression (Carey 2006; della Porta 1995). The Korean police (14 June 2008), like police elsewhere (Earl & Soule 2006), understand order maintenance as their duty and thus suppress violent protest. However, governments may moderate repression if dissent proves costly (Moore 2000). The Korean police respond in both of these ways. If the protest movement proves persistent, usually the police first increase the level of repression. After a backlash, especially if repression brings bad publicity, the police purposely face demonstrators without riot gear. However, often more lenient protest policing comes with more targeted repression, such as arrests of the protest leaders (Salmenkari 2009).

Lichbach (1987) predicts that protest groups calculate not only the costs but also the efficacy of their tactics. Thus, a government that represses nonviolent activities and rewards violence incites the opposition to choose violent tactics. The Korean government represses some nonviolent but contentious political

activities, but sometimes yields to challengers who by not shunning violence make unresponsiveness costly for the government. This contradiction was evident in the candlelight vigils opposing opening the market for US beef in 2008 which the police declared illegal, but which caused a governmental reshuffle and the postponement of beef imports and some other controversial presidential plans.

Violent confrontation can produce desirable policy outcomes. In authoritarian Korea, the use of violence increased chances of success (Shin 1984). Massive, sometimes violent collective action can make the government postpone or cancel its plans. Recently, long-lasting protests not averting violence forced the Korean government to cancel building a nuclear waste dump in Buan and postpone the annexation of Daechuri village into the US military base. Some challengers recognise that they need contentious tactics to win. To quote an anti-FTA activist (27 Feb. 2007): "We want peaceful action, but sometimes we need strong and even illegal actions to stop FTA."

Nam (2006) observes that in Korea the number of protests decreases when they are not coerced, not when coercion increases. Kim Park (1997) discovers that violent repression ignites labour disputes, although during the military rule facilitation explained their increase even more significantly. State intrusion, such as the frequent use of the riot police to suppress strikes (Kang 2000) and intelligence agency involvement in labour negotiations (Y.[K.] Lee 2006), has transmuted economic grievances into political discontent and made the state itself a target of the labour union struggle (Kim Park 1997; Suh 2001).

Social movement theory assumes that people avoid extra costs. Yet, Loveman (1998) argues that in high-risk situations material costs are often unpredictable and do not apply to solidary and purposive motivations. According to Kyong-Dong Kim (2005), Korean conflicts appeal to moral righteousness that makes participants ignore costs the conflict incurs. The likelihood of any costs for any one particular individual is even quite low if challengers are many and able to communicate to predict whether others will join (J. White 1988). That is, tactics and organisation mitigate and even help avert repression.

Moreover, costs are sometimes beneficial. Activists' willingness to run personal risks reinforces the moral message (della Porta & Diani 1999). It signals commitment, sincerity and deprivation; indicates their strength; evokes feelings of anger and sympathy; and either constrains their opponents or reveals the extent of repression the political elites is willing to use to maintain their grip on power (Biggs 2003). Painful collective experiences foster a sense of empowerment and solidarity (Jasper 1997). In Korea, many protest tactics inflict costs on challengers only, albeit implicating power holders morally. Political suicides, hunger strikes, and self-mutilations are used in Korean demonstrations to highlight the

opponent's non-responsiveness. Pharr (1990) argues that in Japan self-centred demands are culturally suspicious because they destabilise social harmony. Thus, Japanese challengers use self-sacrifice to underline that their cause is unselfish and just. The same holds for Korea. I witnessed Heo Sae-uk's self-immolation to protest the free trade negotiations with the US. His suicide had no impact on the agreement that was reached the very next day, but his self-sacrifice helped to sustain the movement at a moment of distress when a yearlong struggle failed to obstruct the agreement. The movement first mobilised members to pay for his surgery, and after his death Heo became its powerful symbol.

## CONCLUSION

Korea defies the common assumption that open political systems use repression sparingly. During the president Roh Moo-hyun era, civil society had institutional channels and elite allies, but still repression was relatively high. Historical, cultural, institutional, and practical factors explain this result. In Korea, a history of confrontation and authoritarian culture endured democratic transition. The imperfect democratic system, organisational cultures in the police and among the challengers, and regenerated feelings of injustice all account for continuous mobilisation and repression.

Democratisation explains both easy access and the prevalence of repression in Korea. The inclusion of democracy movement activists was rapid, but the culture of violent confrontation of the democratisation struggle contributed to high levels of repression. Presently, says a riot police captain (15 May 2007), the violent history still contributes to mutual distrust between demonstrators and the police in Korea. Additionally, conservative forces have retained both discursive and organisational control over the means of repression. Thus, institutions and cultures of repression can be resistant even when the government promotes human rights and changes laws. Della Porta (1995) distinguishes between stable institutional and cultural structures and volatile elements like elite composition, both influencing repression. In Korea, these stable structures have in large part survived the transition to democracy.

Korea currently might reflect a temporary state of democratic consolidation during which the political system has opened faster than the use of repression has gone down. Davenport (1995) identifies bureaucratic inertia in reducing repression after the coercive apparatus intensifies repression, although democratic regimes concerned about legitimacy are faster than other regimes to curtail repressive policies. As a Korean human rights activist (22 June 2007) remarked, the National Security Law remains because security agencies have 35 branches with 2,300

employees needing to prove their usefulness. The ideational background of national division that has legitimised security maintenance in Korea at the cost of individual rights accounts for this lag. Similarly, for social movements, sustaining the level of protests requires less effort than the original mobilisation did (Carey 2006; Rasler 1996). Reducing the level of dissidence and repression is difficult as long as both sides react to each other's actions (Hoover & Kowalewski 1992).

Although repression is widely used in Korea, policing is evolving towards a less violent and more tolerant direction. Violence has decreased in recent years and become a ritualised and predictable game with rules that both parties mainly comply with. Although for a democracy Korean repression is still high, it is nothing compared to the 1980s when, as a trade unionist (10 Apr. 2007) relates, activists chose one among them to go to prison before they demonstrated because any person shouting slogans was certainly arrested. Still, in the democratic 1990s, an activist (7 Apr. 2007) was arrested once for selling a political publication and once for belonging to a socialist organisation, while now her organisation sells publications openly and Korea has a Socialist Party. During my eight month period of fieldwork the riot police never fired tear gas, did only one baton charge, used water cannons twice, and avoided many confrontational tactics such as arresting demonstrators on the spot. Considering that many Western democracies use these methods, the Korean riot police no longer use overly high-handed tactics in public demonstrations, although they continue to repress union activities and local movements in a more high-handed manner. Korean repression remains harsher than is common in other democracies in the high number of riot police deployed, the use of large and often permanent no-protest zones as well as routine denials of demonstrations and punishments for organisers of strikes or new labour unions, police interference in strikes, and the criminalization of certain forms of speech and assembly. Even if repression is decreasing, Korea shows that openness and repression are separate variables that can develop at different paces and with differing logics behind them.

Korea will probably see high levels of street politics in the future too. Rigorous repression has kept oppositional organisations strong and civil society confrontational. Democracy movement engendered a culture of resistance still giving prestige to acts like demonstrating, hunger striking, and political suicides. Democracy movement activists, most of them students in the 1970s and 80s, remain politically active and will continue to use their skills of mobilisation. Many central democracy movement issues remain unsolved, making people's movement groups who are demanding a more inclusive political system sustain confrontational state-society relations. Since political voice was not expanded to many social groups automatically, they have continued to struggle for inclusion (Nam 2006). Nevertheless,



Korean civil society has faced pressures to use contained instead of transgressive methods of contention. As Cho (2000) notes, when democratisation brought space for independent civil society organizing, moderate movements started to prevail. When institutional channels became available, many in the public withdrew their support from militant activities. Thus, labour unions (10 May 2007) found that although the public strongly backed their struggle for legalization, it has not since supported their confrontational activities.

Incomplete democratic institutions enhance active street politics in Korea. Personalistic power explains the easy access to decision making Korean civil society enjoys. Civil society empowerment was realized when presidents, themselves coming from the democracy movement background, brought their own affinity groups into the government and relied on civil society support for realizing reforms. Thus, Korean political society has become more inclusive, but not necessarily more tolerant. Political culture still favours exclusion of challengers and principled, sometimes obstinate, struggle against injustices. Koreans generally distrust their political institutions (Chu, Diamond & Shin 2001), indicating that electoral politics has not provided them avenues for solving many problems. When the government proves unresponsive, challengers might find non-institutional means attractive. Sometimes this is true even within the political elite. In spring and summer 2008, opposition lawmakers refused to open the legislature where they are in the minority and chose to participate instead in street politics where they were among the majority.

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