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The Candlelight Revolution Continues

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## Introduction

### The 2016-2017 Candlelight Revolution and the Support for More Peaceful North-South Relations on the Korean Peninsula

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#### I. Background

In May 2018, I returned from a one month visit to South Korea. The visit was remarkable in a number of ways that I want to document and discuss. In order to understand the current developments, however, some background is needed. That background is what I refer to as the netizen developments.<sup>1</sup>

My attention was first drawn to South Korea early in 2003 when mainstream Western newspapers carried accounts of how in December 2002, Roh Moo-hyun had been elected President by the netizens.<sup>2</sup> This was a reference to the Internet users who were committed to exploring their civic responsibility having been empowered by their newly acquired Internet access.

Roh's election was propelled by demonstrations called Candlelight demonstrations, in response to netizen anger after two South Korean middle school students had been killed by a vehicle driven by U.S.

Military Personnel. Roh was a human rights lawyer whose election was the product of a broad ranging campaign by netizens challenging the conservative practices that have been common during South Korean elections.<sup>3</sup>

By 2008, Roh's term was up. He was followed as president by Lee Myung-bak, a conservative business man who was elected to the presidency in part because the online campaigning that enabled Roh to win his election was now called illegal and forbidden and punished by big fines or even a potential jail term. Such restrictions took several more years to be overturned by the South Korean Constitutional Court. Lee Myung-bak served as the President of South Korea from 2008-2012.

Just a few weeks after he took office, President Lee introduced a number of programs that drew vehement opposition, particularly from netizens. This led to a 106-day Candlelight demonstration in Seoul along with other demonstrations around the country. Among the studies of the 2008 Candlelight demonstrations is one by Min Kyung-bae titled "Analog Government Digital Citizens."<sup>4</sup>

In his article, Min describes the growing gap between the netizens who have mastered digital technology and new ways of focusing on communication as opposed to the government officials who are stuck in the old patterns of analog technology. Min's article describes how government officials had closed off some of the offline open areas where students and others could discuss and debate issues. In response netizens set up online forums where they could have discussion and debate. Then netizens took the frameworks they had created online and recreated them offline.

One example of this process was a debate held outdoors around midnight on June 10, 2008 which continued into the early morning hours on June 11. The issue of the debate was whether or not the demonstrators should climb over the shipping containers

that the police had used to erect a barricade in front of the Blue House where the President lived and worked.

During the offline debate many people online also participated by being in online contact with those who were out at the plaza participating in the debate. The result of the debate is that a decision was made for several protesters to climb onto the top of the shipping container barricade with their organization flags to demonstrate that they could have gone over the barricade but that they had publicly come to the conclusion they should not do that.

Their action demonstrated that such a debate/discussion which could be carried out online, now could also occur offline. In this situation demonstrators learned that their online practice could be used to create such actions offline.

Such experience and lessons learned during the 2008 Candlelight demonstrations served the citizens and netizens of South Korea well when in 2016 they began six months of Saturday nonviolent demonstrations in their fight to impeach Park Geun-hye who had become the President of South Korea in the 2012 election.

## II. The Inter-Korean Summit

When I arrived in Seoul late in April 2018, everyone's attention was focused on the upcoming Inter-Korean Summit which was to take place on April 27.

Once the Summit began, the attention of all the South Koreans I observed in stores nearby or elsewhere was focused on the streaming TV programs broadcasting the Summit.

The details of the unfolding event were impressive as the commitment of both President Moon Jae-in of South Korea and Chairman Kim Jong-un of North Korea demonstrated a determination to work toward a peaceful future. A warm and friendly relationship showed signs of developing between the two and between their wives.

Several days later when I was having dinner with a Korean friend, the friend observed, "Who would have expected any of this to happen even just two years ago?"

## III. The 2016-2017 Candlelight Demonstrations

My decision to take a trip to South Korea was in part motivated by the desire to hear the discussion and

debates among activists and researchers about how they understood the 2016-2017 Candlelight demonstrations.

When I arrived in Seoul, I learned that there were several conferences planned to analyze the 2016-2017 Candlelight demonstrations. One of the conferences was to be held toward the end of my visit, but it would all be in the Korean language without translation.

Fortunately, I was able to arrange interviews in English with a few of the researchers at that conference to hear about their work. One professor did a brief translation for me of the keynote presentation on the first day of the conference. He also arranged for a student to translate some presentations the second day of the conference. This conference was on the recent Candlelight demonstrations and their impact.

I found the keynote especially interesting but since there was no written version available and the translation I was given was informal, I will share some of the notes I made with the proviso that these are my notes and not the result of any official or formal translation.

The title of the conference as rendered in the informal translation was: "Symposium on Candlelight Protest." It was held in a National Assembly building in Seoul on May 18-19, 2018. The title of the keynote presented on May 18 by Kim Jung-bae was "Historical Significance and Challenges of Candlelight."

In the keynote, Kim pointed to a book written a few years earlier about how around the world, democracy has been in retreat, for example in India and Turkey. Kim Jung-bae wondered, if democracy was in retreat everywhere, then how was it that the Candlelight protest was possible in South Korea? He said he was still seeking answers to this puzzle. He proposed that the drama of the Candlelight and its ramifications needed to be studied.

He also described how he had attended a demonstration called by middle school students. He was surprised that they had come from across South Korea and that they put forward the need for a revolution.

Kim Jung-bae made a number of other observations and raised issues to be explored. Then he returned to his concern that even after the Candlelight demonstrations, there was still a danger of South Korea retreating from democracy. He proposed there was a need to identify the fundamental motivation driving the Candlelight so as to keep it alive.

Other papers at the conference explored various

aspects of the Candlelight phenomenon. In general, the issues in contention revolved around two different views. One was that the candlelight was part of a revolutionary development. The other was that it was perhaps a form of populism.

One of the reasons I have offered this background is that I felt it would be helpful to understand the kind of analysis and discussion that characterize the papers presented at another conference that took place on May 23. That conference was titled: “International Forum: The Role of Civil Society for the Improvement of Inter-Korean Relations and the Process of Peacebuilding on the Korean Peninsula.”

I want to point to some observations and recommendations in one particular paper presented at this conference, the paper by Lee Taeho titled, “The Role of Civil Society for Building Inter-Korean Trust and Peace on the Korean Peninsula.”<sup>5</sup> (The paper is reprinted in this issue starting on page 19.) There are other similarly interesting observations and recommendations in other papers presented at the same conference, but for my summary Lee Taeho’s paper makes some particularly useful observations and recommendations.

#### IV. Observations and Recommendations

One significant observation made in Lee’s paper was that the relationship between the two Koreas had to be different after the 2016-2017 Candlelight Revolution from what it had been before. Some of the reasoning behind this observation was that the Candlelight Revolution provided for the democratic legitimacy of the Moon Jae-in government. The election that Moon Jae-in won shortly after the victory of the Candlelight was a direct result of the Candlelight Revolution’ winning the impeachment of Park Geun-hye. The Candlelight demonstrations provided support for the political authority of what would shortly afterwards become the Moon government. The success of the Candlelight Revolution resulted in part from the important role played by South Korean Civil Society. With this support, one can argue that Korean Civil Society has won the right to work together with the government to find solutions to difficult problems. But for that partnership to continue the government will have to work for better relations with the North since reconciliation and eventual reunification are crucial goals of many who are part of South Korean Civil Society.

Another basis for a different relationship be-

tween the government and the citizens, Lee’s paper proposes, is based on the experience demonstrating that the safety and well being of the people who live on the Korean Peninsula is dependent on decisions made by them, not by outside experts.

Drawing its conclusions from the success of the Candlelight demonstrations, the paper proposes “broad and open discussions” by the ordinary people “without limitation” on debate.

Lee’s paper calls for the government to form a discussion forum to make it possible for citizens to participate in the reviews and discussion of the direction the government should take to improve the relationship between the two Koreas so as to be able to resolve controversial issues. It proposes that civil society in South Korea work to “open a space where citizens as sovereign can have a discussion altogether and participate to build a peaceful consensus for coexistence.”

Lee’s paper argues that the legacy of the years of the division of Korea has created a challenging situation. In order not to be harmed by this legacy, civil society has to work to create a process which will require not just finding the middle ground between different views but a space to encourage free discussion of various visions and methods so as to arrive at processes to unify those with diverse experiences.

The paper concludes that, with the “dramatic change ... unfolding on the Korean Peninsula and in Northeast Asia,” the role for civil society, is to “freely imagine, share, and boldly embody practices to overcome the division of the Korean Peninsula and to further the coexistence in East Asia while confronting old stereotypes, prejudice, and taboos that the division system emphasized to us, armed with a strong belief in changes that the participation and solidarity of the citizens of the Korean Peninsula and the entire world will help us draw out.”

#### V. Summary

A question is raised by the review of the Candlelight Revolution that has been going on in South Korea over the past 15 years. Is there a new political process unfolding in South Korea which can help forge a new relationship between the two Koreas? The experience of the Candlelights has helped to create a digital form of citizenship which is also a more participatory form of citizenship. Min Kyung-bae’s article about the 2008 Candlelight helped to

document the nature of this new form of citizenship. Lee Taeho's article documents some of the new processes that South Korean netizens and citizens have learned from the Candlelight experience which can be applied to the inter-Korean processes.

Another article, "Ushering in an Era of Great Transformation on the Korean Peninsula through Citizen Participation" by Lee Hyeuk-hee, demonstrates that there are other activists and researchers in South Korea trying to define this new political process and determine how it can help to forge a new relationship between the two Koreas. "A different era requires different thinking" writes the author, who is Chairperson of the Operation Committee of the NGO One Korea Action. Lee Hyeuk-hee describes what is happening on the Korean Peninsula as "this great transformation." At its core, he writes, was the "Candlelight Revolution."

While Lee Myung-bak and Park Geun-hye sought to pursue a policy of confrontation with the DPRK, leading to a military crisis, earlier South Korean Presidents, Kim Dae-jung and Roh Moo-hyun had begun the process of working toward a more long range and peace-supporting inter-Korean policy. They instituted an engagement policy.

With a new government in the South put in place due to the success of the Candlelight Revolution, it became possible for the new president, Moon Jae-in, to return to an engagement policy. This involves economic, social and cultural interaction rather than Lee Myung-bak's and Park Geun-hye's policy of reunification through absorption.

Moon and Kim Jung-un have put in place a top down approach toward rapidly normalizing relations through "negotiation and dialogue between high ranking officials" which then is to be "expanded downward."

The goal of this process is to institutionalize inter-Korean relations via the creation of a confederation of the North and South. A confederation means the North and the South can exist as two sovereign states for a period of time as they prepare for reunification, by first forming an economic community, then a socio-cultural community and finally a political community.

Lee Hyeuk-hee argues that the previous failure of inter-Korean exchanges was the failure to "attract the masses" to be part of the process. He explains, their participation was needed in order to succeed in building a solidarity between the peoples of the two

Koreas. The Inter-Korean Joint Liaison Office opened in Summer 2018 could provide a means to create the structures to make possible the needed exchanges and cooperation.

Lee Hyeuk-hee proposes the need for many contributions to forge the solidarity between the two cultures of the North and the South. Such contributions, he suggests, could be made by those who had been part of the Candlelight Revolution and by 'regular' citizens. Lee Hyeuk-hee argues, such wide ranging contributions and involvement is needed in order to finally end the cold war system still dividing the Korean people.

Min Kyung-bae, Lee Taeho, and Lee Hyeuk-hee all see the Candlelight Revolution as setting the basis for the new political processes that will make possible the new relationship to be built between the two Koreas.

The papers by Lee Taeho, and Lee Hyeuk-hee provide a set of proposals for how the two Koreas learning from the candlelight experience, can approach each other. This is a start. But also needed is continued study of the candlelight experience so as to broaden the insights and lessons that civil society and government can learn so as to build a mass based solidarity among the peoples of the two Koreas. There is some experience that the Korean people have had, in both the North and the South to help with this. What is needed is discussion among the citizens and netizens of Korea and research efforts to meet the demands of such challenges.

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#### Notes:

1. See e.g., Michael Hauben, "The Net and Netizens: The Impact the Net has on People's Lives." Online at: <http://www.columbia.edu/~rh120/ch106.x01>.
2. Barbara Demick, "'Netizens' Crusade Buys New South Korean Leader: An unofficial online fan club is credited with helping Roh Moo Hyun into office by attracting young voters. It may continue to play a role." *LA Times*, Feb 10, 2003. Online at: <http://articles.latimes.com/2003/feb/10/world/fg-cyber10>
3. Yun Young Min, "An Analysis of Cyber-Electioneering: Focusing on the 2002 Presidential Election in Korea," *Korea Journal*, Vol. 43. No. 3 Autumn, 2003 pp.141-164. Online at: [https://www.ekoreajournal.net/issue/view\\_pop.htm?Idx=3258](https://www.ekoreajournal.net/issue/view_pop.htm?Idx=3258)
4. Min Kyung Bae, "Analog Government Digital Citizens," *Global Asia* Vol. 3 No. 3, 2008.9, pp. 94-103. Online at: [https://www.globalasia.org/v3no3/feature/analog-government-digital-citizens\\_kyung-bae-min](https://www.globalasia.org/v3no3/feature/analog-government-digital-citizens_kyung-bae-min)
5. Lee Taeho, "The Role of Civil Society for Building Inter-Korean Trust and Peace on the Korean Peninsula," presented at "The International Forum: The Role of Civil Society for the

[Editor’s Note: Jennifer Lee, a New York City student, spent a semester between high school and college in Seoul, South Korea. She was in Seoul during the 2016-2017 Candlelight Revolution which succeeded in impeaching then President Park Geun-hye. This essay was published on the Entropy website on January 16, 2018 at: <https://entropymag.org/gwanghwamun-song-by-jennifer-lee/>.]

## Gwanghwamun Song

by Jennifer Lee

My aunt calls to tell me: let’s meet at Jongno-3ga [subway station]. My eyes linger on the faces of those boarding the 1-train with me at Si-Chung Station, wondering if we share a common destination. The late-autumn air bites with the tang of anticipation, and I recall the expected numbers scrolling across the television this morning as I lay in the jjimjilbang [public bath] with my grandmother, eyes squinting to see without my glasses.

As I sat together with halmoni [grandma], splitting a tangerine and strawberry yogurt, she sighed. “It’s so dangerous to gather in such large groups,” she said, eyes fixed on the news anchor telling us that *as many as a million people are expected to show*. “I can’t believe people are putting their lives at risk.”

I brushed from my mind thoughts of the incriminatory texts in my locker by the baths as I peeled two slices of the tangerine apart, giving one to halmoni, straining to hear the muted voice of the news anchor. *A historical moment.*

My grandmother shakes her head again. “Her father, Park Chung Hee – he did great things for our nation.” She folds the foil yogurt cover into a spoon, scooping strawberry yogurt into her mouth. “It’s so unfortunate about his daughter. But going into the streets....”

The fear reminds me of my history teacher on Friday as she told us about the [May 1980] Gwangju Uprising, adding, “I sat at home last weekend, worrying these protests will become violent, as they did thirty years ago,” and I feel my throat catch, because

I know my grandmother remembers Gwangju and she remembers the [1987] June Struggle and she remembers farther back, too, to the 6.25 [Korean] War.

But the past weeks had been nonviolent, and so I texted my aunt, asking to go with her to Gwanghwamun.\* She’d told me to text her back when I left the jjimjilbang with my grandmother, and then had called to tell me where to meet. All these moments are churning through me, and I cling to the warmth of the jjimjilbang with my grandmother in the pit of my stomach as I sway with the lurching train towards the candlelight.

These past few weeks, in evaluating the actions of the president, people have been returning to two lines from the Constitution: Article 1.2, which states that “The sovereignty of the Republic of Korea shall reside in the people, and all state authority shall emanate from the people,” and Article 7.1, which states that “All public officials shall be servants of the entire people and shall be responsible to the people.”

The word for the Constitution 헌법 comes from the Sino-Korean roots 法 meaning “law” and 法 also meaning “law” – a contrast to the American word “Constitution,” which suggests more something that is drawn up intentionally of several parts, composed by human hands, rather than an absolute, fundamental *law*.

The irony of the idea of a “law” “law” is perhaps best exemplified by Korea’s Second Constitutional Amendment, also known as the “Sasaob” (Integer-Rounding) Amendment. In 1954, there was a National Assembly vote to remove the term restriction on the first president. In order for a constitutional amendment to pass, a two-thirds majority of the 203 Assemblymen in office needed to vote in the affirmative. Two-thirds of 203 is  $135.\overline{3}$  (repeated), which makes 136 votes necessary for a two-thirds majority. But only able to secure 135 affirmative votes, the ruling party decided with the support of the Korean Mathematical Society’s head that one should use integer math to round down, making 135 votes count as a two-thirds majority, thus enabling Syngman Rhee to legally cling to his office in perpetuity.

This was the original functioning of Korea’s Constitution.

As I hurtle towards Jongno-3ga, signs of the gathering begin making their way onboard. Students wearing headbands with plastic tealight candles fixed atop their heads. Parents guarding children who clutch

signs and candles nestled in cups, trying to impart early lessons about democracy. My phone buzzes as I connect to subway station Wi-fi, and I pull up KakaoTalk to find that my classmate has messaged me. *there r so many ppl! I've been here since 1 and I just followed th crowd until I cld get into paris baguette but now I don't kno wht street im on and my phone is at 1% and im going 2 miss night hagwon too. where r u?*

*going 2 meet my aunt but if u know where u r maybe we can meet u? can u charge ur phone? find ur way to the nearest train station?*

I step onto the platform of Jongno-3ga, taking the stairs up – and then there are people all around me, those heading for the subway and those heading for the outside, and the walls are lined by people waiting for the bathroom – mothers and grandmothers and children and high schoolers in school uniform.

I follow the signs to exit 7, but as I approach, a subway worker wielding a flashlight shouts at me and those around me: “Exit through these stairs is not permitted! You can go out exit 5, or go back towards the subway.”

Exit 5 is where I had just come from, is the exit nearest where I had gotten out from the train level, but I head back, phone pressed to my mouth, telling my aunt, “Exist seven is blocked. I’m going out exit five.”

“Find your way to exit seven,” she says, hanging up.

I follow the feet in front of me up the stairs, onto street level – and it is then, looking around, that I find myself caught in a current and realize that *This is what a crowd looks like.*

My decade as a New Yorker has not prepared me for the people packing the streets. We *are* the street, sidewalk to sidewalk, hands cupping candles and calling out in unison: “Park Geun-Hye ha-ya hara! Dang-jang toe-jin ha-ra!” My eyes roam hungrily across the crowd, seeking a subway entrance with a “7” emblazoned on it, and I find it, on the far side of the sea, just as everybody around me begins to sit.

*see u soon!* I text back, sitting cross-legged with the crowd around me. I cannot figure out how to make my way through the street without stepping on feet or hands or pushing those around me, so I decide to lose myself to this crowd, if only for a moment. We are not shouting, or pushing, or speaking. Just sitting in this silence, in this stillness, and I feel the power between me and my neighbors, in the lights they are

holding, as I am one among a million, and I wish for my own candlelight to cup my hands around. And then there is a woman shouting, “The procession is continuing towards the Blue House,” and people are standing, and in the rush, I push my way towards my aunt – on the other end of the sea, waiting for me.

Finally I see her, and she reaches for me – arms open in a hug, the niece she sees not often enough, as she whispers, “Your mom would kill me if she knew you were here.”

The impeachment of a president through popular protest in Korea does not lack precedence. In 1960, in what we now remember as the April 19<sup>th</sup> [4.19] Revolution, a hundred thousand protesters marched to the Blue House demanding the resignation of Korea’s first president – U.S.-backed dictator Syngman Rhee. The police opened fire on civilians, killing hundreds. When Syngman Rhee finally stepped down, the U.S. flew him to Hawaii, where he lived unremarkably until he passed away.

It wasn’t until this past winter, when I went in search of the 4.19 [April 19, 1960 student uprising against Syngman Rhee] National Memorial, that I realized it was the same park in Suyu-ri I had gone to play in with my grandmother when I was a child. Seeing the flowers and Korean flags marking each tombstone, I had thought at the time that the rows and rows of headstones at the edge of the park belonged to military veterans or soldiers, like my grandfather – it was only now that, returning, I read them for the first time. They were college students, barely older than I was, unexceptional other than in that they had hoped for a better country and died at the hands of their government.

As we walk together towards Gwanghwamun, my aunt buys us each a candle for two thousand won, from one of the dozens of sellers lining the streets. “Be careful not to tip it – the paper cup might burn,” the man who hands me mine warns. As my aunt and I link arms, each holding a light, I cannot help the smile breaking across my face. I am angry; I am sad; both are reasons why I am here – but being here, among fellow Koreans, hands cupping my candlelight, I imagine our years of shared history behind us as a bond tying us together to this one place.

The crowd grows thicker as we approach the square, and amidst the plummeting temperatures a girl passes me a stack of hand warmers, telling me to take one and pass it.

We pass screen after screen – massive

Samsungs and LGs set up in the street, with people clustered before each. Vans, too – from JTBC, from OhmynewsTV, from KBS and SBS and every station under our sun. Major opposition political parties have bought out blocks of bus and plane tickets for people to come up from the countryside or fly in from as far as Jeju Island. Groups pass, waving flags and shouting. There are no signs of the disunity and national disagreement that will become the next presidential election, as the same people who fought alongside each other for the impeachment fight for the right to become the face of a new era. My aunt steers me from those headed for the Blue House, murmuring, “If anything violent happens, it’ll probably be there.”

And then, suddenly, we can go no further. Ahead of us is a wall of people, and I realize that the people I saw before were only the outskirts of the crowd: now I have reached the edge of the center, from which I can see only bodies ahead of me, spilling out in all directions, further than the furthest reaches of my eye. I understand now my friend when she said she did not know where she was, that she could not see any street signs, that all she saw were people and people and people until she ducked into a bakery. As I realize why my aunt had told me to meet a fifteen-minute walk away from the Gwanghwamun station, voices rise around me in song.

You call this a country? You call this a country?  
Den of treacherous thieves Geun-hye, Soon-sil,  
Myung-bak  
Heaven for criminals; hell for everyday men;  
We can stand it no longer.  
Ha-ya ha-ya ha-ya ha-ya hayuh-ra.  
Park Geun-Hye reul dang-jang ha-ya hayuh-ra  
Ha-ok ha-ok ha-ok ha-ok hayuh-ra.  
Park Geun-Hye reul ha-ok shikyuh-ra.

I do not yet know these lyrics – although as the months of protests continue this song is one of many I will come to know as muscle memory, songs that make my throat catch and my eyes water as I remember what it was like to stand in Gwanghwamun Square that winter. These are songs I will only ever remember as protest songs, because I heard them first at Gwanghwamun:

*The Rain and You (비와 당신); Youthful You (젊은 그대);*

*Don't Worry Dear (걱정 말아요 그대);*

*The Truth Does Not Sink/Darkness Cannot Overcome the Light  
(관심은 침몰하지 않는다/어둠은 빛을 이길 수 없다);*

*Arirang Mokdong (아리랑 목동)....*

As we walk back to the subway, my aunt gives her candle to a person on their way to Gwanghwamun, and they thank her, and she thanks them.

In the weeks to come, my feet will lead me further into the crowd, shoulder-to-shoulder with those around me, energy pulsating between us, fumes from vendors selling bbundaegi heavy in the air as I wave the reusable LED candle my aunt has ordered for me online.

Half a dozen songs take shape in my mouth as I think of my high school teachers who have denounced Park Chung-hee for his authoritarian rule, Park Geun-hye on her government-created history textbook policy, which would erase the memory of the Jeju Massacre, and the bribing of university officials for Choi Soon-sil’s daughter’s education. Every week there is more news of the corruption spiraling out from Park Geun-hye’s administration, despite her having been the only president to have won the nation’s democratic elections with an absolute majority of the vote. Of course, months later, evidence surfaces also of the previous president tasking the national intelligence agency with the role of ensuring that Park Geun-hye would win the next election, ensuring the party’s maintenance of power.

I buy gloves from the subway station on my way home from Gwanghwamun, as I realize an LED will not keep my fingers from the chill.

December 3, 2016 – the Saturday before the verdict of the 9<sup>th</sup>. The day of the two million. My aunt and I eat spicy mushroom kalguksu near the National Assembly building before we head over to the subway. There had been protests in front of the Assembly all morning, but we are headed again to Gwanghwamun. My mother has given me her blessing today, told my aunt to take care of me, said, “Be there for me! It isn’t about you, but it’s about your body, on the street, making one of two million.”

All together, let us sing:  
We dreamt without regret;

Things that have passed have meaning,  
As things that have passed.

That day, we walk from Eljiro-3ga station, and people are passing out flyers with the contact information for members of the National Assembly, telling us to *please contact our representatives*, to pressure them into bowing before the will of the nation.

My fingers clench as I pass a Caucasian man in the street waving a Korean flag and shouting “Korea man-sae!” This battle is neither his to mock nor his to claim. I sit among rows and rows of people, candlelights cupped in our palms, and those without pull up images of candles on their phones, holding before them the light. We join in the Korean history of democratic uprising, stretching back to before Rhee’s ousting from office, to the independence fighters of March 1<sup>st</sup> [1919], and we are crying, and I am crying, because people have been coming out every Saturday for the past several months, and those unable to make it to Gwanghwamun have been making it out to the centers of their own towns. My Korean teacher who is pregnant told us she walked through her neighborhood with her baby with her candle held high knowing that her daughter will be born into this country, and that if the National Assembly turns on us on the ninth and does not impeach, we will be left in the throes of a crumbling nation.

In the days between the third and the ninth, whenever I pass people on the street or meet eyes with passing strangers on the subway, I find myself wondering, *Were you there with me this Saturday? Last Saturday? Is it so tiring for you to wake up each day with your head held high and move forward towards an unknown? Did your grandparents go out in anti-protest, demanding that President Park be kept in office? Can you imagine us as a hopeful nation?*

“President” in Korea was not originally meant to mean “democratically elected.” Even after Syngman Rhee’s impeachment, his legacy of election fraud and constitutional amendment with the purpose of securing his next term in office remained the norm. Changes in ruling party were violent – most notable being the 1961 Coup d’etat by which Park Geun-hye’s father Park Chung-hee seized power and the 1979 Coup d’etat by which Chun Doo-hwan took over following Park Chung-hee’s assassination.

Both periods of rule were marked by the presidents’ violent quashing of dissent – as well as con-

versely, the ongoing uprisings led by labor organizers and college students. The 1979 Bu-Ma Democratic Protests, demanding the end of Park Chung-hee’s dictatorial Yushin regime. The May 18<sup>th</sup> Gwangju Uprising, which many call “Korea’s Tiananmen Square” – when in response to the declaration of martial law and the shutting down of universities nationwide, college students in Gwangju took to the streets to demand that Chun Doo-hwan step down, and paratroopers and military forces stationed at the 38<sup>th</sup> Parallel were sent to quash what the government labeled a Communist uprising.

It wasn’t until 1987 that Korea’s democratic constitution was put in place, the year before my parents entered college. In the months leading up to it, two students at two of Korea’s top universities – Park Jong-chul and Yi Han-yeol – became rallying points for the public: Park Jong-chul had been a student at Seoul National University who, despite never having himself participated in protests, was arrested and interrogated by the police regarding the whereabouts of an upperclassman friend and protest leader who had vanished to evade arrest. The police returned Park’s body to his family, claiming that they had hit a desk and the boy had keeled over of a heart attack. It soon became clear the student had been water-tortured. Yi Han-yeol was a Yonsei University student who had been protesting in the streets when he was hit in the face by a tear gas canister, and a month later, he passed away.

I visited the Yi Han-yeol memorial that winter, a small two-floor display tucked into a side-street in Sinchon, where video footage of that winter’s Candlelight vigils played beside glass cases showing the materiality of the boy when he was hit: the white sneakers; the Yonsei jersey; the tattered pants. On audio loop was a song that had filled the streets that winter, a song that had become popularized during the protests in response to the Sewol Ferry sinking of 2014: “The Truth Does Not Sink.”

Darkness cannot overcome the light;  
Lies cannot overcome the truth;  
The truth does not sink;  
We do not give up.

There is a 1983 Korean short story called “Sapyeong Station” by Lim Chul-woo, describing the people waiting for a train in the midst of snowfall. The cranky old man; the middle-aged ex-convict who



is on his way to see whether the mother of the friend he met in prison is still alive; the former college student who was going to fulfill his parents' every dream, until he was expelled for participating in democratic uprisings.

The student went home to see his parents, but could not bear to tell them what had happened, and so now is headed back away from home, waiting for the train in the middle of a snowfall. This past winter, high school seniors were out on the streets in the weeks leading up to the Suneung (college entrance exam), proclaiming that as youth invested in their futures, they could only invest also in this voice calling for a different future.

When the National Assembly votes to impeach, it is as if the world has finally let out the breath it had been holding, even though it can still only be the beginning. We must continue fighting for the Constitutional Court's confirmation, and even after, know that change is contingent upon the results of the new election and the new candidates' ability to uphold campaign promises and the nation's ability to keep moving forward.

My history teacher reminds us to be grateful for those students from 4.19 to Gwangju to the June Struggle who fought for us to have this democracy. My father reminds me that protest in his college years was violent – that he most definitely remembers throwing rocks at and running from the police; that that was simply “what college students did.” Especially at a place like Seoul National University, where students imagined the future of the country was in their hands, and that as responsible, upstanding citizens, they would have to go out onto the streets for the fight.

The afternoon of the day the Constitutional Court confirms Park's impeachment, I am in Namdaemun Market with my aunt, who buys pink hair curlers to match the judge who had delivered the verdict confirming the former president's guilt. The acting chief justice Lee Jung-mi, swamped by the hectic mess of the morning, had been caught by the paparazzi leaving the house with two pink hair rollers left in. After the impeachment, images of the woman that every mother wanted to raise her daughter to be had gone viral, hair curlers and all.

Today, I think back to the Gwanghwamun winter and of how far our nation has left to build. Of how every fifth spring, come the presidential election, I will be reminded of this year that permanently

changed the season of our election from fall to spring.

*Did it really happen? Was I really there?* I find myself wondering, an ocean away now in my Ivy League classroom, watching the stoic day-to-day of the nation in the face of Trump's aggression towards North Korea. As I watch the implementation of THAAD and Trump's rhetoric grow increasingly violent, I think of the Kim Kwang-kyu poem “Faint Shadows of Old Love,” in which old friends who marched together in the [1960] 4.19 Revolution meet again eighteen years later with neckties and jobs – now part of the old generation, now afraid of revolution. They are no longer singing. As they exchange their new phone numbers and gossip; as they split to play poker and dance, the wind asks:

부끄럽지 않은가 / 부끄럽지 않은가

*Aren't you ashamed?/Aren't you ashamed?*

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**Jennifer Lee** studies computer science at Columbia University and tweets @robotslikemars

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\*Gwanghwamun Square is a public open space located in the Jongno district in the heart of Seoul. From Oct 2016 to April 2017 there were 23 weekly nonviolent Saturday evening Candlelight demonstrations against then president Park Geun-hye and her corrupt government. The demonstrations there and throughout South Korea were attended in total by an estimated 17 million Koreans.

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[Editor's Note: Following is the Panmunjom Declaration adopted between the DPRK's Kim Jong-un and the ROK's Moon Jae-in on April 27, 2018, during the first 2018 Inter-Korean Summit.]

## **Panmunjom Declaration for Peace, Prosperity and Unification of the Korean Peninsula**

During this momentous period of historical transformation on the Korean Peninsula, reflecting the enduring aspiration of the Korean people for peace, prosperity and unification, President Moon Jae-in of the Republic of Korea and Chairman Kim Jong-un of the State Affairs Commission of the Democratic People's Republic of Korea held an Inter-Korean

Summit Meeting at the 'Peace House' at Panmunjom on April 27, 2018.

The two leaders solemnly declared before the 80 million Korean people and the whole world that there will be no more war on the Korean Peninsula and thus a new era of peace has begun.

The two leaders, sharing the firm commitment to bring a swift end to the Cold War relic of long-standing division and confrontation, to boldly approach a new era of national reconciliation, peace and prosperity, and to improve and cultivate inter-Korean relations in a more active manner, declared at this historic site of Panmunjom as follows:

South and North Korea will reconnect the blood relations of the people and bring forward the future of co-prosperity and unification led by Koreans by facilitating comprehensive and groundbreaking advancement in inter-Korean relations.

Improving and cultivating inter-Korean relations is the prevalent desire of the whole nation and the urgent calling of the times that cannot be held back any further.

South and North Korea affirmed the principle of determining the destiny of the Korean nation on their own accord and agreed to bring forth the watershed moment for the improvement of inter-Korean relations by fully implementing all existing agreements and declarations adopted between the two sides thus far.

South and North Korea agreed to hold dialogue and negotiations in various fields including at high level, and to take active measures for the implementations of the agreements reached at the Summit.

South and North Korea agreed to establish a joint liaison office with resident representatives of both sides in the Kaesong region in order to facilitate close consultation between the authorities as well as smooth exchanges and cooperation between the peoples.

South and North Korea agreed to encourage more active cooperation, exchanges, visits and contacts at all levels in order to rejuvenate the sense of national reconciliation and unity. Between South and North, two sides will encourage the atmosphere of amity and cooperation by actively staging various joint events on the dates that hold special meaning for both South and North Korea, such as June 15, in which participants from all levels, including central

and local governments, parliaments, political parties and civil organizations, will be involved. On the international front, two sides agreed to demonstrate their collective wisdom, talents and solidarity by jointly participating in international sports events such as the 2018 Asian Games.

South and North Korea agreed to endeavor to swiftly resolve the humanitarian issues that resulted from the division of the nation, and to convene the Inter-Korean Red Cross Meeting to discuss and solve various issues including the reunion of separated families. In this vein, South and North Korea agreed to proceed with reunion programs for the separated families on the occasion of the National Liberation Day of August 15 this year.

South and North Korea agreed to actively implement the projects previously agreed in the 2007 October 4 Declaration, in order to promote balanced economic growth and co-prosperity of the nation. As a first step, the two sides agreed to adopt practical steps towards the connection and modernization of the railways and roads on the eastern transportation corridor as well as between Seoul and Sinuiju for their utilization.

South and North Korea will make joint efforts to alleviate the acute military tension and practically eliminate the danger of war on the Korean Peninsula.

South and North Korea agreed to completely cease all hostile acts against each other in every domain, including land, air and sea, that are the source of military tension and conflict. In this vein, the two sides agreed to transform the demilitarized zone into a peace zone in a genuine sense by ceasing as of May 1 this year all hostile acts and eliminating their means, including broadcasting through loudspeakers and distribution of leaflets, in the areas along the Military Demarcation Line.

South and North Korea agreed to devise a practical scheme to turn the areas around the Northern Limit Line in the West Sea into a maritime peace zone in order to prevent accidental military clashes and guarantee safe fishing activities.

South and North Korea agreed to take various military measures to ensure mutual cooperation, exchanges, visits and contacts. The two sides agreed to hold frequent meetings between military authorities, including the Defense Ministers Meeting, in order to immediately discuss and solve military issues that arise between them. In this regard, the two sides agreed to first convene military talks at the rank of

general in May.

South and North Korea will actively cooperate to establish a permanent and solid peace regime on the Korean Peninsula. Bringing an end to the current unnatural state of armistice and establishing a robust peace regime on the Korean Peninsula is a historical mission that must not be delayed any further.

South and North Korea reaffirmed the Non-Aggression Agreement that precludes the use of force in any form against each other, and agreed to strictly adhere to this Agreement.

South and North Korea agreed to carry out disarmament in a phased manner, as military tension is alleviated and substantial progress is made in military confidence-building.

During this year that marks the 65<sup>th</sup> anniversary of the Armistice, South and North Korea agreed to actively pursue trilateral meetings involving the two Koreas and the United States, or quadrilateral meetings involving the two Koreas, the United States and China with a view to declaring an end to the War and establishing a permanent and solid peace regime.

South and North Korea confirmed the common goal of realizing, through complete denuclearization, a nuclear-free Korean Peninsula, South and North Korea shared the view that the measures being initiated by North Korea are very meaningful and crucial for the denuclearization of the Korean Peninsula and agreed to carry out their respective roles and responsibilities in this regard. South and North Korea agreed to actively seek the support and cooperation of the international community for the denuclearization of the Korean Peninsula.

The two leaders agreed, through regular meetings and direct telephone conversations, to hold frequent and candid discussions on issues vital to the nation, to strengthen mutual trust and to jointly endeavor to strengthen the positive momentum towards continuous advancement of inter-Korean relations as well as peace, prosperity and unification of the Korean Peninsula.

In this context, President Moon Jae-in agreed to visit Pyongyang this fall.

April 27, 2018

Done in Panmunjom

*(signed)* **Moon Jae-in, President, The Republic of Korea**

*(signed)* **Kim Jong-un, Chairman, State Affairs Commission, The Democratic People's Republic of Korea**

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[Editor's Note: Following is the Joint Statement that U.S. President Trump and DPRK Chairman Kim signed on June 12, 2018 in Singapore after their one day summit.]

## **Joint Statement of President Donald J. Trump and Chairman Kim Jong Un at the Singapore Summit**

President Donald J. Trump of the United States of America and Chairman Kim Jong Un of the State Affairs Commission of the Democratic People's Republic of Korea (DPRK) held a first, historic summit in Singapore on June 12, 2018.

President Trump and Chairman Kim Jong Un conducted a comprehensive, in-depth, and sincere exchange of opinions on the issues related to the establishment of new U.S.-DPRK relations and the building of a lasting and robust peace regime on the Korean Peninsula. President Trump committed to provide security guarantees to the DPRK, and Chairman Kim Jong Un reaffirmed his firm and unwavering commitment to complete denuclearization of the Korean Peninsula.

Convinced that the establishment of new U.S.-DPRK relations will contribute to the peace and prosperity of the Korean Peninsula and of the world, and recognizing that mutual confidence building can promote the denuclearization of the Korean Peninsula, President Trump and Chairman Kim Jong Un state the following:

1. The United States and the DPRK commit to establish new U.S.-DPRK relations in accordance with the desire of the peoples of the two countries for peace and prosperity.
2. The United States and the DPRK will join their efforts to build a lasting and stable peace regime on the Korean Peninsula.
3. Reaffirming the April 27, 2018 Panmunjom Declaration, the DPRK commits to work toward complete denuclearization of the Korean Peninsula.
4. The United States and the DPRK commit to recovering POW/MIA remains, including the immediate repatriation of those already identified.

Having acknowledged that the U.S.-DPRK summit – the first in history – was an epochal event of great significance and overcoming decades of tensions and hostilities between the two countries and for the opening of a new future, President Trump and Chairman Kim Jong Un commit to implement the stipulations in this joint statement fully and expeditiously. The United States and the DPRK commit to hold follow-on negotiations led by the U.S. Secretary of State, Mike Pompeo, and a relevant high-level DPRK official, at the earliest possible date, to implement the outcomes of the U.S.-DPRK summit.

President Donald J. Trump of the United States of America and Chairman Kim Jong Un of the State Affairs Commission of the Democratic People's Republic of Korea have committed to cooperate for the development of new U.S.-DPRK relations and for the promotion of peace, prosperity, and security of the Korean Peninsula and of the world.

June 12, 2018  
Sentosa Island, Singapore

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[Editor's Note: The following is a Statement by the Global Partnership for the Prevention of Armed Conflict (GPPAC) issued on June 12, 2018. It can be accessed at: <https://www.gppac.net/news/-/asset-publisher/fHv91YcOz0CI/content/welcoming-the-singapore-summit-a-step-towards-a-peaceful-nuclear-free-korean-peninsula/>]

## **Welcoming the Singapore Summit: A Step Toward a Peaceful, Nuclear-Free Korean Peninsula**

As a global network of civil society peace building organizations, the Global Partnership for the Prevention of Armed Conflict (GPPAC) welcomes today's historic summit and subsequent agreement in Singapore by President Donald Trump of the United States and Chairman Kim Jong Un of the Democratic People's Republic of Korea (DPRK). The points laid out in the agreement, relating to the establishment of new U.S.-DPRK relations, the building of a lasting peace regime, and the complete denuclearization of

the Korean Peninsula are important, positive steps forward to achieving a peaceful, nuclear-free North-east Asia.

The lack of a peace treaty to formally end the Korean War, and the ongoing nuclear threats on the Korean Peninsula, continue to endanger the lives and human security of not only the Korean people, but also the entire Northeast Asian region and indeed the world. It is for this very reason that GPPAC and its member organizations in Northeast Asia, including in Korea, have continued for decades to undertake multilayered initiatives to promote dialogue, exchange and trust building for peace on the Korean Peninsula, including the GPPAC Northeast Asia-led Ulaanbaatar Process.

We applaud the diplomatic efforts which made today's summit possible, including the leadership demonstrated by South Korean President Moon Jae-in, supported by the civil society which brought him into power through the Candlelight Revolution. This is indeed an example of the prevention of armed conflict, with the support of civil society – vitally needed in light of the long-running tensions on the Korean Peninsula, involving even the risk of a catastrophic nuclear war.

At the same time, we recognize that today's meeting is but a first step, and that a long process must follow. Concrete steps must now be made to implement both the June 12 Kim-Trump Joint Statement and the April 27 Inter-Korean Panmunjeom Declaration. To this end, we welcome both Chairman Kim's expressing his strong will to achieve denuclearization, and President Trump's announcement to end war games on the Korean Peninsula. We encourage all parties to cease any potential acts of provocation. Further trust must be built in order to ensure that this agreement will be upheld, and the peace process will be lasting, and we urge the international community to extend their full support to this end.

GPPAC also emphasizes the importance of civil society involvement in the ongoing Korean peace process. We encourage the involved parties to develop mechanisms to ensure such meaningful engagement, and to heed the various recommendations being presented from civil society already. This includes those regarding concrete steps to create a nuclear-free Korean Peninsula, the importance of women's meaningful inclusion in the talks, private sector participation in regional and international

economic cooperation, and the easing of restrictions regarding humanitarian work and civil exchange.

The “promotion of peace, prosperity, and the security of the Korean Peninsula” is indeed vital for peace globally. We call on the entire international community to join efforts to support the implementation of today’s agreement and past agreements. Furthermore, this should be taken a step further, toward the establishment of a nuclear-weapons free zone in Northeast Asia, a regional mechanism for peace and security, and the comprehensive resolution of lingering Cold War structures in the region. Today’s positive momentum must be sustained into the future. Based on the historic efforts of civil society, we pledge to do our utmost to work together with all relevant parties to promote further dialogue and confidence building, and to take active steps toward the creation of a peaceful, nuclear-free Korean Peninsula, Northeast Asia and world.

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[Editor’s Note: This article was written by Wooksik Cheong (director of PeaceNetwork) and Chaewon Moon (research assistant of PeaceNetwork). The PeaceNetwork website is [http://peacekorea.org/zbxe/?mid=Eng\\_main](http://peacekorea.org/zbxe/?mid=Eng_main).]

## Kim Jong-un’s Pass and Trump’s Reverse Dunk

by Wooksik Cheong and Chaewon Moon

[Publisher’s Note: *This article is an analysis of the 2018 United States-North Korea Summit. The author explains that the hostile U.S.-N.K. relation is a main cause for the failure so far in dealing with the N.K. nuclear issue. Based on the U.S.-N.K. June 12, 2018 joint statement, he evaluates the event as a milestone that would turn around U.S.-N.K. relations and change nuclear dynamics in Korean Peninsula.*]

Peace on the Korean Peninsula can be completed only when three pillars are properly erected. The first pillar is a normalization of South Korea-North Korea (N.K.) and U.S.-N.K. relations. Second is to substitute a peace regime for the 65-year lasting armistice regime and the last one is a “complete denuclearization of Korean Peninsula.” These purposes are reflected in the Panmunjom Declaration.

Surprisingly, the provisions in U.S.-N.K. joint statement are structured and ordered in the exact same manner. The accordance suggests a tremendously significant implication.

However, when the U.S.-N.K. joint statement in Singapore went public, the majority of the Western and conservative South Korean press and experts sharply criticized the result of the meeting. Mainly because the statement stays at the level of “Complete Denuclearization,” not including an expression of CVID (Complete, Verifiable, and Irreversible Denuclearization), some experts argue that a resolution of N.K. nuclear issue is now off the table and some even claim N.K. virtually is now a nuclear state.

First of all, these claims are self-contradictory. When Chairman Kim Jong-un suggested the Summit and President Donald Trump accepted on the fly in March 2018, people who supported the claims credited Trump for his ‘maximum pressure’ strategy. To those people, the result of the U.S.-N.K. joint statement could be extremely shocking. As much as they argued Trump’s pressure brought Kim to the negotiating table humbled, the statement should have been written in favor of U.S. In fact, it comprehensively contains what N.K. has long been demanding.

More importantly, these claims are originated from people’s blindness to the nature of the Korean Peninsula nuclear issue. I firmly believe that the U.S.-N.K. joint statement is the paramount agreement for N.K. nuclear issue resolution. It is not only because this statement is the first agreement between U.S.-N.K. at a summit. This short length statement penetrates the essence of the N.K. nuclear issue, containing a direction of comprehensive resolution. Previous agreements prioritized the denuclearization of the Korean Peninsula to build a peace regime and U.S.-N.K. normalization. However, for this time, agreed provisions are structured in order of a new establishment of a U.S.-N.K. relationship, building a peace regime on the Korean Peninsula, and the complete denuclearization of the Korean Peninsula. Borrowed from a basketball analogy, Kim passed the ball and Trump finished with a reverse dunk. Yet, most of the media and experts missed this great spectacular.

This historic event carries a significant implication. It shows the U.S.-N.K. summit’s decision and willingness to change the condition of the U.S.-N.K. relations that has bred a poisonous mushroom, namely a nuclear N.K. For the past 25 years, a fundamental reason of failure in N.K. nuclear resolution lays upon

the toxic environment. In other words, an effort to uproot a toxic N.K. nuclear issue without dealing with the agenda of the hostile U.S.-N.K. relationship and an armistice agreement on the Korean Peninsula has been meaningless. As this is the case, often the toxic mushroom is not perfectly removed or repeatedly spread out to somewhere else. However, this time the U.S.-N.K. summit finally decided to get rid of the old virulent soil and start with a new fresh nutritious soil. By doing so, they chose a method so that the poisonous mushroom eventually disappears.

In the statement, the U.S.-N.K. summit “recognize that mutual confidence building can promote the denuclearization of the Korean Peninsula” and at the same time “establish new U.S.-DPRK relations” and “joint efforts to build a lasting and stable peace regime on the Korean Peninsula.” These parts of the statement imply that the U.S. both recognizes and admits that the N.K. nuclear issue fundamentally lies upon the hostile U.S.-DPRK relationship and the armistice regime. Thus, only normalization of the currently abnormal diplomatic environment can accomplish “complete denuclearization.” As many as 25 years were needed for an old paradigm to be turned around. This transition implies a new open door for Kim Jong-un that leads to an ‘honorable denuclearization.’

One more thing, since the statement does not contain CVID, a possibility of “complete denuclearization” greatly increases. Understanding this self-contradiction is very important. First, let me clarify one thing; the press evaluates the Summit as a failure or a half-success, pointing out ‘Verifiable and Irreversible’ is excluded from a dialogue of denuclearization. In fact, no non-bilateral or multilateral agreement involving N.K. has contained a notion of CVID and also N.K. has never agreed to the expression included in agreements. Resultantly, the Trump administration has agreed to “Complete Denuclearization,” not enforcing CVID to the end. Why? There are two reasons. One is that sticking to CVID could raise the chance of Summit cancellation.

A more fundamental reason exists. What the Trump administration desires most is a ‘Fast Denuclearization.’ Speaking of arms control agreements, ‘Completeness’ is basically a concept that involves verification. Therefore, the expression “Complete Denuclearization” incorporates ‘Verifiable’ from CVID. This is a point that Trump and Pompeo have been stressing. Moreover, Kim Jong-un

and Trump will “commit to implement the stipulations in this joint agreement fully and expeditiously.” A keyword here is “expeditiously.” If I were asked to choose the most crucial word from the statement, I would relentlessly pick this one. Trump using the word “quickly” numerous times in the press conference can be understood in this context. Under the circumstance, importuning ‘VI’ is suicidal for the Trump administration. If Trump had been determined to incorporate the expression ‘CVID’ in the statement, the summit might have been canceled. Or even if it had proceeded as planned, a controversy over the definition and the expectation that expression carries would have worked as an obstacle for the following negotiation. This option conflicts with the Trump administration’s most prioritized goal, the fast denuclearization. At the end, Trump chose what he thought was practical.

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This article was written by Wooksik Cheong (director of Peace-Network) and Chaewon Moon (research assistant of Peace-Network.) Any individuals or organizations are free to study, cite, publish and distribute the article with a reference of Peace Network website ([http://peacekorea.org/zbxe/?mid=Eng\\_main](http://peacekorea.org/zbxe/?mid=Eng_main)) If you have any questions regarding to the article please contact Chaewon Moon ([moonchaewon07@gmail.com](mailto:moonchaewon07@gmail.com).)

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[Editor’s Note: This article first appeared on the 38 North website on June 17, 2018 at: <https://www.38north.org/2018/06/hferon061118/>]

## **Peace with Pyongyang: Legal Implications for the United States and South Korea**

by Henri Féron

### **Introduction**

Reaching a peace treaty to end the Korean War is frequently interpreted as a North Korean “trap” rather than as the key to resolving the nuclear crisis and the decades-old Korean Question in general.<sup>1</sup> Many fear that it could legitimize the DPRK (North Korea) as a nuclear weapons state, split the alliance between the United States and the ROK (South Korea), or even trigger a reunification under North Korean leadership. In fact, these are merely hypothetical political consequences that cannot come

to pass against the joint will of Seoul and Washington. A peace treaty can raise the legal bar on using force on the Korean Peninsula, without legally implying the withdrawal of U.S. troops from Korea, the dissolution of the U.S.-ROK alliance, the start of a reunification process, the legalization of North Korean nuclear weapons or the lifting of United Nations nonproliferation sanctions. In short, a peace treaty is a versatile instrument that can be tailored to further U.S. and South Korean interests in addressing the security challenges posed by North Korea.

## Distinguishing Peace and Armistice

Peace would raise the legal bar for using force on the Korean Peninsula. The legal effect of a peace treaty is to end a state of war between its parties, meaning they may not refer to matters settled by the treaty to justify any further use of force against each other.<sup>2</sup> By contrast, an armistice is traditionally understood as a temporary cease-fire agreement that does not end the state of war.<sup>3</sup> An armistice is only a weak safeguard, because the main consequence of serious violations is to give the other side a right to denounce it and to resume hostilities in due course.<sup>4</sup> The Korean War Armistice Agreement (KWAA) fits the traditional definition of armistices better than modern theories interpreting them as final settlements, as it was clearly not intended as conclusive.<sup>5</sup> The KWAA's own provisions call for its replacement with a political settlement for peace;<sup>6</sup> in addition, it was never formally ratified,<sup>7</sup> was continuously violated by both sides<sup>8</sup> and was repeatedly denounced by Pyongyang.<sup>9</sup> Moreover, several UN organs have called for the KWAA's replacement, including the General Assembly, the President of the Security Council, the Secretary-General and even the Commission of Inquiry on Human Rights in the DPRK.<sup>10</sup> That said, peace would not leave the ROK defenseless, as it does not prejudice the right of parties to resort to force again if legally justified by new instances of self-defense or Security Council authorization.<sup>11</sup>

Peace would nevertheless imply the dissolution of the so-called "United Nations Command" (UNC), as its sole remaining duty is the enforcement of the KWAA.<sup>12</sup> The UNC arguably fulfilled its original Security Council mandate by September 1950, when forces under the "unified command" of the United States repelled North Korean troops beyond the 38th parallel.<sup>13</sup> The UNC lingered on because its subsequent "rollback" invasion of the

North ultimately implicated it in signing and monitoring the KWAA.<sup>14</sup> Nearly all UN Member troops left over the years, and the General Assembly already suggested the UNC's dissolution as early as the 1970s.<sup>15</sup> Dissolution would not significantly affect combat capabilities of the U.S.-ROK alliance, because the UNC's operational control (OPCON) over U.S. Forces Korea and ROK troops was overtaken in 1978 by the U.S.-ROK Combined Forces Command (CFC).<sup>16</sup>

## Parties to Peace

All belligerents to the Korean War are capable of concluding a peace treaty, but a treaty need not include all belligerents: it can end the state of war as between only some of them.<sup>17</sup> There is, therefore, a political element in determining which parties are the most relevant for meaningfully reducing tensions and helping resolve the Korean Question. The states that were most clearly belligerents are the DPRK, the ROK and the United States as the commanding authority of the UNC forces.<sup>18</sup> The other UN members that contributed troops were also belligerents,<sup>19</sup> but not the UN itself since it "did not at any time have any role in the command of the forces that operated in Korea under the Unified Command between 1950 and 1953."<sup>20</sup> China is generally considered a belligerent, despite the artifice of a "volunteer army," but has already normalized relations with the United States and ROK, suggesting an implicit end to the war as between these parties.<sup>21</sup> It is also important to note that an armistice and a peace treaty are legally distinct instruments: participation in the former is not a precondition to participation in the latter. It is irrelevant here that former ROK president Syngman Rhee refused to sign the KWAA, and neither the DPRK's refusal to recognize the ROK as party nor the DPRK's own denunciation of the KWAA precludes an ROK-DPRK peace agreement.<sup>22</sup> It is, therefore, possible to end the Korean War in substance by concluding in parallel a U.S.-DPRK peace treaty and a ROK-DPRK peace agreement.

The Koreans can conclude a binding peace agreement even while mutually denying their sovereignty. Although a "treaty" can strictly speaking only be concluded between states, international law can also recognize as binding agreements concluded between subjects other than states, especially peace agreements.<sup>23</sup> While the Koreans can be characterized as two states – they are recognized as such at the

United Nations – their insistence on seeing each other as one state with two authorities competing for legitimacy could detract from the full application of the law of treaties.<sup>24</sup> The Koreans have nevertheless already concluded several inter-Korean agreements which have been ratified following the constitutional procedure for treaties, formally expressing intent to be bound.<sup>25</sup> Note that the Panmunjom Declaration of April 27, 2018 would fall short of a peace agreement even if it were ratified, as it calls itself for follow-up meetings “with a view to declaring an end to the War and establishing a permanent and solid peace regime.”<sup>26</sup> Note also that a peace agreement cannot force the Koreans into a reunification model against their will; Seoul and Pyongyang only have a constitutional mandate to seek a particular type of reunification and thus can block any project that doesn’t fit this mandate.<sup>27</sup>

## Distinguishing Peace and the U.S.-ROK Alliance

Peace does not legally imply the dissolution of the U.S.-ROK alliance or force Seoul to withdraw its invitation of U.S. troops, as these are bilateral matters to be decided between Seoul and Washington.<sup>28</sup> States may as a sovereign prerogative invite foreign troops on their territory, within the limits of the principle of non-intervention, and the widespread state practice of maintaining foreign military bases in peacetime indicates that consent may be given independently of the existence of an active military threat.<sup>29</sup> Peace would have diminished Seoul’s original justification for the presence of the United States and other UN Members, namely the 1950 invitation to repel the DPRK invasion.<sup>30</sup> The conclusion of the U.S.-ROK Mutual Defense Treaty in 1953 nevertheless provided an alternate basis to justify the continued invitation of U.S. troops, one that was not tied to the existence of an active military threat from the DPRK.<sup>31</sup> Peace would not legally undermine the alliance treaty as it is drafted to remain in force indefinitely until either side decides to terminate it with one year notice.<sup>32</sup>

Peace could nevertheless legally affect the maintenance of the U.S.-ROK CFC’s “wartime OPCON” over ROK troops, given the reduction of military needs that justify this arrangement. OPCON stands for the delegated authority to direct the operation, training and organization of forces.<sup>33</sup> Seoul delegated OPCON over its armed forces to the UNC

from 1954 to 1978, and to the CFC since 1978.<sup>34</sup> From 1994 onward, Seoul has reduced the delegation to the point where it now retains OPCON over its armed forces by default and only delegates it to the CFC in “wartime,” i.e. if hostilities break out.<sup>35</sup> Peace would at least partially fulfill the stated conditions for ending the delegation: “the ROK will assume wartime OPCON when critical ROK and Alliance military capabilities are secured and the security environment on the Korean Peninsula and in the region is conducive to a stable OPCON transition.”<sup>36</sup>

## Distinguishing Peace and Denuclearization

Peace does not legalize North Korean nuclear weapons. Short of a threat or use of force violating article 2(4) of the UN Charter, the DPRK’s mere development or possession of nuclear weapons does not violate customary international law, as the law does not include any rules “whereby the level of armaments of a sovereign state can be limited,” or “any comprehensive and universal prohibition of the threat or use of nuclear weapons as such.”<sup>37</sup> Development and possession of nuclear weapons would violate the Nonproliferation Treaty (NPT), but the DPRK declared withdrawal in 2003 by invoking the art. X right of each party “to withdraw if it decides that extraordinary events...have jeopardized the supreme interests of its country.”<sup>38</sup> Even if it were still a party, the DPRK could not be recognized as an authorized “nuclear weapons state” under the NPT because it has not “manufactured and exploded a nuclear weapon...prior to 1 January 1967.”<sup>39</sup>

Peace does not legally imply lifting UNSC sanctions: they are not legally based on a violation of the NPT, but on the violation in particular of UNSC resolution 1718, which singles out DPRK nuclear weapons as a particular threat to international peace and security.<sup>40</sup> While the DPRK has argued that these resolutions illegally infringe on its inherent right of self-defense, peace would not affect the debate on whether the UNSC had or had not abused its authority under the Charter when it adopted the sanctions.<sup>41</sup> In this sense, it appears possible to conclude a peace treaty before denuclearization, as a security guarantee, without prejudice to the maintenance of nonproliferation sanctions as leverage to then enforce full denuclearization.<sup>42</sup>



## Conclusion

A peace treaty may not be the only way to achieve progress in the resolution of the Korean Question, but it is hard to think of a more straightforward, flexible and impactful instrument in this context. At the same time, it is important to note that purposefully delaying or obstructing peace for leverage on legally distinct matters could violate the UN Charter obligations to settle disputes peacefully and in good faith.<sup>43</sup> States are also bound by the principle of non-intervention in internal and external affairs, which prohibits “coercion” – including but not limited to the threat or use of force – with regard to the sovereign matters of other states, such as “the choice of a political, economic, social and cultural system, and the formulation of foreign policy.”<sup>44</sup> Ultimately, the Korean people, just like all other peoples implicated in this crisis, have a right to peace.<sup>45</sup>

### Notes:

1. See e.g. Andrei Lankov, “The Problem With a Korean Peace Treaty,” *N.K. News*, October 9, 2013, <https://www.nknews.org/2013/10/the-problem-with-a-korean-peace-treaty/>; Ahn Miyeong, “Pyeonghwa Hyeopjeong-eun Cheokhwa Tongil-eui Jirumgil” (A Peace Agreement Is a Shortcut to Hostile Reunification), *Korea Times*, July 29, 2014, <http://www.koreatimes.com/article/20140729/866571>; Bruce W. Bennett, “Kim Jong-Un Is Trolling America Again,” *The National Interest*, May 17, 2016, <http://nationalinterest.org/feature/kim-jong-un-trolling-america-again-16238>; Donald Kirk, “Korean Peace Treaty is a Bad Idea,” *Inside Sources*, June 29, 2017, <http://www.insidesources.com/korean-peace-treaty-bad-idea/>; Evans J.R. Revere, “A U.S.-North Korea Summit: What Could Possibly Go Wrong?,” *Brookings*, March 9, 2018, <https://www.brookings.edu/blog/order-from-chaos/2018/03/09/a-u-s-north-korea-summit-what-could-possibly-go-wrong/>; Michael Rubin, “Trump Must Not Fall for the North Korea Peace Treaty Trap,” *The Washington Examiner*, March 12, 2018, <https://www.washingtonexaminer.com/opinion/contributors/trump-must-not-fall-for-the-north-korea-peace-treaty-trap>; Kim Seongmin, “Kim Jong-un-yi Malhaneun Pyeonghwa Hyeopjeong-eun ‘Juhan Migun Cheolsu’-Da” (Kim Jong-un’s Peace Agreement Amounts to the Withdrawal of U.S. Forces Korea), *Chosun Ilbo*, April 24, 2018, [http://news.chosun.com/site/data/html\\_dir/2018/04/23/2018042302764.html](http://news.chosun.com/site/data/html_dir/2018/04/23/2018042302764.html); Eli Lake, “Beware the Korean Peace Trap,” *Bloomberg*, April 27, 2018, <https://www.bloomberg.com/view/articles/2018-04-27/north-korean-peace-pledge-is-a-trap>.

2. Lassa Oppenheim, *International Law: A Treatise*, Vol. 2, 7<sup>th</sup> ed. (London: Longmans, Green and Co., 1952), para. 272, p. 611 (“[Parties to a peace treaty] are legally bound not to go to war over matters settled by a previous treaty of peace.”). See, generally, Marina Mancini, “The Effects of a State of War or Armed Conflict,” *Oxford Handbook on the Use of Force in International Law* (Oxford University Press, 2015), Marc Weller ed., p. 988-1013 (on general differences between war and peace

in contemporary international law); Jann K. Kleffner, “Peace Treaties,” *Max Planck Encyclopedia of Public International Law*, last updated March 2011, para. 7-9 (on the evolution of the state of war doctrine in contemporary international law).

3. Oppenheim, supra n. 2, at para. 231, p. 546.

4. Ibid., at para. 239, p. 555-6.

5. Patrick M. Norton, “Ending the Korean War Armistice: The Legal Issues,” *The Nautilus Institute*, March 29, 1997, at II.B, <https://nautilus.org/napsnet/napsnet-policy-forum/napsnet-policy-forum-online-2-norton-ending-the-korean-armistice/>.

6. *Korean War Armistice Agreement* (Jul. 27, 1953), art. IV, para. 60.

7. Oppenheim, supra n.2, para. 235(2), p. 550 (“[S]ince general armistices are of vital political importance, only the belligerent Governments themselves or their commanders-in-chief are competent to conclude them, and ratification, whether specially stipulated or not, is usually considered necessary” (citations omitted)).

8. Steven Lee, “The Korean Armistice and the End of Peace: The U.S.-UN Coalition and the Dynamics of War-Making in Korea, 1953-1976,” *Journal of Korean Studies*, Vol.18, No. 2 (Fall 2013), pp. 183-224 (on the violation of the Armistice provisions concerning the prohibition of reinforcements and the responsibilities of the Neutral Nations Supervisory Commission), <http://www.jstor.org/stable/44080503>; Congressional Research Service, “North Korean Provocative Actions, 1950-2007,” April 20, 2007 (detailing a U.S. view on DPRK armistice violations), <https://fas.org/sgp/crs/row/RL30004.pdf>; Ho Hak Rim, “The Conclusion of a Korean Peace Treaty and the U.S. Strategy in the Asia Pacific Region,” *Institute for Security & Development Policy*, December 2011 (detailing a DPRK view on U.S. armistice violations), [http://isdp.eu/content/uploads/images/stories/isdp-main-pdf/2011\\_ho\\_korean-peace-treaty.pdf](http://isdp.eu/content/uploads/images/stories/isdp-main-pdf/2011_ho_korean-peace-treaty.pdf).

9. Yonhap News Agency, “Chronology of Major North Korean Statements on the Korean War Armistice,” May 28, 2009, <http://english.yonhapnews.co.kr/northkorea/2009/05/28/46/04/01000000AEN20090528004200315F.HTML> (on DPRK denunciation of the Armistice); Choe Sang-hun, “North Korea Declares 1953 War Truce Nullified,” *New York Times*, March 11, 2013, <https://www.nytimes.com/2013/03/12/world/asia/north-korea-says-it-has-nullified-1953-korean-war-armistice.html>.

10. G.A. Res. 3390 (XXX) A-B, Question of Korea (November 18, 1975); S.C. Pres. Statement 1996/42 (October 15, 1996); UN Secretary-General, Statement on 50<sup>th</sup> Anniversary of Armistice Agreement SG/SM/8792 (July 25, 2003); UN Human Rights Council, Report of the Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea A/HRC/25/63 (Feb. 7, 2014), para. 94(j).

11. *UN Charter* arts. 2.3, 2.4, 42, 51; Martin Waelisch, “Peace Settlements and Prohibition of the Use of Force,” *Oxford Handbook on the Use of Force in International Law* (Oxford University Press, 2015), Marc Weller ed., p.976.

12. Burwell B. Bell, “The Evolution of Combined Forces Command,” Presentation at the Korea Foundation Global Seminar, June 8-11, 2012, <https://www.brookings.edu/wp-content/uploads/2012/09/69-Bell-Evolution-of-Combined-Forces-Command.pdf>; Hwee Rhak Park, “The Transfer of Wartime Operational Control in Korea: History, Risks and Tasks from a Military Perspective,” *Korean Journal of International Studies*, Vol. 8, Issue 2 (December 2010) p. 339,

[http://www.kaisnet.or.kr/resource/down/8\\_2\\_06.pdf](http://www.kaisnet.or.kr/resource/down/8_2_06.pdf); see, Ronda Hauben, “The Role of the UN in the Unending Korean War: ‘United Nations Command’ as Camouflage,” *Global Research*, September 21, 2013, <https://www.globalresearch.ca/the-role-of-the-un-in-the-unending-korean-war-united-nations-command-as-camouflage/5350876>.

13. S.C. Res. 82 (Jun. 25, 1950); S.C. Res. 83 (Jun. 27, 1950); S.C. Res. 84 (Jul. 7, 1950).

14. *Korean War Armistice Agreement* (Jul. 27, 1953), art. II. On the rollback decision, see: National Security Council Report NSC 81/1 to the President, “United States Courses of Action with Respect to Korea” (Sep. 9, 1950), *Foreign Relations of the United States*, 1950, Vol. 2, p. 712, [https://history.state.gov/historicaldocuments/frus1950v07/pg\\_712](https://history.state.gov/historicaldocuments/frus1950v07/pg_712); *Foreign Relations of the United States*, 1950, Vol. VII, Doc. 543, <https://history.state.gov/historicaldocuments/frus1950v07/d543>; Yufan Hao and Zhihai Zhai, “China’s Decision to Enter the Korean War: History Revisited,” *China Quarterly*, Vol. 121, pp. 94-115 (1990) (on the link between the rollback policy and China’s intervention in the War), <https://doi.org/10.1017/S030574100013527>; see also G.A. Res. 376 (V), The Problem of the Independence of Korea (Oct. 7, 1950), para. 1.

15. G.A. Res. 3333 (XXIX), *Question of Korea* (Dec. 17, 1974), para. 2; G.A. Res. 3390 (XXX) A, *Question of Korea* (Nov. 18, 1975), para. 4; G.A. Res. 3390 (XXX) B, *Question of Korea* (Nov. 18, 1975), para. 2.

16. Yonhap News Agency, “Chronology of Wartime Operational Control in South Korea,” October 24, 2014, <http://english.yonhapnews.co.kr/news/2014/10/23/24/0200000000AEN20141023004800315F.html>. But see Park, *supra* n. 12, at p. 339 (alleging that “the two countries did not produce any document for the transfer of OPCON authority from the Commander of UNC to the ROK government and re-delegation of it to the Commander of CFC.”).

17. For examples of treaties that did not include all belligerents to a war, see e.g. San Francisco Peace Treaty (Sep. 8, 1951); Treaty of Brest-Litovsk (Mar. 3, 1918); Treaty of Versailles (Jun. 28, 1919); U.S.-German Peace Treaty (Aug. 25, 1921).

18. Norton, *supra* n. 5, at I.C. and II.C. See also S.C. Res. 84 (Jul. 7, 1950), para. 3; Letter from ROK President Syngman Rhee to Commander-in-Chief of UN Command Douglas MacArthur (“Pusan Letter”), July 15, 1950.

19. Norton, *supra* n. 5, at II.C. See also G.A. Res. 711 (VII), The Korean Question (Aug. 28, 1953), para. 5(a).

20. UN Secretary-General Spokesperson, Daily Press Briefing, June 21, 2013, <https://www.un.org/press/en/2013/db130621.doc.htm> (as quoted by Hauben, *supra* n. 12). See also Norton, *supra* n. 5, at I.C.1.

21. Norton, *supra* n. 5, at II.C.; Joint Communique on the Establishment of Diplomatic Relations between the United States of America and the People’s Republic of China (Jan. 1, 1979); Joint Declaration on the Establishment of Diplomatic Relations between the Republic of Korea and the People’s Republic of China (Aug. 24, 1992).

22. See n. 9.

23. Vienna Convention on the Law of Treaties, art. 3. See notably Christine Bell, “Peace Agreements: Their Nature and Legal Status,” *The American Journal of International Law*, Vol. 100, No. 2, pp. 373, 380 (Apr. 2006).

24. See generally Jeong-ho Roh, “The Legal and Institutional

Approach to Inter-Korean Relations,” in Samuel S. Kim, ed., *Inter-Korean Relations: Problems and Prospects* (Palgrave Macmillan, 2004), pp. 159-174.

25. Seong-Ho Jhe, “Four Major Agreements on Inter-Korean Economic Cooperation and Legal Measures for their Implementation,” *Journal of Korean Law*, Vol.5, No. 1, p. 129 (2006); see also Hyo-Won Lee, “The Current State and Required Modifications of the Inter-Korean Exchange and Cooperation Act,” *Journal of Korean Law*, Vol. 11, pp. 55-76 (Dec. 2011).

26. Panmunjom Declaration for Peace, Prosperity and Unification of the Korean Peninsula (Apr. 27, 2018), para. 3.3; Yonhap News Agency, “Moon Urges Parliamentary Ratification of Panmunjom Declaration,” April 30, 2018, <http://english.yonhapnews.co.kr/national/2018/04/30/0301000000AEN20180430007652315.html>.

27. ROK Constitution, art 4; DPRK Constitution, art 9. See, generally, Henri Féron, “Proposing a Model of Reunification to Solve the Korean Nuclear Crisis,” in Kyung-ok Do, Jeong-ho Roh and Henri Féron, eds., *Pathways to a Peaceful Korean Peninsula: Denuclearization, Reconciliation and Cooperation* (Korean Institute for National Unification, 2016), pp. 263-301.

28. Military and Paramilitary Activities In and Against Nicaragua (Nicaragua v. U.S.), *I.C.J. Reports* 1986, p.133, para. 265 (“there is no rule of customary international law to prevent a State from choosing and conducting a foreign policy in co-ordination with that of another State”). See also Agence France Presse, “S. Korea: U.S. Troop Withdrawal Not Linked to Possible Peace Treaty,” May 2, 2018, <https://www.yahoo.com/news/korea-confirms-arrival-f-22-stealth-fighters-drill-022205896.html>.

29. Military and Paramilitary Activities In and Against Nicaragua (Nicaragua v. U.S.), *I.C.J. Reports* 1986, p. 126, para. 246 (“[intervention is] allowable at the request of the government of a State”); Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda, Judgment, *I.C.J. Reports* 2005, p. 196-199, paras. 42-54.

30. S.C. Res. 82 (Jun. 25, 1950); S.C. Res. 83 (Jun. 27, 1950); S.C. Res. 84 (Jul. 7, 1950).

31. U.S.-ROK Mutual Defense Treaty (Oct.1, 1953). See also Status of Forces Agreement between the United States of America and the Republic of Korea (Jul. 9, 1966).

32. U.S.-ROK Mutual Defense Treaty (Oct.1, 1953), art. VI.

33. See, generally, *Joint Publication 1, Doctrine for the Armed Forces of the United States*, March 25, 2013, at V-6, [http://www.jcs.mil/Portals/36/Documents/Doctrine/pubs/jp1\\_c\\_h1.pdf?ver=2017-12-23-160207-587](http://www.jcs.mil/Portals/36/Documents/Doctrine/pubs/jp1_c_h1.pdf?ver=2017-12-23-160207-587).

34. See n. 16. Letter from ROK President Syngman Rhee to Commander-in-Chief of UN Command Douglas MacArthur (“Pusan Letter”), July 15, 1950; *Agreed Minutes and Amendments between the Government of the Republic of Korea and the United States of America* (Nov. 17, 1954), art. 2. See also: Won-je Son, “The ‘most remarkable concession of sovereignty in the entire world’,” *Hankyoreh*, November 4, 2014, [http://english.hani.co.kr/arti/english\\_edition/e\\_international/662856.html](http://english.hani.co.kr/arti/english_edition/e_international/662856.html).

35. Bell, *supra* n. 12; Walter Sharp, OPCON Transition in Korea, Korea Chair Platform, December 2, 2013 (according to which transition to wartime OPCON is to be made at “DEFCON III”), [https://csis-prod.s3.amazonaws.com/s3fs-public/legacy\\_files/files/publication/131216 OPCON Transition in](https://csis-prod.s3.amazonaws.com/s3fs-public/legacy_files/files/publication/131216 OPCON Transition in)

[Korea.pdf](#).

36. 46<sup>th</sup> ROK-U.S. Security Consultative Meeting, Joint Communiqué (Oct. 23, 2014), para. 13, <https://www.defense.gov/Portals/1/Documents/pubs/46<sup>th</sup>SCMJointCommunique.pdf>

37. Military and Paramilitary Activities In and Against Nicaragua (Nicaragua v. U.S.), *I.C.J. Reports* 1986, p. 135, para. 269; Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, *I.C.J. Reports* 1996, p. 266, para. 105(2)(B) and ©.

38. NPT Arts. II, X; Korean Central News Agency, “KCNA ‘Detailed Report’ Explains NPT Withdrawal,” January 22, 2003, <https://fas.org/nuke/guide/dprk/nuke/dprk012203.html>. Despite initial dispute about whether the withdrawal was legally effective, the UN Treaty Collection Website does not list the DPRK as NPT signatory anymore: United Nations Treaty Collection (website), Treaty on the Non-Proliferation of Nuclear Weapons, last accessed May 3rd, 2018, <https://treaties.un.org/pages/showDetails.aspx?objid=08000002801d56c5>.

39. NPT Art. IX(3). See also S.C. Res. 1718 (Oct. 14, 2006), Preamble §4.

40. S.C. Res. 1718 §1, 2 (Oct. 14, 2006); S.C. Res. 1874 §1 (Jun. 12, 2009); S.C. Res. 2094 §1 (Mar. 7, 2013); S.C. Res. 2270 §1 (Mar. 2, 2016); S.C. Res. 2321 §1 (Nov. 30, 2016); S.C. Res. 2375 §1 (Sep. 11, 2017).

41. *UN Charter* art. 24.2, 25; Antonios Tzanakopoulos, *Disobeying the Security Council: Countermeasures against Wrongful Sanctions* (Oxford University Press, 2011), pp. 54-84. For the DPRK arguments, see e.g. Statement by the DPRK Foreign Minister at the 72<sup>nd</sup> Session of the UN General Assembly, September 23, 2017, [https://gadebate.un.org/sites/default/files/gastatements/72/kp\\_en.pdf](https://gadebate.un.org/sites/default/files/gastatements/72/kp_en.pdf); *Korean Central News Agency*, “KLC’s White Paper on UN” Resolutions on Sanctions “against the DPRK,” March 16, 2017, <http://www.songunbg.org/politika/White%20Paper%20on%20sanctions.pdf>.

42. See e.g. James Clapper, “Ending the Dead End in North Korea,” *New York Times*, May 19, 2018, <https://www.nytimes.com/2018/05/19/opinion/sunday/clapper-north-korea.html>.

43. *UN Charter* arts. 2.2, 2.3, 2.4.

44. G.A. Res. 2625 (XXV) Declaration on Principles of International Law concerning Friendly Relations and Co-Operation among States (Oct. 24, 1970); Military and Paramilitary Activities In and Against Nicaragua (Nicaragua v. U.S.), *I.C.J. Reports* 1986, p. 107-8, para. 205.

45. G.A. Res. 39/11, Declaration on the Right of Peoples to Peace (Nov. 12, 1984); G.A. Res. 71/189, Declaration on the Right to Peace (Dec. 19, 2016).

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## The Role of Civil Society for Building Inter-Korean Trust and Peace on the Korean Peninsula

by Taeho Lee,  
Chair of the Policy Committee, PSPD

### 1. Introduction

Following the April 27, 2018 Inter-Korean Summit at Panmunjeom and successfully making the Panmunjeom Statement, the DPRK-U.S. Summit as planned was held on June 12. This essay is aimed at diagnosing the meaning of the summit meeting between the two Koreas. The analysis is from the viewpoint of the principles and positions that civil society has presented to peacefully resolve Korean Peninsular issues. It aims to identify the role of civil society to build confidence between Seoul and Pyongyang and bring permanent peace to the Korean Peninsula.

### 2. The Positions of Civil Society on Peacefully Resolving the Issues of the Korean Peninsula

On April 16, prior to the summit meeting between the North and South Korean leaders, a total of 16 civil and religious groups, including the People’s Solidarity for Participatory Democracy suggested “the Four Principles for the Spring of Peace On the Korean Peninsula.”<sup>1</sup> The suggestions for which I was in charge of writing emphasize that “What is desperately needed are new imaginations and fearless approaches to turn a pair of summit meetings into a true starting point to move beyond the armistice system and remove nuclear threats from the Korean Peninsula, make progress in the North and South Korean relationship, and kick start meaningful peacebuilding efforts in East Asian.”

The suggestions say, “While the basic frame-

work for a comprehensive agreement related to the armistice system and nuclear issues on the Korean Peninsula and the reinforcement of peace and cooperation in the East Asian region was developed through a six-party talks Joint Statement issued on September 19, 2005,<sup>2</sup> a more positive and comprehensive approach should be introduced on which every party can rely, considering mistrust and conflict which surrounded the previous joint statement which was accentuated further through conflict regarding nuclear weapons and missile programs.”

Under such a premise, the civil groups proposed that the Moon Jae-in administration should stick to the following four principles or basic positions during the summit meeting between the two Koreas and other diplomatic activities on the Korean Peninsula:

**First**, the South Korean government should find a comprehensive solution to turn the armistice system into a peace regime on the Korean Peninsula and connect the normalization of the relationship between North Korea and the U.S. and Japan to the dismantling of North Korea’s nuclear weapons.

All the parties can make a fundamental approach to working out various issues only when the nuclear conflict on the Korean Peninsula is seen as part of the unstable armistice system. As is well known, the nuclear conflict on the Korean Peninsula is a product of the standoff of the two governments and the arms race, which has dragged on for decades, and accelerated due to North Korea’s “strategy to build up asymmetry deterrence” to compensate for the inferiority of its conventional military power. As a result, it is extremely crucial to approach these issues with an accurate understanding of the fact that the denuclearization of the Korean Peninsula is closely connected with building mutual military confidence, removing the armistice system, establishing a peace system, and normalizing relations among the parties. Instead of taking the denuclearization of the Korean Peninsula as a precondition for a peace treaty, it should be simultaneously pushed forward with a peace treaty. In this context, the negotiations among the countries concerned aimed at concluding a peace treaty and normalizing the relationship between

North Korea and the U.S. and Japan should simultaneously progress with bilateral or multilateral negotiations aimed at resolving the North Korea nuclear issues.

**Second**, the denuclearization of the Korean Peninsula should be discussed within the paradigm of creating a nuclear-free zone on the Korean Peninsula or in Northeastern Asia.

A fundamental solution to the Korean peninsula’s nuclear crisis cannot be found if only the denuclearization of North Korea is engaged. The nuclear missile conflict on the Korean Peninsula is part of the nuclear missile conflict in the East Asian region and heavily interlinked with the global issues of nonproliferation and disarmament. As a result, a more fundamental and comprehensive solution should be sought, one which not only dismantles North Korea’s nuclear missile programs but also eliminates any nuclear threat to the Korean Peninsula. The most effective way to mutually remove nuclear threats is to construct a nuclear-free zone in Northeast Asia by first beginning to construct such a zone on the Korean Peninsula whilst concurrently promoting a global nuclear disarmament negotiation aimed at a nuclear-free world. Therefore, the negotiations regarding the ultimate solution to nuclear issue on the Korean Peninsula should include the nuclear umbrella issue of South Korea and Japan as part of the agenda. Furthermore, it should be actively explored how North and South Korea, the U.S., China, and Japan can join the Treaty on the Prohibition of Nuclear Weapons altogether.

**Third**, the dialogue and cooperation between the authorities of North and South Korea should be institutionalized and extended, along with an effort to hold a summit meeting between the two Koreas on a regular basis, and a variety of nongovernmental exchanges and cooperation should be guaranteed by establishing a continuously operational consultation body at a nongovernmental level.

Peace on the Korean Peninsula can be realized by ruling out absorption unification by one party, by respecting each other’s system of government, by promoting military confidence-building and mutual non-aggres-

sion, and by reconciliation and cooperation. Holding summit meetings between North and South Korea on a regular basis to resolve issues on the Korean Peninsula and to institutionalize the cooperation between the two Koreas in the fields of the military, economy, and nongovernmental exchange is the basis of resolving the problems of the Korean peninsula. The nongovernmental role in this process is as significant as that of the government. In addition to revitalizing nongovernmental exchanges and cooperation, the South Korean government must allow civil society to actively take part in the process as a party directly concerned with which policies related to peace on the Korean Peninsula are adopted and executed. The government has to lift the May 24 economic sanctions and resume multidimensional exchange and cooperation projects such as humanitarian aid to North Korea, the reunion of separated families, operation of the Gaeseong Industrial Complex, and the Mt. Geumgang tour program.

The government needs to form “the Committee on the Social and Cultural Cooperation between North and South Korea,” as quickly as possible as agreed through both the October 4 Declaration in 2007 and the First Prime Ministerial talks between the two sides and prepare for regular consultation channels designed to boost nongovernmental exchanges between the two Koreas by establishing a joint secretariat. In addition, the government must prepare a stable environment at the earliest possible time that allows civil society to participate in the process by which the government decides its policies toward North Korea, as well as diplomatic policies, and allows a social agreement to be formed.

**Fourth,** a fundamental principle that any military activities in which the North, South, or the U.S. target one another must be halted for as long as the talks continue.

North Korea “pledged not to use conventional weapons against South Korea, not to speak of nuclear weapons,” saying “it will never resume strategic provocations like additional nuclear tests and the test launching of ballistic missiles as long as the dialogue

continues.” Nevertheless, South Korea and the U.S. were still conducting the Key Resolve Eagle Joint Military Exercises. North Korea expressed its decision not to raise any objections regarding this military drill, however an offensive military exercise conducted with the premise of occupying North Korea will serve as a catalyst to touch off military tension and conflict at any time. To maintain momentum for dialogue and negotiations in the future in addition to the June 12, 2018 summit meeting, North and South Korea and the U.S. must respect one another and work to facilitate growing mutual confidence. Any military actions in which the three nations target one another must cease for as long as the talks go on. With that in mind, the South Korean government and the American government should consider also a forward looking policy which pledges not to engage the Eulji Freedom Guardian military exercise, which is planned be conducted in the latter half of 2018.

### 3. The Assessment of the Inter-Korean Summit and Remaining Tasks

#### 1) The Inter-Korean Summit and the Panmunjeom Declaration<sup>3</sup>

“The Panmunjeom Declaration for the Peace and Prosperity of the Korean Peninsula” adopted by Moon Jae-in, the South Korean President, and Kim Jong-un, the North Korean Chairman of the State Affairs Commission, on April 27 emphasizes in its preamble the parties “firm resolution to more positively improve and develop the relationship between North and South Korea while bringing to an end long-standing division and confrontation, a byproduct of the Cold War, as quickly as possible and fearlessly opening a new era of national reconciliation and peaceful prosperity,” it goes on to “solemnly reiterates to the 80 million Koreans and the entire world that there will not be anymore war on the Korean Peninsula, and a new peace era will be opened.”

The Declaration consists of three parts. They are, firstly, the overall and ground-breaking improvement and development of the relationship between the two Koreas. Secondly, joint efforts to mitigate military tension and substantially eliminate the risk of a war. Thirdly, cooperation to build an ever-lasting and

stable peace regime on the Korean Peninsula. The two leaders “confirmed the common goal to realize a nuclear-free Korean Peninsula through a complete denuclearization” as part of an ever-lasting and stable peace regime and “decided to have serious discussion about the vital matters of the Koreans through regular talks and a hotline.”

## 2) Characteristics and Meaning Sitting in the Driver’s Seat in Resolving the Korean Peninsular Issues – A Negotiation Phase Led by North and South Korea

The Panmunjeom Declaration consists of the development of the North and South Korea relationship, the building of military confidence, and the development of a peace regime in that order. It can be understood that the declaration clarifies that the improved relationship between the two Koreas in various areas and military confidence building are not subordinate factors for resolving nuclear issues or improving the relationship between Washington and Pyongyang but a starting point and a center for them. In addition, the declaration explicitly sets forth a concrete plan to implement steps between North and South first and foremost while carefully setting aside the challenges in improving relations by connecting them to the summit meeting between North Korea and the U.S. on June 12, 2018 or to agreements by the global community. The Panmunjeom Declaration clarifies that the leaders of North and South Korea will play leading roles in resolving the Korean Peninsula-related issues, and it can be interpreted as the result of a carefully drawn out step-by-step process which considers both conditions at home and abroad. Predicting such a dramatic development even at the end of 2017 was not easy. President Moon Jae-in created room for negotiations by reiterating time and again, including at South Korea’s August 15, 2017 Liberation Day celebrations, that there would be “no war on the Korean Peninsula,” saying “no one can make a decision on military actions on the Korean Peninsula without previous consent from South Korea.” Kim Jong-un, the Chairman of the State Affairs Commission suggested in his 2018 New Year’s Address that “North and South Korea make 2018 a history-making year that could be recognized as noteworthy in Korean history where the two Korea are not tied down to the past and can improve their icy relationship.” These comments from Korean leaders laid the foundations for the two Koreans to

spearhead the negotiation phase on the Peninsula.

## Resumption of Cooperation in Numerous Fields and Hosting of Talks between the Two Koreas on a Daily and Regular Basis

North and South agreed to promote cooperation and exchanges between the two Koreas at various levels, including the civil society. Both leaders agreed to facilitate projects agreed to in the October 4, 2007 Declaration including “the reunion of separated families and relatives in the celebration of August 15 Liberation Day,” “joint participation in international sports events like the 2018 Asian Games,” “the promotion of joint national events in which people from all walks of life take part, such as the authorities, the National Assembly, political parties, regional governments, and civil groups, in the celebration of days like June 15, which is meaningful to both sides.” and “the connection of the East Sea railway, the Seoul-Shinuiju railway and relevant roads.” President Moon Jae-in also separately delivered a file containing his ideas for economic cooperation to the North Korean leader. Moreover, the two authorities decided to set up a joint North and South liaison office in Gaeseong, which is designed to guarantee “nongovernmental exchanges and cooperation,” as well as “negotiations between the two authorities.” What is most meaningful is the promise to hold summit meetings between the two leaders on a regular basis and open a direct hotline. As a result, a safety valve was installed through which misunderstandings and crises can be prevented from worsening, and a route was established in which the leaders can communicate with each other frequently to discuss the mountain of challenges that await them. As a result, in spite of the fact that steps caused by international sanctions arising from the North Korea nuclear issue are still in effect, the May 2010 economic sanctions imposed by South Korea in the aftermath of the sinking of the Cheonan R.O.K Navy Ship, were effectively lifted. What really stands out as a focal point for attention here is that rather than merely restarting conversation, the two Koreas agreed to systematic and regular dialogue.

## An Attempt to Initiate a Comprehensive Solution

This summit declaration expresses “the realization of a nuclear-free Korean Peninsula through complete denuclearization” as one of the goals that must be achieved in building “an everlasting and

stable peace regime on the Korean Peninsula.” It also implies that the negotiations aimed at replacing the armistice system and normalizing the relationship among the parties concerned could be simultaneously or proactively conducted, along with those exclusively aimed at resolving nuclear issues at a bilateral or multilateral level. The Korean leaders have decided to “positively push forward with a three-party conference, in which North and South Korea and the U.S. will take part, or a four-party conference, in which North and South Korea, the U.S., and China will take part, to declare a permanent cease-fire and build an everlasting and stable peace regime by which the armistice treaty will be turned into a peace treaty in 2018 during the 65<sup>th</sup> anniversary year of the armistice treaty.” The declaration speaks of the necessity of “step-by-step disarmament in line with a military confidence-building process,” as well as “a complete denuclearization.” The summit declaration also enumerates details necessary to military confidence building by dividing “joint efforts to ease military tension situations and substantially remove the risk of a war” into a separate chapter as a precondition for constructing a peace system and reaching denuclearization. It is particularly noticeable that North and South Korea agreed to “totally cease all hostile activities against the other party, which serve as a root cause of military tension and confrontation in every space such as land, sea, and air.” It goes on that they “take substantial steps to prevent accidental military confrontation and guarantee safe fishing activities by making the areas along the Northern Limit Line in the west sea designated peace waters.” A comprehensive approach to act as the backbone of such agreements, such as the agreed upon four principles has been repeatedly suggested by civil and social organizations, proving that suggestions arising from civil society are plausible and practical, rather than merely idealistic.

### Enhancing Confidence through Proactive Measures

While this summit declaration does not contain any concrete agreement on the way to denuclearize the Korean Peninsula or a joint security system in the northeast Asia, it could be understood that the two leaders agreed to observe the outcomes of the summit meeting between North Korea and the U.S. before proceeding with negotiations among the concerned parties. In spite of such uncertainties, the

two leaders attached more emphasis to, in particular, implementing their promises and pro-actively taking measures necessary to building confidence, a stark contrast to previous negotiations. South Korea and the U.S. decided to put off the Key Resolve Military Drill and the Eagle Training by one month, which had been perceived as hurdles to initiating dialogue during the Pyeongchang Winter Olympic Games. U.S. strategic assets, such as a nuclear carrier and a long-range strategic bomber, would not be deployed in accordance with what North Korea had requested, thereby indirectly expressing the US’s will for negotiations. On the other side, North Korea decided at the third plenary meeting of the 7<sup>th</sup> Worker’s Party Central Committee to “halt conducting nuclear tests and test-firing intercontinental ballistic missiles” and dismantle “the Punggye-ri Nuclear Test Site” shortly before the summit meeting, North Korea is now implementing its decision. Moreover, North and South Korea have already put tangible follow-up projects into practice such as dismantling loudspeakers, refraining from sending propaganda leaflets into one another’s territory, opening a hotline between authorities, and pushing forward with plans for a high-level meeting immediately after the summit meeting. North Korea also set free three American citizens, who were held in North Korea before the planned DPRK-U.S. Summit. Those initiatives undertaken by the two Koreas are positive steps that will be welcome news to authorities in charge of negotiations but also draw the attention and raise expectation of citizens in each country. Such proactive measures make a significant contribution to forming a public opinion to look more optimistically at the future of negotiations which currently lack transparency.

### 3) Challenges

The success or failure of follow-up negotiations as well as the two authorities’ determination to carry out what should be done will decide whether the measures agreed to in the Panmunjeom Declaration will be smoothly implemented. Numerous rounds of negotiation have been set, including the summit meeting between North Korean and American leaders held on June 12, 2018. Hurdles lie in wait at each negotiation table. An analysis of some of the basic challenges facing the South Korean government and civil society in ensuring that the following bilateral and multilateral talks can lead to the construction of a peace system, a complete denuclearization of the

Korean Peninsula, and the sustainable development of the relationship among North and South Korea and adjacent nations follows below.

### The Continuation of a Comprehensive Approach and the Exclusion of Unilateralism

All adjacent, concerned and relevant countries, including the two Koreas, should consistently push forward with a comprehensive solution connected with the realization of a nuclear-free Korean Peninsula through complete denuclearization to turn the armistice system into a peace system on the Korean Peninsula and normalize the relationship between North Korea and the U.S. and Japan. In this process, it is crucial that South Korea, the U.S., and Japan do not remain inactive or retain one-sided attitudes in their approach toward Pyongyang as they did in the past.

The previous functionalist inertia refers to the approach whereby it was believed that the issue of North Korea's nuclear missile development could be settled solely with economic assistance to North Korea instead of regarding it as connected to the armistice and system of confrontation on the Korean Peninsula. It is a solution which proved to be unsuccessful because the parties concerned passed through numerous rounds of negotiations for almost three decades. A clear example of the unilateral approach utilized was the attitude by which those negotiating with North Korea put significant emphasis on North Korea's nuclear missile threats alone, whilst avoiding discussing any military threats to North Korea's system that they might pose.

This militarism-based unilateralism is characteristic of a discourse which stressed North Korea's denuclearization or military surrender, while South Korea was vehemently opposed to discussing our own offensive weapons, overwhelming military power and military drills.

The solution is easy and simple. The only thing all the parties should do is to show sincerity in resolving every critical issue while fully understanding that North and South Korea could pose a serious threat to each other. In particular, in the 30 years since the end of the Cold War, the South Korean army has annually spent a military budget larger than North Korea's entire GDP, even excluding military spending related to the U.S. Army stationed in South Korea. It is important to acknowledge that South Korea's conventional military strength has, in a sense, served

as part of the momentum for North Korea to aggressively push forward with developing nuclear weapons.

### Disarmament and the Reorganization of Military Plans

Considering this point and moving beyond the North Korean regime's guaranteeing its own security, South Korea and America should have a sincere discussion about drastically revising offensive military plans and their astronomical military spending which both sides have pushed forward recently. In particular, South Korea's military reform plan focusing on a full scale increase of military spending, including extended military power against North Korea, should be sharply revised to the extent that it constitutes enough only for South Korea's self-defense.

On the other hand, if concrete steps to reduce the threat and to increase military confidence building are not taken such threats will become a major hindrance to denuclearization negotiations. A good example is North Korea's putting off a high-level meeting between North and South Korea due to Max Thunder 2018, a large-scale military exercise by South Korean and U.S. Air Force and Marine Corps in which America's strategic assets such as B-52 bombers and F-22 fighters took part. North Korea also implied that the joint military drill could have a negative effect on the meeting between North Korea and the U.S.

It is irrational to explain that such a large-scale air-to-air and air-to-ground exercise in which strategic assets play a leading role does not violate the Panmunjeon Declaration that clarifies that "North and South Korea agreed to totally cease all hostile activities against the other party in every space including land, sea, and air which serve as the root cause of military tension and confrontation."

### Social Consensus on a Nuclear-Free Korean Peninsula

Civil society should follow up with discussions and an action plan regarding "the denuclearization of the Korean Peninsula" points which were presented by the two leaders. A complete denuclearization equates to a condition whereby nuclear threats to the Korean Peninsula are eliminated. This goal cannot be achieved only by North



Korea's verifiable and irreversible dismantling of its past, present, and future nuclear capabilities. The goal can be achieved only when all military strategies reliant on nuclear deterrence disappear from both the Korean Peninsula and the area surrounding the Korean Peninsula.

Therefore, the nuclear umbrella (extended deterrence) strategy on which South Korea and America or South Korea, America, and Japan rely should also be dealt with as part of the agenda along with North Korea's denuclearization. For the Korean Peninsula's solution to nuclear issues to develop into a stepping stone toward a nuclear threat-free northeast Asia and a nuclear-free world, it would be meaningful if "a truly nuclear-free Korean Peninsula" was realized.

Civil society has long insisted that denuclearization on the Korean Peninsula be discussed in the context of constructing a nuclear-free zone on the Korean Peninsula or in Northeastern Asia. North Korea insisted in 2016 that "the U.S. Army, which has full control of the authority to use nuclear weapons in South Korea, be withdrawn." This has been paradoxically interpreted as North Korea's willingness to flexibly discuss the role of the U.S. Army if it gave up "its authority to use nuclear weapons."

On the other hand, it is also worthy of exploring the possibility that North and South Korea would as one entity pro-actively seek to join the Treaty for the Prohibition of Nuclear Weapons. This would be a step in the promotion of a complete denuclearization on the Korean Peninsula and in accord with the universal desire of the human race for a nuclear-free world. It would also help Japan, Korea's neighboring country, and the nuclear powers around the Korean Peninsula to gradually follow suit.

### The Democratization of Diplomatic, Security, and Unification Policy Decisions

This summit meeting can be regarded in some way as a result of the Candlelight Revolution, something which the South Korean government itself acknowledges. South Korean citizens displayed their capacity to the entire world in resolving pressing social issues peacefully and democratically through their own agency in the Candlelight Revolution. The revolution acted as a foundation for the South Korean government to demonstrate its diplomatic capacity as the Revolution improved the Moon Jae-in administra-

tion's democratic legitimacy.

In other words, the Candlelight Revolution acts as a driving force by which the South Korean government and civil society could jointly steer in trying to find solutions to thorny issues on the Korean Peninsula. This demonstrates why the contents and procedures, priorities, and methods in dealing with the improvement of the relationship between the two Koreas, diplomatic issues around the Korean Peninsula, and other foreign affairs and security-related issues should be democratically decided and implemented.

In particular, the relationship between North and South Korea is such a critical issue that it is directly associated with a safe and happy life of every resident living on the Korean Peninsula. Ultimately, the relationship cannot be advanced without the understanding and agreement of the majority of citizens. Nevertheless, the foreign policies that deal with issues on the Korean Peninsula and elsewhere have been unilaterally decided and executed based on threats that so-called experts judged and interpreted without citizen or civil society intervention and the remedy and priorities that they presented were without any social agreement.

Now is the time when relevant information should be made public to the maximum level without being embellished by ideologies or political interests and policy priorities. The speed of policy implementation should be democratically decided and controlled through ordinary people's participation and broad open discussions without limitation on debate.

### Bipartisan Social Consensus and Civilian and Governmental Cooperation for Social, Economic, and Cultural Exchanges

As the previous agreements between North and South Korean leaders failed to be fully connected with social consensus, the South Korean government faced numerous difficulties in implementing them. Fortunately, the summit meeting and the Panmunjeom Declaration are overwhelmingly supported by citizens who have higher expectations for them.

It is desirable that the government should do everything in its power to get an agreement or a resolution from the National Assembly in support of the significant agreements between the two Koreas in the future, including the Panmunjeom Declaration, so that such public opinion can be institutionalized to demonstrate social consensus. While attempting this,

the government could also seek to get the existing agreements between the two Koreas, along with the declaration, if possible, ratified by the National Assembly.

Furthermore, the government should make concerted efforts to form a discussion forum in which citizens are allowed to participate to review and discuss the direction which the government should push for in improving the relationship between Seoul and Pyongyang and resolving controversial issues. Such a forum will be the starting point to review what would be a reasonable and realistic method as a means of forming social consensus. That consensus is needed in dealing with the relationship between the two Koreas and institutionalizing that in relation to various solutions such as “The Unification People Agreement” and the ratification of “the North and South Korea Basic Agreement” that President Moon Jae-in promised during his presidential candidacy. Through such open and democratic means, government-civil society cooperation can take root in South Korea to resolve numerous issues on the Korean Peninsula, and at the same time, various players including the government, political parties, and social groups should be allowed to join in the process as stakeholders and participants at the Korean Peninsula level for reconciliation, cooperation, and unification.

#### 4. Roles and Action Challenges of the Civil Society Groups

In the light of these basic challenges, the roles and action challenges the civil society movements should deal with are as follows:

##### 1) “Give Peace A Chance” – The Pursuit of Peace and Unification through Peaceful Means

The most significant role and challenge for civil society is to facilitate and prepare a foothold for a structure that can peacefully and in a consistent manner resolve fundamental issues. It may be safely said that the most important and primary issue is confidence building on the Korean Peninsula and a reduction of mutual threats as a means to make that possible. The long-term challenges can also be summarized as follows: the prevention of military conflict while helping peace take root, the exclusion of a forceful absorption unification dominated by one side, and the achievement of a step-by-step unification to which both sides can agree.

The cooperation of the governments and civil societies of adjacent countries, as well as North and South Korea, are desperately needed in this process. There is nothing that can be resolved under any circumstances through such a militarism-based frame as that which has continued thus far. The militarism that has been so far presented as so-called realism has not succeeded in finding a solution to pending issues. In particular, the ideas of the Cold War era, which were heavily dependent on superior military power and alliances, are likely to worsen issues instead of resolving them.

The problem is that, while the need and the possibility for North Korea to change has been actively discussed internally by civil society regarding topics such as relationship development or economic cooperation between North and South Korea, or how to deal with North Korea’s nuclear and missile issues, the discussions about the manner in which changes should be enacted and what changes it is that we have to lead have been insufficient and neglected as topics for discussion. The problem is that, among other things, an environment where imaginative solutions can be put forward and an atmosphere encouraging free discussion where the issues on the Korean Peninsula can be calmly and objectively understood has not been formed yet. An atmosphere exists where issues of “disarmament,” “military alliance,” and “a nuclear-free world” are not handled as issues with any possibility and therefore not subject to expert discussion.

#### The Agendicization of Peace, Disarmament and Balanced Diplomacy

The roles of civil society and researchers are to fully recover the discussion platform in which half-balanced military security has been chiefly discussed so far, to pursue peace through particular peaceful means, and to put realistic and feasible coexistence and joint security, which are not dependent on military spending or military alliance, firmly on the agenda.

Pacifism and disarmament are crucial choices for the solution of public welfare issues in South Korean society where ordinary people cannot find a reliable solution while suffering from social polarization and demographic problems. Balanced diplomacy and joint security are essential to mutual prosperity in a peaceful Northeastern Asia.

## Increasing Peace Education and Anti-division Education

It is extremely important to imagine, without limitations, what we can obtain through peaceful resolutions. Peace education, coexistence and tolerant education, and anti-division education should be encouraged and extended so that the scope of understanding and imagination that we have not reached yet can be expanded.

2) Preparations for civil participation, social consensus, and coexistence

Direct participation by citizens and social consensus should be treated as both the most important means and the goal for the peace and unification of the Korean Peninsula. The relationship between the two Koreas after the Candlelight Revolution should be different from that before the Revolution, and it has no choice but to be different. The civil society movement has to exert efforts to open a space where citizens as sovereign can have a discussion all together and take part and play a role so that citizens themselves can lead in building peace and drawing social consensus for coexistence.

## The Alleviation of Monopoly on Diplomatic and Security Information and the Improvement of Participation Structure

To begin with, the civil society movement should take the initiative in improving various institutions and practices by which the relationship between the two Koreas and diplomacy and security can be democratized and citizen participation increased. The civil society movement should seek to redress the internal ideological conflict and ingrained confrontation in the South Korean society, which have been artificially consolidated since the Korean Peninsula was divided, and exert efforts to create a social environment where policies are decided and implemented by citizens' voluntary participation and social consensus. Then citizens can work together with a sense of responsibility to address a great number of issues taking place in that process. To do so, the civil society movement should exert essential efforts to improve institutions and practices so that information on the relationship between the two Koreas and diplomacy and security can be made public to the maximum level, and the monopoly of interpretation of such issues can be removed.

## The Creation of a Citizen Participation-type Contemplation Space and the Promotion of Bipartisan Agreement

In addition, the civil society movement should also take the initiative in attempting to draw bipartisan social consensus about major issues relating to diplomacy with neighboring countries to improve the relationship between the two Koreas and resolve issues on the Korean Peninsula. In this case, social consensus does not mean just finding the middle ground between alternatives that have already been developed.

A contemplation space in which anybody can take part could make an important contribution to forming social consensus under the premise that various visions and methods that we can choose can be introduced without restrictions and be freely discussed, along with the sharing of and access to information regarding the relationship between the two Koreas and diplomacy and security. However, civil society should be careful given that an attempt at social consensus or a social pact on the relationship between the two Koreas if inadequately pushed forward with only the previous limited imagination, agenda, and choice of alternatives as bases could actually deepen the South-South conflict. Under this premise, civil society groups can work together in pushing forward with the agreement of unifying people and others promised by President Moon Jae-in in his presidential candidacy.

## The Elimination of Cultural and Institutional Violence such as Hatred and Discrimination

Lastly, the South Korean civil society movements should enhance agreements for integration and coexistence in the South Korean society so that discrimination, hatred, violence, and exclusion against North Korea and North Korean residents (living in South Korea) cannot be ignited or existing problems worsen during the process to improve the relationship between the two Koreas. In fact, the issue of hatred and discrimination against North Korea and North Korean residents, which are closely connected with that of hatred and discrimination against migrants, disabled people, women, and sexual minorities is one aspect of the distorted division system that has justified survival of the fittest in society.

This is closely connected with "a war politics" that sees the other party as something that should be excluded and exterminated. Civil society needs to

examine and improve, among other things, institutional and cultural discrimination and violence against North Korea defectors. Moreover, it should take a close look at institutions, such as the National Security Law, which have justified anti-human rights regulations under the pretext of a hostile relationship with the North.

### 3) Exchanges and cooperation in various fields

Civil society movements should play an active part in exchanges and cooperation in various fields agreed by the North and South Korean authorities and push them on to a new stage.

### Humanitarian Aid and the Extension and Rearrangement of Nongovernmental Development and Cooperation

The fundamental aspects in nongovernmental exchanges between the two Koreas are humanitarian aid and cooperation. These areas must not be subject to political conditions and should be sustainable. The nongovernmental emergency relief activities that have been perceived as part of the humanitarian aid so far should be normalized and extended to a variety of areas equipped with the universality of development cooperation at civil society level. They are likely to be actually increased at an explosive rate in accordance with the improvement of the relationship between the two Koreas.

While the issue of transparency related to humanitarian aid and development cooperation has always been treated as important and should be improved in the future, we have to keep in mind that the local ownership and sustainability and the creation of an enabling environment are a crucial principle and standard to be respected.

### The Extension of Dialogue for Social and Cultural Exchanges and Preventing Armed Conflict

While social and cultural exchanges that focus on group-oriented coordinated exchanges and cooperation have been subject to repeatedly being started and then discontinued, civil society should exert efforts to normalize them and extend the participation in exchanges and cooperation to include ordinary citizens. However, the civil society should keep in mind that social and cultural exchanges and cooperation should make progress while working with a unique counterpart in North Korea.

In this case, it is important to try to strike a balance with preparations in the North Korean soci-

ety. While for the time being such activities are limited to those coordinated by the North and South Korean authorities, the civil society should understand that they are part of the nongovernmental cooperation activities aimed at preventing armed conflict in the Korean Peninsula. Although these activities should be guaranteed as an independent area because they are a natural right and a duty of the people of the Korean Peninsula, the civil society should extend their agenda and scope by displaying a high level of sense of purpose while keenly recognizing that they are part of cooperation for resolving the issues on the Korean Peninsula as a whole.

While the social exchanges and cooperation between the two Koreas and the solidarity of the citizens for world peace have been ongoing even while being disconnected or separated, the civil society should pay attention to extending multilateral international exchanges and cooperation including but also beyond North and South Korea. A good example can be found in the Ulan Bator Process organized by the Northeastern Committee of GPPAC, which has been ongoing since 2015.

It is quite difficult to deal with the issue of economic cooperation in this presentation. However, we cannot overstress how important it is to exert efforts to do research on what effects coexistence and economic cooperation between the two Koreas will have on the peace and prosperity on the Korean Peninsula and, more concretely, on the public welfare of South Korea, as well as to spread them and develop them into social consensus. Civil society should also play a vital role in providing guidelines and action principles so that exchanges and cooperation in various fields including economic cooperation can be carried out according to universal principles such as economic justice, ecological and cultural diversity and sustainability, gender equality, and female empowerment.

## 5. Conclusion

Dramatic change is unfolding on the Korean Peninsula and in Northeast Asia. The role that the South Korean society, in particular the civil society, and the civil society movements are urgently asked to play, along with challenges they have to resolve, can be briefly summarized as follows: they should freely imagine, share, and boldly embody practices to overcome the division of the Korean Peninsula and to

further coexistence in East Asia while confronting old stereotypes, prejudice, and taboos that the division system emphasized to us. We should be armed with a strong belief in changes that the participation and solidarity of the citizens of the Korean Peninsula and the entire world will help us draw out.

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Notes:

1. The organizations that took part in this announcement are: Goyang Tongil Tree, Inter-Korean Economic Cooperation Forum, Green Korea, Korean NGO Council for Cooperation with North Korea, Professors for Democracy, Peace 3000, Eco Horizon Institute, Civil Peace Forum, Won-Buddhism Pyongyang Chapter, PSPD, One Korea Action, Peace Network, Women Making Peace, Daegu Peace Together, NCKK Reconciliation & Reunification Committee, Korean Women's Association United, Korea YMCA, The Headquarters of National Unification Movement of Young Korean Academy.
2. See full text of the joint statement adopted Sept. 19, 2005 at the fourth round of six-party talks on North Korea's nuclear programs. It can be accessed at: [http://www.chinadaily.com.cn/english/doc/2005-09/19/content\\_479150.htm](http://www.chinadaily.com.cn/english/doc/2005-09/19/content_479150.htm)
3. Refer to the following link for the whole text in English [https://www.koreatimes.co.kr/www/nation/2018/04/731\\_248077.html](https://www.koreatimes.co.kr/www/nation/2018/04/731_248077.html). Also see text on page 9 in this issue.

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## **Ushering in an Era of Great Transformation on the Korean Peninsula through Citizen Participation**

by Lee Hyeuk-hee  
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### **1. A Different Era Requires Different Thinking**

At this very moment, the Korean Peninsula is entering a new era of great transformation. After the North Korea-United States summit following the

Inter-Korean Summit in 2018, this great transformation is now the current of the times that no one can swim against. I refer to this development of events as a great transformation because this is an extraordinary time that is now unfolding: something none of us has ever experienced.

This great transformation can be specifically defined as “the end of the Cold War,” “deconstruction of a divided Korea,” and “the emergence of a new order on the Korean Peninsula” filling in the political vacuum left after the Cold War system has ceased or been aborted. The biggest shock and concern would be to witness the paradigm shift of “peace through national security” to “security through cooperation.” We have never experienced living in a world in which not guns but a collective security system and armies without a main enemy maintain peace. To adapt to this new situation will take quite some time. Deconstruction of a divided Korea will be even more shocking. If this division actually refers to a “hostility” derived from “regional division” and “different lifestyles” (See Lee Jong-suk, 1998), North Korea will gradually go through a transition into market socialism following its policy of accelerating marketization and focusing on economic development. This means expiration of the “different lifestyles,” and the hostility which arose from the hate for being different from one another will also very likely disappear. The only thing left then is the regional division. If Korea can maintain its de facto unification even though regional division is still in place, the national division, which has grown on its own and persisted for a long time only on the Korean Peninsula, can be deconstructed.

More importantly, however, is the matter of “recreation.” Paik Nak-chung pointed out that in terms of a reunification theory applicable to the Korean Peninsula, people must take the initiative and be creative in deconstructing the existing division. The key to this argument that reunification must be part of a recreation process is that an entirely new Korean Peninsula has to be created by overcoming the contradictions which exist in both South and North Korean society through comprehensive inner reflection, not by unifying the two societies without rectifying their own inconsistencies.

In May 27, 2018, at a press conference reporting on the second round of the Inter-Korea Summit, President Moon Jae-in remarked, “This is only a start. However, it is not anything that has been witnessed in

the past. It will be a whole new beginning.” I assume that his emphasis is along the same line as what I’ve mentioned above. It is also worth noting Chairman Kim Jong Un’s words during the 2018 North Korea-United States Summit: “It was not easy to get here. The past worked as fetters on our limbs, and the old prejudices and practices worked as obstacles on our way forward. But we overcame all of them, and we are here today,” adding that “the world will see major changes.” Chairman Kim’s remarks were originally made with the intent of ending North Korea’s hostile relationship with the United States, but they can be viewed as an indicator of the upcoming major changes within his country. As such, a tremendous opportunity for a great transformation of the Korean Peninsula through citizen participation has presented itself, at a time when the leaders of the two Koreas are willing to create a new Korea and are pushing forward with great effort.

What we must focus on now is determining how we can help this great transformation to happen with citizen participation and not political decisions made by our leaders. More precisely, the question is “How can we become creative in the process of recreation as a people, and go beyond the boundaries of grand decisions and visions put forward by the governments of South and North Korea?”

## 2. The Candlelight Revolution: A Starting Point for Great Transformation

To understand the trends within this great transformation and respond to them, we need to look at the fundamental factors that facilitated it. While there are many opinions and views on this issue, the undeniable fact is that Korea’s “Candlelight Revolution” was at its core. The previous administrations, run by Lee Myung-bak and Park Geun-hye, pursued a strong confrontational policy toward North Korea which led to military crisis, instead of managing inter-Korean relations. This is a distinctive feature of the system of a divided Korea in which South Korean leaders attempt to strengthen their political hold through a confrontational footing toward North Korea to gain and unite their supporters, supported by advisors who intend to prompt an economic collapse of the North and reunify through absorption. When peaceful everyday life was no longer possible in the two Koreas due to this fierce confrontation, Paik Nak-chung anticipated that a “citizen participation move-

ment does not merely mean participation by citizens, but the inevitability of an ultimate change in the status quo, which is a call to change the anti-peace regime.” Indeed, this occurred in the Candlelight Revolution. As he reviewed these revolutionary processes, Paik remarked that “the Candlelight Revolution, which overthrew a regime that was against progress in inter-Korean relations was the best example of citizen participation I have ever witnessed.” Only afterwards, it became clear that “citizen participation” meant “voluntary participation of citizens” attempting to resolve a situation that disrupted everyday life, overthrowing a regime that fundamentally supported the system of peninsular division.

The current approval rating for President Moon shows that support for his administration comes from its success in bringing about peace on the Korean Peninsula by improving inter-Korean relations rather than removing deep-rooted irregularities or improving the economy. Civil society has played an especially important role in shaping favorable conditions for rapidly improving relations in 2018, at least according to the words of Chairman Kim Jong Un. During his opening remarks at the April 27 Inter-Korean Summit, Kim used the phrase “lost 11 years” and expressed hope that these lost years would not be repeated. Paradoxically, his remarks can be interpreted as North Korea being willing to dialogue with South Korea to improve inter-Korean relations, as the new regime in the South was put in place due to the success of the Candlelight Revolution.

## 3. The Starting Point for Great Transformation is to Institutionalize South-North Relations

Looking back at the June 15<sup>th</sup> (2000) North-South Joint Declaration, the administration headed by Kim Dae-jung adopted an “engagement policy” after abandoning one of confrontation toward North Korea, pushed by the previous administration of Kim Young-sam. This new approach was to rebuild trust between the two Koreas by promoting social and cultural exchanges and vitalizing economic cooperation mainly in the non-governmental sector rather than through direct government intervention. Engagement policy was shaped and influenced by the negative legacy effects of the worsening inter-Korean relations left behind by the Kim Young-sam administration. However, all the connections made between South

and North Korea gradually disintegrated with the Lee Myung-bak administration and the closure of the Kaesong Industrial Complex (KIC) in February 2016 by the Park Geun-hye administration. This brought the efforts by the Kim Dae-jung and Roh Moo-hyun administrations to improve inter-Korean relations back to square one. Certainly, it is difficult to understand how inter-Korean relations, which had seen one million South Koreans allowed to visit Mount Kumgang and 10,000 more every year to visit Pyongyang, had totally collapsed due to policy under the Lee Myung-bak and Park Geun-hye administrations. This collapse shows the limits of functionalist approaches that focus on exchange and cooperation in a non-political arena, rather than those of engagement policy.

As for the Kim Dae-jung administration before him, the Moon Jae-in government was handed the legacy of negative inter-Korean relations. An anti-North Korean mentality was widespread among Korean citizens and theories of reunification through absorption or even of the uselessness of reunification were dominant in the related discourse. However, the Moon administration broke away from the past when the opportunity came and adopted a totally different approach. Its top-down approach is to rapidly normalize relations between South and North and build trust through negotiation and dialogue between high-ranking government officials and then expand downward into exchanges in the non-governmental sector and economic cooperation.

This approach has many advantages. First, it promotes stability and sustainability of inter-Korean relations. It is unrealistic to expect Mount Kumgang tourism or the KIC to resume operations without first constructing mutual trust in a political and military sense, as the two Koreas were once at the brink of war. There will be no South Koreans, whether private citizens or business people, who would return to tourism or business with North Korea in the face of such instability. Second, the Inter-Korean Summit revealed that President Moon is focusing more on peace while Chairman Kim on reunification. Such a difference seems like *déjà vu* of the situation after the June 15<sup>th</sup> North-South Joint Declaration in which the South focused on implementing Article 4 of the Declaration, which promoted economic cooperation and social and cultural exchange, while the North focused on Article 1, which emphasized the reunification to be achieved by the two Koreas.

Unfortunately, there failed to be any further progress on implementing Article 2 of the June 15<sup>th</sup> North-South Joint Declaration, implementation plans for reunification, which was virtually the Declaration's final aim, and here we are now. During the fourth Inter-Korean Summit held in May 26, 2018, the two leaders sought to persuade the world that the two Koreas will not repeat the mistakes of the past. Or, they at least succeeded in convincing the world that they would institutionalize inter-Korean relations – in other words, a confederation of South and North would be achieved. This development was no less than a message that the two Koreas are acting at least toward the same purposes and goals. It is also clear that military tensions and adventurism between the South and the North will not be restrained without such institutionalization: a whole new approach.

#### 4. The Citizen Participation Movement in a Special Era

In this era of great transformation, the members of the citizen participation movement have to find consensus on the details of reunification theory and then take the initiative to promote it widely, to ensure that people from all walks of life are the focus during this transformation.

When the limitations of the functionalist approach appeared, the argument that it was simply “pouring money into North Korea” gained prominence. This argument was an emotional, rather than scientific or rational, line of thinking as well as some kind of distorted “frame,” and defined humanitarian assistance and non-governmental exchanges as “forces against reunification,” assuming that any assistance to the North would help sustain the regime there. However, this is simply based on the strategy of demonizing North Korea and promoting its collapse. But it held great sway among the population and some even became supporters of “reunification through absorption.”

To point out the flaws in this argument, we have to clarify the term “reunification.” In terms of overcoming the system of division, reunification is defined as “the process by which the vast majority of the people on the Korean Peninsula live under a better system than the current one.” According to this definition, it is “a gradual process that takes place over a long period of time” as opposed to what happened in Germany or Vietnam, where reunifica-

tion occurred once, suddenly, after a preparation process. If reunification is viewed as a process and not a dramatic moment, it will be recognized as having a progressive form which is the sum total of different processes at several stages toward reunification, and not a finished form. In this case, reunification will be defined as a process in which the people seek the type of state that best suits their interests, and not instantly becoming a single-race nation.

Based on this, reunification will be further defined as a state in which the two Koreas help each other, visit one another, and coexist in peace – in other words, a state of being virtually reunified, not simply known as a single nation state. We define reunification as a “confederation” of the South and North, an institutionalized form of inter-Korean relations. Such a confederation will be reunification, and the need for reunification will now become more than just a reunion of one nation divided by foreign countries. The understanding of the word will be extended into a process in which the two Koreas, in recent history developing along two different routes, create a unified community in the interest of economic and security needs. A confederation means the South and North exist as two sovereign states for a certain period of time.

According to the principles upheld by the Basic Agreement of 1991, inter-Korean relations are distinct in that they exist inside one nationality and aim for reunification. While they are not relations between two different countries, it is also clear at the same time that a certain form of institutionalization comparable to international relations is needed for a certain period during which the two Koreas build a community and learn to coexist in peace. As the South and North have already accepted the idea of a confederation of two Koreas as the provisional form for reunification stated in Article 2 of the June 15<sup>th</sup> North-South Joint Declaration, they have to expand their scope of thinking through deep reflection.

However, a confederation of two Koreas is certainly different from the establishment of “a peace state,” an idea advocated by some in the peace movement that aims for peaceful coexistence. Under confederation, the Korean War will be declared over, which will mark the end of the Armistice regime, and a “peace agreement” discussed to regulate the state of peace on the Korean Peninsula as denuclearization proceeds. The agents responsible for observing such a peace agreement should be none other than the two

Koreas. Although a series of events, including declaring the end of war and signing of a peace agreement will not be possible without guarantees from the U.S. and China, the major foreign participants in the Korean War, the central responsibility for maintaining the regime of peace on the Peninsula will lie with the North and South themselves. The North-South Confederation will be a very inter-Korean organization to uphold the peace agreement proposed in the National Community Unification Formula, and agreed in the June 15<sup>th</sup> Joint Declaration. This confederation should not posit a permanent state of peaceful coexistence as its end goal; it needs to be situated as a tool of a peace regime aimed at reunification. The peace state and the North-South Confederation have fundamentally different purposes: the former the maintenance of peace, the latter reunification. Of course, the two Koreas are not the only actors in the peace regime on the Peninsula. It goes without saying that a system of cooperation and security must be built that encompasses not just Northeast Asia but the entire continent. But even this is only meaningful to the extent that the two Koreas participate as responsible parties and garner international support for reunification, and should not serve as grounds to perpetuate the state of partition.

The North-South Confederation will serve to accelerate the integration of the two communities with the goal of establishing a regime of peace aimed at reunification. The natural sequence of integration under such a Confederation would be to start with the establishment of an economic community, moving on to a socio-cultural community, and then culminating in a political community. The Korean people have witnessed the Panmunjeom Declaration and the fourth Inter-Korean Summit meeting. If the fifth summit meeting, scheduled for the Fall of 2018, also materializes, this would enable a new discourse that conceptualizes reunification as “de facto reunification in the form of a North-South Confederation” to firmly take root as part of the discourse on reunification. Once reunification undergoes such a concept transformation among the population, it should be possible to open a new era with a major transition through the participation of the people, free from the shackles of the old idea of reunification through absorption. For the moment, there is also dire need for a national campaign to explain the meaning and content of the Panmunjeom Declaration and the Singapore Declaration. Informing the people of the content of these



declarations alone can go a long way toward spreading the new conversation on reunification and accomplishing civic participation in an era of major transition. There is an urgent need to organize speaking events nationwide at the city, district, and town level to inform people of the coming of this era, with the aim of securing the participation of at least 10% of the population.

Next, the campaign to build civic participation must work toward involving the people who took part in the Candlelight Revolution in inter-Korean exchanges and realizing solidarity with the North Korean people.

The late Reverend “Late Spring” Moon Ik-hwan was the first to advocate solidarity between the people of the two Koreas after partition of the Peninsula. The 1994 initiative known as the “70 Million Compatriots in Preparation for Reunification” embodied this idea. Solidarity between the people of North and South Korea will not be an impossible dream once a North-South Confederation is institutionalized and de facto reunification becomes reality. Achieving solidarity between the people of the two Koreas, in particular, is a challenge that the South Korean civic movement must tackle. Rather than blaming past governments for “the lost 11 years,” the civic movement must come to terms with the failure of inter-Korean exchanges and peace movements to attract mass participation. In particular, the direction and aim of inter-Korean exchanges were not informed by the concept of civic participation. Exchange programs, although numerous and frequent, have mainly involved organizations and prominent figures, failing to draw general participation and taking root in people’s everyday lives. Now that the Candlelight Revolution has given rise to a new opportunity, the participants in that Revolution must take part in the new era of peace, prosperity, and reunification on the Korean Peninsula. However, those who got out for the Candlelight Revolution are for the most part people who had not been born or become interested in such things before the “lost 11 years.” Should we try to explain past inter-Korean exchanges, they will not understand, and neither would they be won over to that same framework of inter-Korean exchanges. It is apparent that we need a new way of relating to them, a way which befits a new era. For civic participation to become a grassroots movement, such a new way of relating to people in North Korea is sorely needed. People living in the North are not the same as before,

either. The new generation since the “March of Ordeal” are known to have a completely different outlook than those before them. Snacks and other food products recently manufactured there apparently have the phone numbers of manufacturers printed on them, sometimes even bar codes and QR codes. This suggests North Korean people are on the cusp of exercising their “consumer rights,” often deemed the most basic of all human rights. News reports even have it that the most popular food manufacturer in North Korea, Gold Cup Athlete General Food Factory, boasts that average people test all its products prior to launch. These are signs that confirm, while not the immediate arrival, at least the potential for the Fourth Sector, or civil society, to emerge in North Korea.

What will the citizen participation movement for reunification do, if things change so dramatically, if, for example, railways and roads are connected and Mount Kumgang tourism resumes in earnest through an Inter-Korean Summit? The answer is that it must focus on building solidarity between the people of the two Koreas. The idea of creating a new relationship has to be reexamined in earnest if a desire exists to keep up with the changes in both South and North Korea.

The present donation campaign for the people of North Korea is the most telling example of efforts to overcome the system dividing Korea – in other words, a reunification movement pursued in everyday life. The campaign was lauded as the most significant self-help movement of the Korean people since the Dangun era. Every organization took part as it unfolded at every municipal level (cities, districts, and towns) as the first donation campaign for the North.

Finding success in forming new relations will depend on whether the existing exchanges in different fields expand and create a new movement of popular exchange with a wide range of participants. Such efforts will only bring about real change as opportunities arise out of the Candlelight Revolution. Certainly, what is important here is that these efforts should not be one-sided. The new movement of exchange has to take the distinctive features of North Korean society and the position of its regime into consideration and establish a scope that is within what North Korean society can accept. In this regard, the “Inter-Korean Joint Liaison Office” to be established in Kaesong is the most crucial route. Civil society must assume the responsibility for preparing to establish solidarity

between the people of the two Koreas in everyday life through this Office. To this end, a network for inter-Korean exchange and cooperation is needed. Such an intermediate support organization would include a variety of Candlelight Revolution participants and “regular” citizens hoping to form new relations and grassroots organizations. The network would first need to introduce to the public assistance projects for North Korea. Second, it would coordinate and rearrange overlapping projects. Third, it would offer educational programs on peace and reunification to alleviate possible culture shock that can arise from contact with North Korean society. Fourth, it will need to come up with strategic projects to build solidarity between the two cultures.

A special era calls for a special method of movement-building. The only mission civil society needs to accomplish is to exacerbate the current trends ending the Cold War system – something made possible by the Candlelight Revolution and its citizen participants – and to finally end the system dividing our peninsula.

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