



POLICY BRIEF

Liberal democracy in South Korea

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Widespread protests leading to the impeachment of President Park Geun-hye revealed both the strengths of South Korean democracy as well as its weakness.

EXECUTIVE SUMMARY

Hundreds of thousands of South Koreans took to the streets in the fall of 2016 to demand the resignation of then-President Park Geun-hye for corruption, captivating the world with this extraordinary display of peaceful collective action. However, what came to be known as the “candlelight protests” belied the weaknesses of democratic governance in South Korea, a country that jettisoned autocracy 30 years ago. The candlelight movement was emblematic of a culture of protest in South Korean society and it reflects the weakness of its representative democracy and lingering suspicion of governments that are linked to the country’s history of military regimes. This paper identifies some key challenges to South Korea’s liberal democracy, including the structural limits of a top-down authority and the inextricable relationship between the state and corporations. The paper concludes with an assessment of the

prospects for substantive progress in making the government more responsive to the people.

FLAMES FROM THE CANDLELIGHT

From October 2016 to March 2017, hundreds of thousands of South Korean citizens from all parts of the country gathered every weekend in the streets of Seoul demanding the resignation of then-President Park Geun-hye for charges of corruption. Holding a candle in one hand and a placard that read, “*You call THIS a country?*,” schoolchildren, young adults, families, and the elderly stood together in the cold weather to voice their resentment toward the abuse of power shown by the nation’s top public official. Now often referred to as the “candlelight protests,” this extraordinary display of collective action eventually resulted in a first-ever decision by the South Korean Constitutional Court to remove a sitting president from office.

Captivated by the peaceful and orderly nature of these protests, Western media coverage and outside observers hailed these candlelight protests as a “democratic miracle” and an exemplary demonstration of democratic values,¹ extolling South Koreans for showing the world “how to do democracy.”² Indeed, South Korea was a young democracy that had seen its share of authoritarian leaders and violent suppression of pro-democracy movements. The peaceful and almost celebratory nature of the candlelight movement was a source of pride for South Koreans and inspirational to the international community, showing the power of individuals to effect political change at the highest levels.

However, what most reporters failed to capture in their exuberant coverage was how the protest was a manifestation of the mounting level of social frustrations and the inability—perceived and real—of the existing governance structures to address the people’s grievances in a systematic way. While the proximate cause of the protest was the corruption scandals enveloping President Park, the protests involved a range of grievances stemming from pent-up anger and a sense of disempowerment that had been percolating under the surface for decades. What emerged from the scene at Gwanghwamun Square was evocative of a town hall discussion where citizens reassessed their country’s constitution and the government’s questionable practices, especially during the past 10 years.

Disillusioned by the actions of President Park, citizens called for a fundamental shift in the status quo of South Korea’s political system and demanded an end to state-business collusion, greater respect for labor rights, and accountability by the government in response to disasters.³ And while the protests showcased South Korea’s vibrant civil society, they also exposed the lingering weakness of the country’s political institutions and the shortcomings of this 30-year-old liberal democracy.

THE DICTATOR’S DAUGHTER

President Park Geun-hye was elected in 2012 for a single five-year term, narrowly defeating current President Moon Jae-in on the promise of improving South Korea’s tepid economic growth, closing the wealth gap, and reforming the government to be better responsive to the people. Her election reflected both the new and the old. Park was the first female president in a deeply patriarchal society, potentially signifying shifting perceptions about the role of women in politics. She was also the daughter of Park Chung-hee, the assassinated autocrat who was reviled for his dictatorial rule, but revered for his role in setting South Korea’s path as an economic powerhouse despite its war-ravaged past, giving rise to the spectacular success of the *chaebols*—or conglomerates—like Samsung and Hyundai.

President Park’s term was beleaguered with questionable actions and policies. The most notable incident was the first-ever court decision since the country’s democratization to disband a minor opposition party (Unified Progressive Party) and strip its members of their National Assembly seats. In 2013, the Park administration took the party, known to be President Park’s fiercest critics, to court for “promoting a North Korean-style socialism,”⁴ fueling accusations that Park was using a national security argument to muzzle domestic opposition. Condemnation of pro-North Korean sentiments also extended to foreigners when a Korean-American writer received a five-year entry ban for speaking positively about her experience of traveling to North Korea.⁵

The public was suspicious even from the beginning of Park’s term, amid reports that the country’s National Intelligence Service (NIS), under the direction of the previous conservative Lee Myung-bak administration, conducted an illicit online campaign to sway public opinion in favor of Park Geun-hye during the 2012 presidential election.⁶

Above all, public distrust toward the government significantly amplified over lingering, unanswered questions about the inadequate government response to the Sewol ferry accident, in which nearly 300 people on board—most of whom were students—perished even as the captain and the crewmembers saved themselves. The initial emergency response team was severely disorganized and poorly equipped, without any rescue divers.⁷ It was also revealed that the ferry sank so quickly in part because the ferry company had knowingly exceeded its weight capacity. The company was able to flout regulations by colluding with officials to turn a blind eye and declaring the ferry seaworthy. In at least one case, it was reported that the official responsible for inspecting the ship was flown out by the ferry company to a resort island,⁸ a tragic case where venal self-interest outranked public safety. There was a deluge of reporting about Park's whereabouts during the immediate aftermath of the tragic event, with odd accusations that the president was getting Botox injections during the immediate aftermath.

Furthermore, revelations that she had been consulting on government affairs with a close friend, an alleged shaman, and doling out money and privileges to the confidant and her family further fueled cries for impeachment. Park was subsequently impeached and sentenced to 24 years in prison for abuse of power, while the confidant Choi Soon-sil was sentenced to 20 years. Park's fall was swift and stunning, hobbling the ruling conservative party, and giving rise to the success and election of Moon Jae-in in May 2017.

A CULTURE OF PROTEST

Park Geun-hye's downfall in 2017 was just the latest in a long string of political scandals that had plagued South Korea. All of the country's former presidents at the time had been investigated and charged for corruption, except for one, although he would later face indictment as well. The candlelight protests and the legislative and constitutional

processes that guided the impeachment process demonstrated the strength of South Korea's democracy, which allowed for a relatively smooth transition of power, including the installing of the prime minister as the interim president until a snap election could be held. The current president, Moon Jae-in, was elected on a promise of improving transparency in government and checking the dominance of the *chaebols* that dominate the economy.

The candlelight protests were another reminder of the centrality of civil society and protest in resisting authoritarianism and putting the spotlight on the persistent injustices in South Korea, despite past violent reprisals, torture, and imprisonment. After all, since the country's founding in 1948, the collective actions of students, labor, religious leaders, dissidents, and human rights activists have overthrown dictators in the 1960s and 1980s, successfully ushering in a democratic transformation in 1987 and advancing the cause of individual rights and transparent governance during the subsequent years of democratic consolidation. Commonly referred to as the "*minjung* movement," this coalition between workers and intellectuals during the 1970s and 1980s was a key driver in South Korea's democratic transition. At the same time, the movement's emphasis on the oppression and exclusion of the 'common' people in Korea's history helped forge a political culture challenging the legitimacy of military regimes and civilian governments.

Indeed, the South Korean public has been taking its frustrations onto the street for generations. When traveling through the streets of Seoul, it is common to see protesters in the streets. The issues being protested run the gamut of perceived and real injustices: to draw attention to unfair labor practices; to demand the resignation of the Korean Airlines chairman for suspected tax evasion and embezzlement (or his daughters, in the case of the "nut rage" or "water rage" incidents in which they abused subordinates for minor infractions); or to

DEMOCRACY & DISORDER

LIBERAL DEMOCRACY IN SOUTH KOREA

extract a “proper” apology from Japanese leaders for Tokyo’s exploitation of Korean sex slaves during World War II.

Yet, the events of 2016-17 and the apparent triumph of the people’s will belied the problems and challenges of South Korea’s evolving democracy. What began as a protest to impeach the sitting president morphed into a movement advocating social reforms and broader changes across the government. As details of the political scandal began to unravel, signs demanding the resignation of President Park were accompanied by signs that read, “*Chaebols* are also complicit.” At the one-year anniversary of the first candlelight protest in 2017, around 50,000 people gathered in the streets to commemorate the occasion and used the opportunity to address unresolved issues with signs that read, “Reform the NIS,” and “Arrest Lee Myung-bak,” suggesting that the people’s grievances transcended the individual case of Park and were more deeply rooted in South Korea’s socio-political and economic foundations.

For young generations of South Koreans who participated in the candlelight protests, the foremost source of their frustration is unemployment and social inequality. Throughout 2016, recent college graduates were facing a record youth unemployment rate of 12.5 percent, which was three times the overall national rate and more than twice the rate in neighboring Japan. The competition for coveted jobs at conglomerates is immensely fierce, with about 70 percent of 25-34 year olds having a college degree.⁹ Those who end up getting these positions typically had some form of assistance through unofficial channels, such as connections through their elite schools or familial ties through strategic marriages into and among *chaebol* families, which openly practiced nepotism to further entrench their privilege and power.

With the economy centered around *chaebols* and major conglomerates, many job-seekers are left with little options. Job-seekers and college

graduates have satirically described South Korea as “Hell Joseon” (*Joseon* is the name of Korea’s former kingdom before Japanese colonization), where social mobility is virtually impossible and those lucky enough to have jobs have little work-life balance.¹⁰ Harsh working conditions and the lack of benefits for irregular or temporary jobs is also related to the country’s aging population as Korea now has the lowest fertility rate in the world.¹¹ In 2016, the Organization for Economic Co-Operation and Development (OECD) ranked South Korea 28th among 38 countries in its quality of life index report.¹² These frustrations became the catalyst for the increased turnout of voters in their 20s and 30s during the midterm elections of April 2016.¹³

Citizens and civil society were unable to relay these various concerns to the government and, therefore, their only means of raising these issues was to use the momentum of the impeachment protests to demand broad reforms. At the same time, the inclusion of various objectives and issues also suggests the absence of a unifying leadership among Korean civil society, something that had occurred during the 2008 protests against U.S. beef imports as well. For example, in the case of the 2008 protests, Jennifer S. Oh of South Korea’s Ewha Women’s University notes how the involvement of the Korean Teachers and Education Workers Union (KCTU) and other organizations contributed to the broadening of issues in the protests and the eventual development into an anti-government demonstration.¹⁴

PRIMARY CHALLENGES TO DEMOCRATIC INSTITUTIONS AND NORMS

The candlelight protests toppled a sitting president and provided a sense of victory for the protesters, but the roots of the protests are deeply entrenched in South Korea’s history and political practices.

Suspicion of government

Grievances over long-standing social issues and a sense of disconnect from the government had been

DEMOCRACY & DISORDER

LIBERAL DEMOCRACY IN SOUTH KOREA

accumulating for many South Koreans prior to the 2016 protests. The Asan Institute for Policy Studies in Seoul conducted annual polls from 2013 asking 1,000 South Koreans to assess their level of trust toward the different organs of their government with 10 being the highest grade. The public's level of trust toward the government decreased from a score of 4.93 in 2013 to 3.53 in 2016. There was a sharper decrease in their trust toward the president, from 6.36 in 2013 to 4.34 in 2016.¹⁵ This sense of distrust among the South Korean public has been brewing since the country's democratization, as indicated by the World Values Survey, which has conducted annual surveys measuring society's trust toward political institutions since 1981.¹⁶ According to a study by Yong-duck Jung and Sea-young Sung of Seoul National University, this trend is attributable to four factors in South Korea: higher expectation of government after democratization; lower confidence in public officials after a financial crisis; the indiscriminate spread of criticism through digital media; and the polarization of ideology between political parties.¹⁷ Another key indicator of societal distrust is the level of electoral participation. Despite the increased voter turnout during recent elections, political scientist Choi Jang-jip highlights the steady overall decrease in participation since the country's democratization.¹⁸ The first presidential election in 1987 boasted a 91.8 percent turnout, compared to the average of 72 percent during the last three elections; National Assembly elections underwent an even sharper decrease from 75.2 percent to an average of 52.7 percent. And while these numbers are relatively higher than those in the United States, one has to factor in the fact that South Korea does not have a voter registration system and elections are observed as special holidays.

While the candlelight protests energized Korean civil society, there was a noticeable underutilization of formal democratic institutions to address the existing issues. Moreover, the protests reflected the lack of appropriate government channels for people to address social issues and grievances. In fact, the

functions of the legislature and judiciary were largely intact, which allowed for a smooth and peaceful impeachment process, highlighting the extent to which South Korea's democracy had progressed over the decades. However, it was only after the large-scale protests that government institutions responded to such public frustrations, further highlighting the structural disconnect between the state and people. As scholar Katharine H.S. Moon of Wellesley College noted, "If governance structures were working properly then citizens normally would be channeling their concerns through institutional processes—reaching out to their elected leaders, going to courts."¹⁹ The critical flaw lies in the fact that institutions designed to mediate the dialogue between civil society and government, such as political parties and interest groups, are virtually non-existent and have very little to no influence in actual policymaking.²⁰ Political scientist Sunhyuk Kim has argued that in the South Korean example, "civil society and mass mobilization have played crucial roles in pressuring the democratic regimes to continue and deepen political, economic, and social reforms." But he warned that direct engagement between civil society and the South Korean state is a symptom of polarized politics between the ruling and opposition parties and their inability to compromise and cooperate toward "constructive interactions."²¹ Such polarization leads to narrow policy choices for voters and has tended to reinforce the notion that appealing to elected officials would be unproductive. This also points to the prevalence of regional identities driving Korean party politics, rather than specific issues or a central ideology.²² In the same polls conducted by the Asan Institute, the public's trust toward the National Assembly, the primary institution for expressing the people's will, was the lowest out of all other institutions both in 2013 (3.01) and 2016 (2.67).²³

A history of authoritarianism

The context that observers must bear in mind with South Korea is that the nation lacks a foundational history of liberal democracy and its values. Choi

notes how the Korean people during the democratic transition generally viewed democracy as a political system in which people elect their president through a fair and direct election.²⁴ As opposed to a modern representative democracy that is responsive to the preferences of its citizens, South Korea's democracy lacks the systematic inclusion of societal actors in the policymaking process. This was largely because of the country's focus on the two overarching goals of economic development and national security, even at the cost of protecting individual rights. The concept of liberalism was not driving the main progressive forces that played a central role in the country's pro-democracy movement, as they themselves did not embrace the concept of limiting and restraining government power to enhance citizens' rights and liberty.²⁵

Choi also notes that while the country's early architects did have the ultimate goal of establishing a liberal democracy, the means to attain such a political order was through Cold War anti-communism. They felt that, "under the given circumstances, realization of liberal democracy was not possible without the realizing of national security and internal political stability," which was inherently contradictory.²⁶ Therefore, the government was not fully invested in advancing democratic institutions nor interested in upholding the principles of liberal democracy. Consequently, Koreans defined democracy as being equivalent to pro-national security, and any divergence from the established order was deemed anti-democratic or even pro-North Korea. Recent news revealing a contingency plan by the military to declare martial law during the impeachment process of President Park reminds us of this emphasis on national security and maintaining order.²⁷

With only three decades of democratic governance, South Korea is still an evolving democratic state beset with the remnants of military rule. The legal and institutional legacies of the country's military regimes have come to inhibit the wider application of liberal democratic functions. The country's National

Security Act, a law carried over from the previous military regimes, serves as a case in point, since it legally curtails certain individual freedoms and allows for government censorship under the pretext of an existing national security threat—North Korea. Depending on their policy agendas, democratic administrations have broadened the scope of what constitutes a threat and have arbitrarily applied the label to political critics, activists, and dissidents.

Concentration of power in the Blue House

The Blue House wields a considerable amount of influence over the various branches of government, especially with the NIS, since it has been the chief organ to implement the National Security Act. Previous military dictators would often utilize the country's intelligence agency to monitor and round up dissidents under the pretext of stamping out communist or pro-North sentiments. Every democratically elected president since then has maintained a close relationship with the NIS to carry out the administration's political agendas. Though not to the extent of their autocratic predecessors, Blue House administrations have continued to use the agency to conduct illegal monitoring of civilians and businesses. The NIS is not the only agency involved in such practices, as the Defense Security Command (DSC), under the Ministry of National Defense, was recently charged for illegally surveilling families of the victims of the Sewol ferry sinking in 2014 amid criticism against President Park's mishandling of the situation.²⁸ Despite President Moon's action to dissolve and reform the DSC, he has drawn criticism, much like his predecessor, for employing authoritative tactics such as maintaining a 'blacklist' of political critics and forcing them out of influential positions.²⁹ This concentration of power in the Blue House, coupled with the polarized state of party politics, has allowed for acts of political retribution, which some speculate may be behind the arrest of former President Lee Myung-bak.

South Korea's system of an empowered presidency with little to no accountability has implications for the country's foreign policy. A top-down, personalized foreign policy approach runs the risk of producing inconsistent policies from one administration to another. The lack of continuity in foreign policy could potentially affect policy deliberations and coordination with the United States and other allies. Since presidential power is unchecked and personalized, and because the political parties are underdeveloped and under-institutionalized, Choi argues that South Korean presidents tend to evaluate their performance in comparison with former presidents and that they carry a psychological burden of having to leave a legacy within a single five-year term, which he describes as "temporal accountability."³⁰ Such conditions are responsible, in part, for the fluctuations and inconsistencies in foreign policy from one president to another. To a certain degree, this explains the inability of Seoul and Tokyo to make lasting improvements in their relationship—which remains hostage to historical issues such as the use of Korean sex slaves by the Japanese army during World War II—and achieve greater cooperation on security issues vis-à-vis North Korea and China.

The alliance between the state and the conglomerates

The legacy of military rule extends into South Korea's economy. Historians have well documented that South Korea's economic "miracle" was grounded in the authoritarian practices of President Park Chung-hee—the impeached Park Geun-hye's father—whose export-dominated policies, tax and investment incentives, and inexpensive government credit for the country's entrepreneurs in the 1960s and 1970s gave rise to the now household names such as Samsung and Hyundai. At the same time, the government violently suppressed unions and turned a blind eye to labor exploitation by the corporations, deepening regional and class divisions in the name of economic development.³¹ As Hagen Koo argued, South Korea's authoritarian

culture seeped into Korean work culture, with "long hours of work, arbitrary assignments, irrational work procedures, the lack of a voice, and generally poor industrial relations."³² More importantly, *chaebols*, rather than political parties or interest groups, have filled the gap between state and society and enjoy a great amount of influence over the policymaking process. One can argue that *chaebol* influence over the government has hindered the freedom of association, when one considers the government's anti-labor laws preventing tenants and residents from organizing together to protect their homes against large-scale urbanization projects.³³

In the Korean Airlines "nut rage" case of 2014—when Heather Cho, a daughter of the airline's CEO and a vice president at the company, became irate that she was served nuts in a bag instead of a porcelain bowl and demanded that her plane return to its gate to remove the offending flight attendant—the public outcry centered around the *chaebols'* feudal work culture and its dynastic system that allowed privileged offspring of *chaebol* families to exercise unfettered authority and abuse power.³⁴ And while the nut rage executive served a short prison term for violating South Korean aviation laws, more often than not, senior executives and family members of *chaebols* charged with a crime will receive some form of special treatment by the government, stemming from its symbiotic relationship since authoritarian rule.

The prospects for reform

The people of South Korea undeniably accomplished a momentous feat in their nonviolent movement to oust a disgraced leader. President Moon had high approval ratings—70-80 percent—for most of his first year in office, reflecting the optimism about the potential for this progressive former human rights lawyer to effect real economic and political change and improve relations with North Korea. But now in his third year, President Moon's approval is hovering around 50 percent, and the potential for a downward spiral is real, even as the Moon

administration appears to be taking steps to tackle the legacies of authoritarianism and loosen the grip of *chaebols* in the country's economic and political life. To his credit, President Moon has encouraged public discourse and led efforts on controversial issues including revising the constitution to change the presidential system to a four-year term with the possibility of re-election, decentralizing power from the central to local governments, and reforming the NIS.

One of the biggest challenges that Seoul must address is the insufficient amount of resources devoted to the public sector and services. In this category, South Korea ranks third to last among OECD countries in terms of government spending, at 32.4 percent of its GDP.³⁵ In addition, South Korea has one of the lowest percentages of public sector jobs among OECD countries, comprising 8.9 percent of all employees in the country.³⁶ This is compounded by the fact that almost 40 percent of job-seekers are preparing for the civil service exam, seeing government service as an attractive and stable career choice, especially given the perception of a lack of opportunities in the private sector.³⁷ And with about 25 percent of all public sector jobs being comprised of irregular employees, there is a direct correlation to the quality of government services and capacity to respond to everyday issues, especially in areas related to the lives and safety of citizens.³⁸ During his campaign, President Moon acknowledged such shortcomings and pledged to create 810,000 public sector jobs and eliminate all contractual government employees by the end of his term. The Moon administration has thus far created about 20 percent of the public sector jobs he had promised, but there are concerns regarding the initiative's sustainability and efficacy as hiring should be aimed at meeting the needs of the respective agencies rather than being fixated on achieving a numerical goal.

Second, the government should institutionalize an improved, bipartisan system of checks and balances to ensure the independence of the

different branches of government. The protests were effective in ending the presidency of Park Geun-hye, but in order to create policies and programs to address society's needs, the efficacy of institutions like the legislature and the executive must be reassessed and improved.

The current governance structure inherited a system from its autocratic predecessors, which concentrates most of government authority and political power in the hands of the president. The National Assembly, in particular, lacks the institutional autonomy necessary to curb the executive and work across the aisle because the president or party leadership hold great sway over their respective parties. This explains the diminished role of the legislature in formulating policy and why government-proposed bills are more frequently adopted than bills proposed by assembly members. Despite the fact that formal assembly rules and committees are intact, its functions are largely ineffective when the government's bureaucracy is not responsive to the legislature.³⁹

In an effort to decentralize power from the Blue House, President Moon Jae-in and his party had proposed a constitutional amendment that would grant more autonomy to local governments, create an independent Board of Audit and Inspection separate from the Blue House, and allow the National Assembly to name three members of the State Audit Board. The amendment would have also stripped the president's right to appoint the chief of the Constitutional Court and delegate more authority to the prime minister. However, the main opposition party scuttled President Moon's amendment bill submitted to the assembly, citing differences with its own proposal toward a semi-presidential system where the president's authority is limited to managing foreign relations and the prime minister is responsible for handling internal state affairs. This recent clash further highlights the need to develop a bipartisan approach to these proposed changes.

Third, the government must provide and encourage more opportunities for the younger generation of political leaders. The average age of National Assembly members reached its highest in 2017 at 55.5 years old, an overwhelming number of whom were male, and the country has yet to elect a president younger than 60 years old. Young and relatively unknown political candidates are systematically at a disadvantage to incumbents or public figures due to very expensive campaign costs. In the most recent local election in June 2018, aspiring young candidates faced legal limits on campaign financing, as local council elections prohibit contributions from a fundraising association, meaning that candidates must rely on voluntary donations from citizens. The same restriction applies to candidates nominated by a political party, but in sharp contrast to the young newcomers, these party nominees can receive campaign funds directly from the parties, derived from national subsidies that parties receive if they hold a seat in the National Assembly or if they were able to obtain a certain percentage of votes in previous elections.⁴⁰

Finally, Seoul should do its part to address the culture of widespread corruption that lingers in both government and businesses. South Korea ranked 51st in Transparency International's 2017 corruption perception index, lagging far behind both the United States (16th) and Japan (20th). The 2016 Improper Solicitation and Graft Act (also known as the Kim Young-ran Law) tries to

alleviate this situation among public servants by limiting the expenditures of gifts and dinners that they are allowed to receive. However, there are mixed reactions to this law as it tends to clash with traditional practices and customs under a Confucian-based society. For example, in a culture where the eldest individual typically pays for the group at a meal or other similar event, there is the possibility that s/he can break the law if a member of the group is a public official. In terms of corruption at *chaebols* and their unfair business practices, President Moon has initiated reforms designed to increase the transparency of corporate governance and change the controversial practice of cross-shareholdings. Yet, the initiative has been met with skepticism as *chaebols* are only making minimum 'cosmetic' changes to trim cross-shareholdings. And while President Moon has expressed his resolve to end the cozy relationship between government and *chaebols* and vowed to end the practice of presidential pardons for their imprisoned CEOs, he will undoubtedly have to walk a tightrope in his reform efforts since the country's top five *chaebols* accounted for about 60 percent of the country's gross domestic product in 2016.⁴¹

South Korea has come a long way in establishing a democratic system, but unless the country tackles the weaknesses of its democratic institutions and the way the government engages with the public to educate and empower its citizens, another mass protest like the candlelight movement is likely to reoccur.

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DEMOCRACY & DISORDER
LIBERAL DEMOCRACY IN SOUTH KOREA

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DEMOCRACY & DISORDER
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