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THE QUALITY OF DEMOCRACY IN KOREA

THREE DECADES AFTER DEMOCRATIZATION

Edited by Hannes B. Mosler, Eun-Jeung Lee and Hak-Jae Kim

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Hannes B. Mosler
Eun-Jeung Lee • Hak-Jae Kim
Editors

The Quality of Democracy in Korea

Three Decades after Democratization

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Editors
Hannes B. Mosler
Graduate School of East Asian Studies
Freie Universität Berlin
Berlin, Germany

Eun-Jeung Lee
Institute of Korean Studies
Freie Universität Berlin
Berlin, Germany

Hak-Jae Kim
Institute for Peace and Unification
Studies, Seoul National University
Seoul, Korea (Republic of)

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Contents

Contributors

Eric J. Ballbach is a post-doctoral research fellow and lecturer at the Institute of Korean Studies (IKS) of Freie Universität Berlin. His research focuses on North and South Korean foreign policy, identity politics in Korea, and critical international relations (IR) theory. His most recent publications include articles on *North Korea's Emerging Nuclear State Identity* (in *The Korean Journal of International Studies*), *Constructions of Identity and Threat in North Korea's "Diplomatic War" Discourse* (in *Consumed Time*: *Journal of Contemporary History*), and *Foundational Meta-Narratives in Contemporary North Korean Discourse* (in *S\N Korean Humanities*).

Hyo-je Cho is a professor at the Department of Social Sciences of Sungkonghoe University, Seoul. His monographs and co-edited works include *Horizons of Human Rights* (Humanitas, 2016), *Contemporary South Korean Society* (Routledge, 2013), *In Search of Human Rights* (Hanul, 2011), *A Grammar of Human Rights* (Humanitas, 2007), and *Human Rights and Civic Activism in Korea* (A-Media, 2005). He was closely involved with the establishment of the Human Rights Commission in South Korea and served for the Human Rights Committee of the Seoul Metropolitan Government.

Jang-jip Choi is Professor Emeritus of the Department of Political Science of Korea University, Seoul. He is a prolific writer, his main publications including *Democracy After Democratization: The Korean Experience* (Shorenstein Asia-Pacific Research Center, Stanford University, 2012), *Post-Cold War and Peace: Experiences, Conditions and Choices* (edited by

Jang-Jip Choi and Richard A. Falk, Asiatic Research Center, 2003), and *Sustainable Democracy* (edited by Adam Przeworski, Cambridge University Press, 1995).

Kevin Gray is Reader in International Relations at the Department of International Relations of the University of Sussex. He is the author of *Korean Workers and Neoliberal Globalisation* (Routledge, 2008) and *Labour and Development in East Asia: Social Forces and Passive Revolution* (Routledge, 2015). He has also co-edited several edited volumes, including *People Power in an Era of Global Crisis: Rebellion, Resistance, and Liberation* [with Barry K. Gills] (Routledge, 2012), *Rising Powers and the Future of Global Governance* [with Craig N. Murphy] (Routledge, 2013), and *Rising Powers and South-South Cooperation* [with Barry K. Gills].

Brendan Howe is Professor of International Relations and Associate Dean at the Graduate School of International Studies, Ewha Womans University, Seoul, where he has worked since 2001. Major recent works include *Peacekeeping and the Asia-Pacific* (Brill, 2016: Co-editor with B. Kondoch), *Democratic Governance in Northeast Asia: A Human-Centred Approach to Evaluating Democracy* (Palgrave, 2015: Editor), *Post-Conflict Development in East Asia* (Ashgate, 2014: Editor), *The Protection and Promotion of Human Security in East Asia* (Palgrave, 2013), and *Northeast Asian Perspectives on the Legality and Legitimacy of the Use of Force* (Brill, 2013: Co-editor with B. Kondoch).

Su-Dol Kang is a professor at the Department of Management of Korea University, Seoul. He served as a member of the research committee of the Korea Labor Research Institute (1995~96). Among his nearly 50 books, the most recent include *The Right to Live in Relaxation* (Dashibom, 2015), *Labour Relations in Capitalist Society* (Hanul, 2014), *Ellenbogengesellschaft* (Galapagos, 2013), and *How Competition Becomes Internalized* (Saengakuinamu, 2008).

Hak-Jae Kim is a professor at the Institute for Unification and Peace Studies of Seoul National University. His recent publications include *The Origins of the Panmunjom Regime: The Korean War and Liberal Peace Projects* (Humanitas, 2015), "On the Contestation Between Two Different Legal Traditions: The Diffusion Process of Socio-Economic Rights in the Korean Constitutions (1948–1987)" (*Discourse 201,* 18(2) 2015), and "Migrant Workers in Korean Society," in Brendan Howe's (ed.) *Democratic Governance in Northeast Asia* (UK: Palgrave Macmillan, 2015).

Eun-Jeung Lee is Director of the Institute of Korean Studies at Freie Universität Berlin. She published several books in German, including *Konfuzianische Privatakademien in Korea* (Peter Lang, 2016), *Ostasien denken* (Baden-Baden 2014), *Korea im demokratischen Aufschwung* (Leipzig 2005), "*Anti-Europa*"*: Die Geschichte der Rezeption des Konfuzianismus und der konfuzianischen Gesellschaft seit der frühen Aufklärung* (Münster 2003), and *Konfuzianismus und Kapitalismus* (Münster 1997).

Hannes B. Mosler is professor at the Graduate School of East Asian Studies (GEAS) and the Institute of Korean Studies (IKS) of Freie Universität Berlin. His recent publications include co-edited volumes such as *Lost and Found in Translation* (Peter Lang, 2015), *Facetten deutsch-koreanischer Beziehungen - 130 Jahr gemeinsame Geschichte* (Peter Lang, 2017), and *Länderbericht Korea* (bpb, 2015), as well as articles such as "An Unexpected Pioneer in Asia: the Enfranchisement of Foreign Residents in South Korea" (*Ethnopolitics*, 2014) and "Judicialization of Politics and the Korean Constitutional Court: the Party Chapter Abolition Case" (*VRÜ*, 2014).

Jin-Wook Shin is Professor of Sociology at Chung-Ang University, Seoul. He has published books and articles about party politics, social movements, social inequalities, and the welfare state, including *From Symbols to Mobilization: Cultural Origins of Democratization Movements in South Korea* (2007, co-author) and *Citizen* (2008) as well as articles such as "Globalization and Increasing Inequality in East Asia" (2011), and "Individualisation of Civil Society in the Context of the Information Age: the Case of South Korea" (2015).

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CHAPTER 1

Introduction: The Quality of Democracy in Korea

Hannes B. Mosler, Eun-Jeung Lee, and Hak-Jae Kim

As of this year, three decades have passed since South Korea (hereafter Korea) transitioned to a formal democracy in 1987. Following this historic conversion, the country has drawn consistent praise for its double achievement: the continued successful development of both its economy and democracy. Korea has experienced two peaceful, democratic changes in government to the opposite camp, and even recurrent economic crises seem to have been unable to stop its steady economic growth. Recently, however, both Korea's economy and democracy have shown signs of regression, or at least of strong fluctuations, and media reports of these turbulences, as well as the academic treatment of the same, point to yet another chapter in Korea's story. A number of works have examined Korea's *democratization* up to the 1990s, to be followed by research on the country's *democratization after democratization* through the early

H.B. Mosler (✉)
Graduate School of East Asian Studies, Freie Universität Berlin, Berlin, Germany

E.-J. Lee
Institute of Korean Studies, Freie Universität Berlin, Berlin, Germany

H.-J. Kim
Institute for Peace and Unification Studies, Seoul National University, Seoul, Republic of Korea

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2000s. In addition, Korea has often been included in comparative studies on Asian democracies as both an example of the Third Wave and a reference for comparable cases. However—owed perhaps to its considerable topicality—there remains as yet a void in terms of examining the issue of the *quality of democracy* in Korea. Political scientists have developed various frameworks, models, and indices for analyzing democracies, thereby providing a rich diversity of instruments, most of which have already been applied to the Korean case. However, while valuable in their own right, these approaches were often developed to conduct comparative analyses, ultimately serving the purpose of *explaining* variance. They, accordingly, have a tendency to neglect a deeper *understanding* of the particularity of any individual case (i.e., its particular quality). It is in the hope of adding to the existing literature that this book, which represents one of the first endeavors to examine the latest chapter in the development of Korean democracy, takes on the challenge of examining the quality of democracy in Korea three decades after democratization.

Three Decades of Democracy

Korea's transition to a formal democracy in the year 1987 was marked by the June 29 Declaration of Roh Tae-woo, the designated successor of the incumbent president, Chun Doo-hwan, and the constitutional amendment on October 26 of that same year. Following its killings of several hundreds, if not thousands, of protesters in the south-eastern city of Kwangju in 1980, the authoritarian Chun Doo-hwan administration could not repeat its use of violence when mass demonstrations in the streets of Seoul and throughout the country demanded the ultimate end of authoritarian rule in the summer of 1987. The protesters called for the reintroduction of direct presidential elections, fair general elections, and regional self-governance. Following two consecutive conservative governments under Roh Tae-woo (1987–1993) and Kim Young-sam (1993–1998) respectively, the inauguration of President Kim Dae-jung (1998–2003) marked the first turnover from a conservative government to a liberal one. While Kim was succeeded by another liberal president, Roh Moo-hyun (2003–2008), government power was to once again return to a conservative administration, namely that of Lee Myung-bak (2008–2013); finally, in 2013, it was conservative Park Geun-hye that assumed power. It has been widely argued that the two turnovers of power in the years 1998 and 2008 are proof of Korean democracy having successfully consolidated. Recent developments, however, show signs of retreat and erosion, prompting concerns that Korea's "contentious

democracy" (Kim 2012) is "deteriorating" (cf. Mosler 2015) and becoming yet another instance of what has recently been diagnosed as a more general trend of "democratic deconsolidation" (cf. Foa and Mounk 2016). Researchers have developed different standards for defining democratic consolidation. Besides Huntington's minimalist postulation that a democracy can be considered reasonably consolidated after it has undergone two peaceful and orderly turnovers of power by democratic means (Huntington 1991, 266–267), there is Linz and Stepan's approach (1996) that defines a *consolidated democracy* as a political system in which democratic elections and constitutional processes are "the only game in town" for resolving conflicts over power and policy (1996, 14). Schmitter (2010) has suggested parliamentarianism, decentralization (federalism), and checks and balances (horizontal accountability) as preconditions for successful consolidation (2010, 24), all the while admitting that the application of any one single standard to each and every individual case will be problematic in itself. In the same vein, understanding Korean democracy and its consolidation or deconsolidation is only fully possible in the context of its specific circumstances.

Assessing Korean Democracy

One strand of the wide array of academic works on Korean democracy aims to explain the historical process of the country's democratization as it has occurred since 1987, and to evaluate the positive and negative aspects of the consolidation of Korean democracy. Diamond and Kim (2000) examined the nature of party politics and the strength of civil society, the activities of labor organizations, and the process of electoral politics. On the question of the key challenges to consolidating and improving democracy in Korea, the authors pointed out several factors: a low degree of institutionalization of political society, a weak constitutionalism, an underdeveloped civil society, the delay in creating a welfare democracy, and the autonomy of global firms. In another approach used to evaluate the status of the consolidation of Korean democracy (Kim 2003), researchers touched upon the dimensions of civil society, women's representation, the role of nationalism, regional politics, security, and the legacies of the developmental state. A recent study provided a more skeptical evaluation of the degree of consolidation of democracy by pointing out a crisis in participation and representation and worsening social conditions (Choi 2012). By defining Korean democracy as a "conservative democracy," Choi (2012) systemically analyzed how the strong state continues to prevent the healthy growth

of civil society and how the weak social base of the opposition party found itself unable to improve the country's system of representation. Above all, Choi (2012) argues, it is the concentration of power in the president's hands that constitutes an obstacle to further democratic consolidation.

Another strand of literature is based on a more comparative perspective that encompasses the entire East Asian region. In one example, Japan, Korea, and Taiwan are defined as relatively developed liberal democracies, while other Asian countries are classified as electoral democracies or electoral authoritarian states (Diamond and Plattner 2013). According to this understanding, Korea and Taiwan crossed further democratic thresholds when opposition parties succeeded in winning free and fair national elections, resulting in a historic turnover in power in 1998 in the Korean and in 2000 in the Taiwanese case (Diamond and Plattner 2013). Providing comparative data on political rights, civil liberties, and the quality of governance, the authors also point out that the democracies could become stronger and more liberal by further enhancing the rule of law and civil liberties, and by improving mechanisms of accountability and transparency to control corruption and political favoritism. They conclude with the optimistic assumption that East Asian countries would follow global trends and exhibit a growing desire for democracy and accountability. Other assessments, however, have painted a more pessimistic picture, arguing that democracy in Asia is incomplete in that it is as yet immature (Dore et al. 2014). Their research is based on surveys revealing that positive evaluations of democracy do not necessarily produce a greater demand for democratic forms of accountability. A study on Korea and Taiwan that examines factors such as political parties, new media, economic changes, social welfare, and the issue of North Korean defectors and concludes that the maturation of these two democracies faces many challenges (Diamond and Shin 2014).

Research on Korean democracy relies on—and sometimes even develops—a number of methods or indices for assessing the state of a democracy or for comparing it with other democracies. These include databases and indices such as the *Bertelsmann Transformation Index (BTI)*, the *Democracy Barometer (DBM)*, the Economist Intelligence Unit's *Democracy Index (EDI), Freedom House (FH)*, the *Polity Project (Polity IV)*, *Varieties of Democracy (V-Dem)*, and the *World Wide Governance Indicators (WGI)*, all of which draw on each other's data to a certain extent. All of these approaches are designed to comparatively assess a

large-N series of democracies in relation to each other and thus gauge democracy in numerical terms (e.g. scores and ranks). Other approaches, such as the *Good Democracy Index (GDI)* or the *Multidimensional Approach to Quality of Neodemocracy (MAN)*, claim to focus more explicitly on the quality of democracy by adding or highlighting features such as social integration, social welfare, and socioeconomic equality (i.e. Cho 2014, 92; Yang 2011, 91); however, they, too, are limited to assessing democracy in quantitative terms. Other approaches, such as the *Asian Barometer Survey* (ABS), the *Asia Democracy Index* (ADI), and the *Korea Democracy Barometer* (KDB), attempt to assess the quality of selected democracies based on qualitative factors. The last of these three, which is based on the evaluation of the quality of democracy by lay people, is an important index for assessing how well democracy actually works (see for example Cho 2014). However, looking only at how people think about the democratic system in which they live may not produce a well-balanced assessment. Only if people's opinions are combined with or compared to assessments by experts can one obtain insights into where the strengths and weaknesses of a particular democracy lie. For example, it is instructive when the quality of a democracy as evident from citizens' perceptions in the KDB or the ABS is contrasted with experts' evaluations in indices such as the FH, Polity IV, or BTI (cf. Park 2014). Though one should not overrate the increasing political disaffection of Korea's citizens, it is important to look at the relevant discrepancies and why they emerged. Through its definition of democracy as an evolving process of emancipation from monopolies in politics, the economy, and society, the *ADI*—developed by the multi-national Consortium for the Asian Democracy Index (CADI) in 2011—provides yet another perspective on the question of democratic quality (CADI 2012, 39). The consortium contends that democracy must be understood as a "relational formation of complex conflicts of the different fields […] as well as a historical formation which has a path dependency in a certain society" (CADI 2012, 44). It identifies "liberalization (*chajuhwa*)" and "equalization (*p'yŏngdŭnghwa*)" as basic democratic principles that are each divided into two subcategories, respectively,[1] on the basis of which politics, economics, and civil society are scrutinized. The ADI also differs from the majority of other approaches in that it focuses on the aim of unearthing one specific country's characteristics (CADI 2012, 46) rather than comparing with a view to ranking (CADI 2012, 36). Its additional objective is to present the current status of the democratic quality of a certain country against its historical trajectory.

The data set of V-Dem is one of the most comprehensive, with almost 200 indicators gathered by at least five country experts per polity based on about 400 detailed questions (Coppedge et al. 2016, 581). The V-Dem framework is designed to approximate the complexity of the concept of democracy that is covered in its five components and enables the choice of one or more of the varieties of democracy described in the literature (cf. Lindberg et al. 2014, 159–162). Aside from the classic electoral component, the V-Dem grid takes into account the liberal, participatory, deliberative, and egalitarian components (Coppedge et al. 2016, 582), which in turn are subdivided into a myriad of detailed criteria.

Based on the V-Dem dataset, the development of Korea's democracy can be assessed for the period beginning in 1988 and continuing to the present (see Fig. 1.1). The core components represented in the above graphs clearly show a strong surge in development from 1988 until the first government turnover in 1998. The period comprising the two liberal governments of Presidents Kim Dae-jung and Roh Moo-hyun is characterized by maximum scores that plummet for the first time with the inauguration of President Lee Myung-bak and again with Park Geun-hye's takeover. These depictions confirm the general assumption that the quality of Korea's democracy had been improving significantly following the country's formal democratization in 1987–1988 up to the first civil government

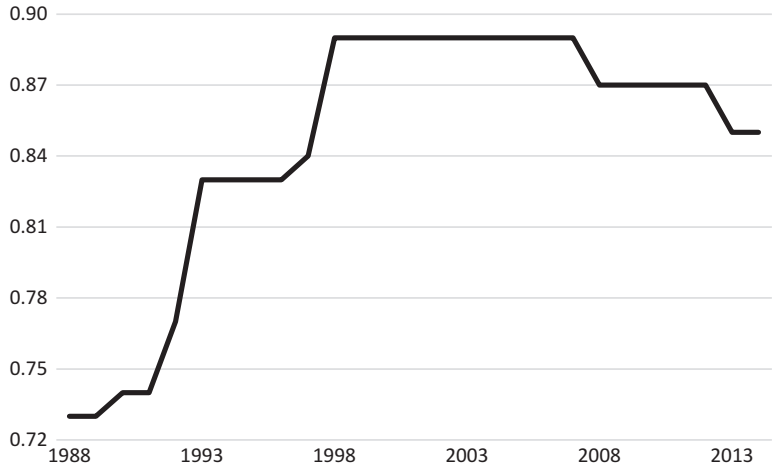

Fig. 1.1 Development of liberal democracy in Korea (1987–2014)

under President Kim Young-sam (1993–1998) and received another boost during the ten years of liberal rule between 1998 and 2007, only to start abruptly deteriorating in 2008 with the beginning of two consecutive conservative governments. The overall picture that is drawn by the V-Dem data suggests a development of Korea's democracy in the shape of an arc lamp (see Fig. 1.1), an assessment that closely resembles the general conclusion reached by the authors of this book.

The Quality of Democracy

This book offers a qualitative assessment of democratic quality in specifically selected fields—such as the role of the state, the legal system, human rights, the media system, growing inequality and social welfare, and inter-Korean relations—that are closely connected to each other and thereby, taken as a whole, provide a detailed overall picture of the quality of democracy in Korea. In doing so, it contributes to an understanding of the general changes in Korean democracy and the specific obstacles to its consolidation as well as of the specific mechanisms of current trends in Korean democracy and its quality. Against this backdrop, it asks "Where does Korean democracy stand today in terms of democratic quality?" In other words, the main endeavor of this book is to assess the quality of democracy in Korea three decades after the country's formal democratization in 1987.

The question of democratic quality has recently attracted significant academic attention (Diamond 1999; Diamond and Morlino 2004, 2005; Dressel et al. 2011; Morlino 2003, 2010, 2011). Recent studies on democratic quality emphasize that over and beyond the question of whether a country is democratic or not, it is important to inquire into *the degree to which that country is democratic*, and to ask *what kind of democracy it has.* Put differently, recent research has examined the *quality* of democracy rather than the *quantity* of democratic governments in the world. Hence the question has changed from "What makes a democracy?" to "What makes a *good* democracy?". In the case of Korea, democracy has been praised as a miraculous case of late democratization (Diamond and Kim 2000; Diamond and Plattner 2013; Hahm 2008). At the same time, however, newer democracies are perceived as having intrinsic deficits in their regimes (Schmitter 2015, 37).

How then can one assess the quality of democratic politics? Quality can be neutrally defined as the sum of the features of a system or process or normatively as the degree of refinement of the features of that system or process.

Since simply enumerating a given democracy's features would not go beyond mere description, the focus in assessing the quality of a democracy should be on the degree of refinement of its components. Harvey and Green (1993, 11–15), who discuss the concept of quality in relation to higher education, maintain that a certain norm has to be defined that has to be complied with or realized for achieving (high) quality (i.e., refinement). But that is only the basis of the authors' conceptualization of quality. Put differently, with respect to the dimension of *corresponding to a standard*, they presuppose that there must be set standards that determine what is "good" or what is the "right thing" to do and define what it means to do these "right things well" in a given interactive process. The second dimension, the *culture of quality*, requires every unit in a given system to assume responsibility for maintaining quality within the scope of its duty. The third dimension, *fitness for purpose*, concerns the final outcome and stipulates that the results serve the purpose of the service provided. Moreover, drawing on insights from the industrial and marketing sectors, Diamond and Morlino (2004) define *quality* as consisting of three spheres: *procedures* for the production process; *contents* of the product's design, material, and function; and *results* or *outcomes* in the form of customer satisfaction (Diamond and Morlino 2004, 21). "[E]laborat[ing] and refin[ing] the concept of democratic quality" (2004, 20), they conclude that there are eight dimensions of democratic quality (DDQ), or eight qualities of democracy, which are allocated to the above-mentioned three spheres. The eight dimensions they distil from the minimum-versus-maximum democracy debate are as follows: the rule of law, participation, competition, vertical accountability, horizontal accountability, freedom, equality, and responsiveness (Diamond and Morlino 2004, 23–28). In this way, they provide a first basic framework for analyzing the quality of democracy in a systematic and relatively comprehensive manner (see Table 1.1).

Diamond and Morlino's (2004) framework appears to be not too detailed and at the same time is sufficiently open-textured to be able to account for the specificities of time and place. The investigation into the state of Korea's democracy as it is presented in the remainder of this volume is therefore based on the DDQ, with certain aspects of the original framework emphasized over others as applicable in the circumstances. This flexible application of the DDQ can be legitimized by the fact that the perspective adopted here does not, in the first place, aim to *explain* a given democracy's shortcomings and advantages for comparison and ranking but rather intends to provide an *understanding* of the manifestations of the weaknesses and

Table 1.1 Three domains and eight dimensions of democratic quality (cf. Diamond and Morlino 2004)

Domain	*Dimension*
Procedure	The rule of law
	Electoral (vertical) accountability
	Inter-institutional (horizontal) accountability
	Political participation
	Political competition
Content	Freedom
	Equality/solidarity
Outcome	Responsiveness

strengths, as well as their underlying reasons, in the particular case of Korea. The DDQ still leaves sufficient room for integrating additional approaches or perspectives through which to better grasp the characteristics at hand. Put differently, by loosely adapting this analytical framework's basic grid, the chapters of this book systematically scrutinize the present state of the quality of democracy in Korea.

The Outline of this Book

We selected the *fields* to be covered in the respective chapters based on each author's expertise and their individual judgement on which aspects of Korea's democracy deserve the most attention. We chose to divide this book's chapters by fields because we believe that analyzing the specific configurations of the current conflicts and tensions within Korean democracy requires the consideration of different significant dimensions. Accordingly, the texts at hand address the specificities of various institutions and the process of institutional change that is accompanied by various actors' contestations. Each chapter deals with a certain phenomenon or section within the respective field. Based on their empirical assessment, the authors identify those aspects that are crucial to enhancing or hindering democratic quality in Korea.

Part I: State, Governance, and the Rule of Law

The first part of this book investigates the quality of democracy in Korea from a bird's eye view. The way in which state power should be structured has been contested and passionately debated ever since the

enactment of the Constitution in 1948, when one group of lawmakers and constitutional scholars strongly argued for a parliamentary cabinet system, while another group insisted on a strong presidential system (Suh 2012, 301). As a result, the Republic of Korea was born as a presidential government system, with some remnants of parliamentary concepts that persist to this day. One key point that has been fiercely debated recently with respect to constitutional reform is whether there is a need to change the text of the Constitution or whether it would suffice to interpret the document in a different way. While constitutional reform is not the topic of the contributions in this first part, all three chapters deal with shortcomings in the design or everday workings of the state, governance, and the rule of law.

In chapter 2, Jang-jip Choi addresses developments in Korea's presidency, political parties, and system of organized labor. All three political institutions form part of almost every catalog of criteria for democracy, and all three institutions have been formally guaranteed since long before the democratic transition in 1987. Further, all three institutions share features that have always been strongly contested and have thus been at the heart of political and academic debates over democratic reform. Obviously, these three cases relate to most of the democratic dimensions posited by the quality of democracy framework. With regard to electoral accountability, participation, and competition, there is not much doubt that in Korea, elections have been relatively free, fair, recurrent, and competitive and that the freedom to form a political party and associations, as well as the freedom of their activities, is guaranteed; additionally, the time when only one party dominated the parliament without the potentiality or actuality of government alternation is clearly over. With regard to interinstitutional accountability, Korea's democratic system does, on the surface, maintain legislative–executive relations in which the legislative body plays an effective role, and the Constitutional Court has demonstrated its importance in various landmark decisions. Moreover, a diversity of media outlets provide a variety of information. However, even though these principles are upheld *de jure*, there are, *de facto*, particularly with regard to the presidency, political parties, and organized labor, certain features that belong to the fundamental factors that impede the further development of Korea's democracy. Against this backdrop, Choi, in his chapter, goes beyond political institutions as presented in the literature and critically assesses how they are operated or realized. With regard to state governance, he identifies a highly centralized state vis-à-vis a weak civil society and enquires into the modes and the extent of the decentralization and distribution of (state)

powers (cf. Morlino 2011, 219) in general and scrutinizes the actual interpretation and operation of the presidency by its incumbents in particular. In terms of political parties, Choi elucidates the effectiveness of the conveyer-belt function between civil society and the state by discussing the effectiveness of representing the plural interests and effective participation of citizens as well as the competition between and within political parties. The organization of labor is the third aspect on which Choi places emphasis in his chapter. Besides functioning as channels of participation and competition in the political arena, political parties in general and effective labor associations along with their democratic institutionalization in particular constitute a basic necessity for maintaining synergetic labor–management relations for sustained economic growth in the long term; they are also particularly crucial in Korea's peculiar economic design, which is determined by the relation between the state and the dominating conglomerates (*chaebŏl*). Moreover, organized labor was one of the main issues largely ignored during the democratic reform in 1987, despite the fact that economic democratization became a central innovation in the constitution and has since been identified as a weak point—a constant threat to the consolidation of democracy. In light of the global development of neoliberalization that has led to the flexibilization of the labor market, polarization, and inequality in income distribution, and to particular Korean developments such as the IMF bailout program at the end of the 1990s and the economic crisis at the beginning of the new millennium, the role of sufficiently institutionalized labor–management relations represents an important aspect that is directly related to questions of freedom and equality.

In Chap. 3, Brendan Howe equally examines the quality of democracy from a governance perspective. In contrast to Choi, however, Howe complements his democratic governance perspective with elements of a human security perspective, which allows him to focus on the dimensions of freedom and equality. In a first step, he discusses various perspectives on democracy that allow him to come up with a set of criteria for democratic quality that go beyond mere procedural democracy. In line with the framework of Diamond and Morlino (2004), Howe emphasizes the actual practice of equal rights, opportunities, and the guarantee of the rule of law, accountability, participation, and competition. According to the "human-centered, entitlement rights-based approach" Howe applies, one of the core responsibilities of those in power is to provide for the protection of

the people so that they are free from fear, free from want, and can live in dignity. This is consistent with Morlino's criteria of personal dignity, civil rights, and political rights, and the imperative that "[f]or all of them there is the existence of opportunity in the legal system of the country and the actual guarantee of each one" (Morlino 2011, 219). In the following sections, Howe examines the developments in "achieving at least limited forms of procedural democracy, and good governance in terms of reconciling conflicting interests and generating collective good" during the period between the 1987 democratic transition and the end of the liberal governments of Kim Dae-jung (1998–2003) and Roh Moo-hyun (2003–2008). Howe uses the same approach to scrutinize the conservative government of Lee Myung-bak (2008–2013) and the reign of his successor, Park Geun-hye, up until the year 2015. Guided by the three criteria of freedom from fear, freedom from want, and dignity, he then investigates the qualitative shortcomings in distribution and human-centered challenges in Korea's democracy.

In Chap. 4, Hannes B. Mosler examines the quality of the prosecution in regard to its role in maintaining and developing the rule of law in Korea. The rule of law is a necessary precondition to guaranteeing the quality of democracy. While there is no hierarchy between the five procedural dimensions, the rule of law is said to be "fundamental for any civil order and a basic requirement for democratic consolidation" (Morlino 2011, 23). The core meaning of the principle of the rule of law is the supremacy of law over man. Put more concretely, all individuals and other (political) entities, be they members of the government or government agencies, must submit to the law and be ruled by it (Raz 1979, 212). Only if such rule of law is given can the laws be effective in their five basic social functions (cf. Rehbinder 2009, 92): controlling behavior, solving conflicts, legitimizing and organizing social rule, structuring living conditions, and maintaining the law itself. In other words, only under the rule of law can the legal system protect democratic procedures, secure the civil and political rights of citizens, and strengthen the authority of other agencies with regard to mutual accountability (cf. O'Donnell 2005)—that is, sustain the other qualitative dimensions of democracy. In order for a legal system to perform this crucial role and execute it effectively, its laws must be clear, publicly known, universal, stable, and non-retroactive; they also must be applied consistently and fairly to all citizens by an independent judiciary (Raz 1979, 210). It is only when this basic equality before the law is guaranteed and practically experienced that the people will trust the legal system and submit to its

laws, which in turn will promote the successful application of the laws. This is how the rule of law secures effective participation, competition, and accountability, while the interplay with these dimensions will, in turn, facilitate improvements in the legal system and in the respect for the law (Morlino 2011, 224). A myriad of variables are part and parcel of the concept of the rule of law, all of which could be enumerated here as potentially important when it comes to assessing the quality of democracy in relation to the rule of law. However, due to the fact that there is no doubt about Korea being a democracy in the formal sense of the word, the focus of Chap. 4 will be on some of the more salient aspects of the rule of law as they can be of interest in the present inquiry. Morlino's (2011) list of the most crucial dimensions of the rule of law when it comes to democratic quality includes an independent, professional, and efficient judiciary, an institutional and administrative capacity to enforce the law, an effective fight against the abuse of power by state agencies, security forces that are respectful of citizens' rights, the absence of corruption in the judicial branch, and the complete independence of the judiciary from any political influence (198).

As for the Korean case, there is general consensus that since the transition to a formal democracy in 1987, the public prosecution service has been a source of some of the most serious impediments to the development of democratic quality as measured by the criterion of the rule of law. Aside from the academic literature in the area of legal studies and political science, various indices on democracy and the rule of law unequivocally point to the fact that the Korean public prosecution service constitutes the most problematic parts of state agencies. The main reasons for this include the prosecution's unrivaled authority over the entire criminal process, from investigations and indictments to adjudication and sentencing, and its organizational structure marked by the strictest hierarchy and intricate links with other branches of the state apparatus that are supposed to be held in check by the prosecution. While there is an abundance of literature on the quality of democracy, the rule of law, and the prosecution in the Korea following democratization, research has so far only implicitly touched upon the role of the rule of law in the systematic context of the quality of Korean democracy. Mosler's basic contention is that the proper execution of the tasks of the public prosecution service is crucial to a "democratic rule of law" (O'Donnell 2004); in turn, only a democratic rule of law can ensure a democracy that will be qualitatively sound. In order to analyze the nature of public prosecution and the role it plays in

affecting the quality of democracy, Chap. 3 sets out by explaining how the quality of democracy relates to the rule of law, and how, reversely, the role and function of the prosecution relates to the quality of democracy. In other words, it aims to eluminate the mechanisms by which a flawed and deficient prosecution service will negatively influence the quality of democracy. In a second step, a set of criteria—modeled after Diamond and Morlino's (2004) framework—is introduced and used to examine the state of the quality of public prosecution in Korea. Guided by these newly developed categories, namely discretion, independence, accountability, protection of rights (procedure), appropriateness (content), and performance legitimacy (outcome), Mosler analyzes the prosecution's performance in regard to the following aspects: its capability, authority, and power, internal and external autonomy and impartiality, horizontal and vertical checks and balances, protection of suspects' human and civil rights during investigation, and, finally, the quality of judicial decisions.

Part II: Participation, Freedom, Equality, and Responsiveness

The second part of this book addresses a number of crucial issues with regard to the quality of democracy in Korea. Its contributions deal explicitly with the dimensions of participation, freedom, equality, and responsiveness, which are closely connected to the other dimensions. All four issues discuss phenomena that are at the core of democracies in most countries around the globe, such as labor and democracy, human rights and democracy, welfare and democracy, and elections and democracy.

In Chap. 5, Hyo-Je Cho provides an overview of and presents an argument about the progress of human rights and the quality of democracy in Korea during the last three decades. When dividing the dimension of freedom into political rights and civil rights, the issue of human rights belongs in the latter category. While there is no ultimate definition of all the rights that have to be included, there is general consensus on at least the right to life and the right to freedom from torture, unlawful imprisonment, and execution being included. The same goes for: the right to a fair trial; freedom of speech, thought, conscience, expression, press, and religion; and freedom of assembly, association, and organization. Only when looking at these core rights does it immediately become obvious how these are related to democracy and how the guarantee of their practice is pivotal to democratic quality. The dimension of freedom, to which human rights belong, is one of the two outcome dimensions of the quality of democracy (cf. Morlino 2011, 206).

Put differently, the ultimate aim of pursuing (a qualitatively high) democracy is to achieve, secure, and enjoy freedom and equality. Accordingly, scrutinizing the democratic quality of a country in this regard is crucial in assessing how strongly civil rights are guaranteed and in determining the factors that impede access to these liberties. Following this basic line of argument, Cho examines how civil liberties and the respective legal, institutional, and administrative framework for human rights have developed since 1987, investigates existing interpretations of the current human rights situation, and, based on his findings, discusses a reconceptualization of the "human rights–democracy" nexus in Korea. This chapter takes a historical perspective to produce a comprehensive overview that provides a "bird's-eye view" of the subject. It is intended to offer a critique of the prevailing frameworks to properly understand the human rights–democracy nexus debate in Korea in the context of the question of democratic quality. The analysis provides a structure for readers to use in thinking about the prospect of human rights and democracy in the foreseeable future.

In Chap. 6, Jin-Wook Shin deals with the question of policy responsiveness and electoral accountability as an essential element of assessing the quality of democracy and examines Korea during the period 1997–2012 in terms of the relationship between the trends of public opinion about economic inequality and insecurity on the one hand and, on the other, the decisive issues of the presidential elections. The criterion for the dimension of responsiveness, the "capacity of government to satisfy the governed by executing policies in a way that corresponds to their demands" (Morlino 2011, 208), is closely related to that of the dimension of accountability, which stresses the importance of mechanisms for holding responsible those who govern if they act against the interests and the will of the governed. Assessing responsibility thus has to include the examination of a government's legitimacy, which is reflected in the citizens' perception of the government's performance (Morlino 2011, 209)—that is, how the citizens perceive the government's responses to their demands by looking at attitudes toward political institutions. The people might be disenchanted with political institutions or lack confidence in government for various reasons, such as an inadequate application of the law, leaders seeking to maximize their autonomy, and corruption, as well as other acts of malpractice (cf. Morlino 2011, 221; Diamond and Morlino 2004, 28). Further, it is important to determine whether responsiveness might be subverted through the actions of elites or citizens, consciously or otherwise, for certain personal purposes (cf. Morlino 2011, 211, 215). Sharing these basic assumptions, Shin explores elections as a core institution of

democracy in Korea that may be a crucial channel for politicizing the inequality issues by granting equal political rights to the majority. However, electoral politics may also serve to systematically exclude and misrepresent the majority opinion of the public. The results show that although the majority opinion of the public has consistently considered the alleviation of economic inequality and insecurity to be the first priority of politics, the electoral competitions have been normally dominated by personality or event issues, and that the widespread dissatisfaction of the public has continued after the election. This study demonstrates that if the quality of democracy is low, an election can be a mechanism that prevents inequality issues from being central to the political agenda while maintaining the facade of democratic representation.

In Chap. 7, Hak-Jae Kim examines the nature and trends of economic inequality in Korea in relation to social welfare policy. The equality dimension can be divided into formal and substantive equalities—the former meaning equality in the literature, such as the prohibition of discrimination before the law or based on sex, race, gender, religion, opinions, or social and personal conditions, and for the latter the implementation of social and economic equality, such as a fair distribution of economic resources over the whole population (cf. Morlino 2011, 207–208). Here, one must tackle questions such as how economic, cultural, and social resources are allocated, whether resources are overly concentrated, and whether attempts are being made to redress poverty. Also important is the question of the degree of the welfare state's development as a manifestation of, or a structural precondition for, the realization of social, economic, and cultural rights (cf. Morlino 2011, 220). Within the context of these criteria, the author investigates the three dimensions of Korea's *dualization* trends: the labor market, social welfare, and political power. The chapter first analyzes how the income gap and access to vocational training have changed in the labor market. Secondly, regarding social welfare, it examines differences in pension benefits and other social welfare divides. Finally, to evaluate dualization in respect to political power, this study traces the changes in union membership and the election abstention rate among the different population groups. In conclusion, the author argues that the Korean welfare system originated from a status-oriented design and that liberalization pressure now enhances the welfare system's dualization in comparison to other OECD countries. The labor market is divided into regular and non-regular workers, men and women, and big and small enterprises. The welfare system is also divided into company welfare/public welfare and regular/non-regular workers. These divides are related to the power divide