

PEAR

PAPERS, ESSAYS, AND REVIEWS

Yonsei Journal of International Studies
Graduate School of International Studies, Yonsei University

VOLUME IX
ISSUE 1
SPRING/SUMMER
2017

CONTENTS

LETTER FROM THE EDITOR 5

Ayesha Usmani

MEET THE CONTRIBUTORS 9

Author Biographies

PAPERS

**PRESIDENTIAL PARDONS IN SOUTH KOREA:
ANALYSIS OF QUANTITATIVE AND QUALITATIVE
TRENDS** 16

Felicia Istad

**THE (IR)RESPONSIBILITY TO PROTECT: ARE SMALL-
ARMS SUPPLIERS COMPLICIT IN
AFRICA'S GENOCIDES?** 33

Stephen Magu

**WHY NORTH KOREAN FOREIGN POLICY IS
RATIONAL: AN APPLICATION OF
RATIONALITY THEORIES** 56

Sarah Lohschelder

**CHINA'S ENCOUNTER WITH THE WEST:
SINO-FRENCH RELATIONS BEFORE THE
ARROW WAR** 84

Jie Gao

ESSAYS

- PROFILE AND CHARACTERISTICS OF
ARAB THINK TANKS** **108**
Yi Li
- THE ROLE OF NON-DOMESTIC FACTORS IN THE
PERPETUATION OF THE ROHINGYA CRISIS** **128**
Eileen Chong Pei Shan
- CULTURAL NATIONALISM IN SOUTH KOREAN
BUSINESS: THE CASE OF HAANSOFT SOFTWARE
PRODUCTS** **148**
Nigel Callinan
- POLITICIZATION OF CULTURE: CHINA'S ATTEMPT
AT RECLAIMING CULTURAL LEGITIMACY AFTER
MAO'S CULTURAL REVOLUTION** **165**
Nur Zafirah Binte Zainal Abidin

INTERVIEW

- NATIONAL IDENTITY AND THE
CROSS-STRAIT DILEMMA** **176**
Interview with Harry Harding and Shirley Lin

REVIEWS

- THE FORGOTTEN ISLANDS** **186**
Okinawa and Jeju: Bases of Discontent
Scott Kardas

LETTER

FROM THE EDITOR

The year of elections and protests. From Africa to Europe and from Asia to the Americas, no region is spared from the spotlight. While elections are always significant, the post-Brexit world and the Trump effect have forced elections to shape not only a country's future but also signal trends in international dynamics. The year began with Gambia's political crisis when neighboring countries' troops intervened to remove President Yahya Jammeh, who refused to accept his loss to the newly elected Adama Barrow. Illustrating the power of protest and the peaceful transition of power, South Korea removed President Park Geun-hye after the Constitutional Court unanimously upheld the impeachment. The protest momentum continued with the election of the Democratic Party's Moon Jae-in, ending the almost decade-long conservative rule. At the upcoming Nineteenth Party Congress, President Xi Jinping will look to consolidate his power, and the replacement of several top officials will portend China's political and economic challenges and the country's global status.

Moving to Europe, the increasing visibility of far-right parties in mainstream politics has fostered concerns about the future of both the European Union and democracy. Yet, the losses of the Party for Freedom's Geert Wilders in the Netherlands and the National Front's Marine Le Pen in France communicated a different message. Meanwhile in the UK, Prime Minister Theresa May's plan to secure more seats for her party backfired during the June snap elections. Whether the surge in nationalism is abating depends on Germany's elections in September. In a historic referendum, Turkey adopted the presidential system of government. While Western analysts cast this as a dangerous expansion of the president's power, others

point to the success of Turkey's democracy in allowing decisions to be made by the people rather than a military coup. The huge turnout in Iran's elections served to validate President Hassan Rouhani's policies of opening the country and restarting its economy. Finally, the protests sweeping South America expose the people's frustration with stagnant economies, rampant corruption, and disappearing rights. With this backdrop, the dynamics of culture, values, and identity in shaping policies, institutions, and histories form the theme, "Politics & Culture," of this Spring/Summer 2017 issue of the Yonsei Journal of International Studies (Papers, Essays, and Reviews).

In the "Papers" section, the first piece leads the issue's politics theme and ties timely with the government corruption debates. Felicia Istad's "Presidential Pardons in South Korea: Analysis of Quantitative and Qualitative Trends" reassesses the dominant narrative on presidential abuses of power and finds data proving otherwise. Dr. Stephen Magu's "The (Ir)responsibility to Protect: Are Small-Arms Suppliers Complicit in Africa's Genocides" evaluates the role of values in determining policies. The author explores potential correlations between the international altruistic concept of Responsibility to Protect (R2P) and arms exporters' complicity in Africa's conflicts. The next piece, "Why North Korean Foreign Policy Is Rational: An Application of Rationality Theories" by Sarah Lohschelder adds to the growing rationality approach to the North Korean leadership's behavior through an extensive application of multiple rationality theories to the Agreed Framework of 1994 and the Sunshine Policy. The final piece returns to China's pre-imperial era in Dr. Jie Gao's "China's Encounter with the West: Sino-French Relations before the Arrow War." It reviews the evolution of Sino-French relations before France's ultimate turn towards imperialist expansion like other Western powers.

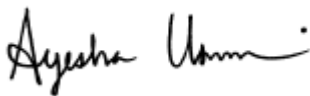
Moving on to the "Essays" section, the first piece encompasses the issue's theme of culture influencing institutions. In "Profile and Characteristics of Arab Think Tanks," Yi Li provides a detailed overview of Gulf, Sham, and North African regional think tanks and examines cultural, historical, and political factors in influencing the think tanks' capabilities and research focus. Eileen Chong Pei Shan brings attention to a forgotten crisis in "The Role of Non-Domestic Factors in the Perpetuation of the Rohingya Crisis." The author explores three concerning aspects: an unorganized Rohingya resistance, an inactive ASEAN, and a relatively silent international community. The next piece shows how culture can be used as tool to favor domestic businesses. In "Cultural Nationalism in South Korean Business: The Case of Haansoft Software Products,"

Nigel Callinan argues that Haansoft relied on the historical importance of Hangul as a leverage against a takeover by a multinational company. Finally, “Politicization of Culture: China’s Attempt at Reclaiming Cultural Legitimacy after Mao’s Cultural Revolution” by Nur Zafirah Binte Zainal Abidin compares the government’s relationship with and manipulation of Chinese heritage and traditions during the Mao and post-Mao periods.

The final section incorporates an interview and book review, which both focus on island and mainland relations. Our staff editor, Gene Kim, interviewed Harry Harding, University Professor and Professor of Public Policy at the University of Virginia, and Shirley Lin, a founding faculty member of the master’s program in global political economy at the Chinese University of Hong Kong. The discussion centered on the narratives of Taiwanese and Chinese identities and their evolution as well as Taiwan’s range of policy options in cross-strait relations. In reviewing Donald Kirk’s *Okinawa and Jeju: Bases of Discontent*, Scott Kardas presents a thematic analysis of the book along with a balanced critique. He reiterates the book’s comparison of the two islands’ similar historical grievances, military base effects, and protest movements.

Most importantly, I sincerely thank the members of the YJIS editing team who worked tirelessly, provided critical assessments, and created an enjoyable working environment. Their commitment and dedication made this issue possible. Furthermore, we express our gratitude to our contributors for sharing their analyses, insights, and opinions with the academic community. As my first and last time as Editor in Chief, I am deeply grateful for this rewarding and educational opportunity. Despite being demanding at times, the irreplaceable experience exposed me to new research dimensions and to the publishing process. As I finish my graduate school career, I will forever look fondly upon the memories shared with the YJIS team and the Yonsei GSIS community. I look forward to the new directions and voice that the next Editor in Chief will bring to the Journal. We hope that our readers and contributors enjoy this issue and continue to support the YJIS in the future.

Sincerely,

A handwritten signature in black ink, reading "Ayesha Usmani". The signature is fluid and cursive, with a small dot at the end.

Ayesha Usmani
Editor in Chief

MEET THE CONTRIBUTORS

Felicia Istad

Korea University

feliciaistad@korea.ac.kr

Felicia Istad is a PhD student at Korea University in Seoul, South Korea. Her research interests include public policy, political economy, labor and employment, corporate governance, and corruption. Felicia has a Master of Science in Management and Human Resources from London School of Economics, and a Bachelor of Arts in Korean from School of Oriental and African Studies.

Dr. Stephen Magu

Hampton University

smagu002@odu.edu

Dr. Stephen Magu is an assistant professor of political science at Hampton University in Hampton, Virginia. He previously taught at Regent University, Old Dominion University, and the Junior Statesmen of America's Stanford University Summer Program. In 2015, he was a laureate at CODESRIA and a 2016 delegate to the Fourteenth Session of the United Nations Conference on Trade and Development (UNCTAD). His publications have appeared in academic journals such as *Cultural Encounters, Conflicts, and Resolutions: A Journal of Border Studies, Journal of African Studies, and African Journal of International Affairs and Development*. Dr. Magu has written several fictional novels, including *Tower of Terror* (Nairobi: East African Educational Publishers, 2005). He holds a Master of Social Work from Washington University in St. Louis and a Bachelor of Arts in Education from Kenyatta University in Nairobi. As a passionate educator, he founded the White Highlands Book Club Literacy Project, which brings parents into primary school classrooms and distributes books for parents and their children to read together. The program has now been implemented in fifteen primary schools in Kenya's Nyandarua South sub-county and will be extended to the entire county.

Sarah Lohschelder

Georgetown University
 sl1149@georgetown.edu

Sarah Lohschelder graduated from Georgetown University with a Master of Science in Foreign Service and a Juris Doctor. She was a Global Law Scholar and Executive Editor of the *International Law Journal* at Georgetown University Law Center. Previously, she was a Defense Fellow with Young Professionals in Foreign Policy and a Legal Research Associate with the Public International Law and Policy Group in Washington, D.C.

Dr. Jie Gao

Murray State University
 jgao4@murraystate.edu

Dr. Jie Gao is an assistant professor of history at Murray State University in Kentucky, USA. She obtained her PhD from The University of Western Ontario in Canada and her MA and double BA from Peking University in China. Dr. Gao has engaged in the study of modern Chinese history in China, Canada, and the United States. Her research interests include popular culture, intellectual history, Sino-foreign relations, and women's studies. Her work has appeared in numerous respected journals and books. Currently, she is working on her new project on Chinese cigarette cards.

Yi Li, PhD

Shanghai International Studies University
 mesi521@shisu.edu.cn

Yi Li is an associate professor in the Middle East Studies Institute at Shanghai International Studies University and works as the editor director of the journal, *Arab World Studies*. After obtaining her PhD in Arabic language and literature at Shanghai International Studies University in 2009, Li became a postdoctoral fellow in the International Relations & Public Affairs Department at Fudan University. During this period, she came to University of California, Santa Barbara as a visiting scholar in the Department of Sociology. Li's areas of expertise are religion and international relations in

the Middle East, security issues in the Gulf states, and think tanks in the Arab world. She has published nearly thirty articles in periodicals such as *Contemporary International Relations*, *Foreign Affairs Review*, *International Forum*, *West Asia and Africa*, and *Religion and American Society*. She has also published three monographs. Li presided over the following projects: Chinese National Philosophy and Social Science Foundation Project (2015), China Postdoctoral Fund Project (2008), a project for the Humanities and Social Science of the Ministry of Chinese Education (2007), and two major projects for the Ministry of Chinese Education.

Eileen Chong Pei Shan

Yonsei University

eileenc.peishan@gmail.com

Eileen is a master's candidate at Yonsei University's Graduate School of International Studies. Prior to her graduate studies, she received a Bachelor of Law in International Politics from Peking University in China. She is currently the head of the China desk at a Singaporean education start up, The Global Citizen, which strives to revolutionize the education landscape in Asia through global citizenship education. Eileen will be returning home to serve as a diplomat for Singapore after graduating this summer.

Nigel Callinan, PhD

Pusan National University

ncallinan@yahoo.com

Professor Callinan is currently working for the Global Studies Department at Pusan National University. He has a background in business and technology research along with significant professional experience with multinational corporations. He completed his PhD at the Euro-Asian Research Center of the Kemmy School of Business in the University of Limerick, Ireland, with a focus on the trajectory of Korea's IT business industry. Before moving into academia, Professor Callinan worked in IT management for over ten years, setting up networks, cloud-based communication systems, and MIS systems for international companies including Google, Microsoft, and Bertelsmann.

Working in the European operating centers of these large companies provided him with an insight into the skills needed to succeed in modern, diverse working environments. Before coming to Pusan National University, Professor Callinan worked for both Hannam University's School of Global Business and Postech University in Pohang. His current research focus is on security standards in the payment card industry and how the transition between standards is managed.

Nur Zafirah Binte Zainal Abidin

Yonsei University

zafirah.zainal@gmail.com

Zafirah is pursuing her master's degree in Korean Studies and East Asian Studies at Yonsei University's Graduate School of International Studies. She is particularly interested in traditional history and culture. She also specializes in literature and gender studies. Zafirah's current research interest is in the construction of national memory and heritage through media.

Scott Kardas

Yonsei University

scott.kardas28@gmail.com

Scott Kardas completed a Master of Global Affairs & Policy from Yonsei University's Graduate School of International Studies in February 2017. He also has a Bachelor of Arts in History from the University of Illinois at Urbana-Champaign. His research interests center on the political dynamics and economic development in South Korea. He currently works in Seoul, South Korea.

PAPERS

**PRESIDENTIAL PARDONS IN SOUTH KOREA:
ANALYSIS OF QUANTITATIVE AND
QUALITATIVE TRENDS**

Felicia Istad

**THE (IR)RESPONSIBILITY TO PROTECT:
ARE SMALL-ARMS SUPPLIERS COMPLICIT
IN AFRICA'S GENOCIDES?**

Stephen Magu

**WHY NORTH KOREAN FOREIGN POLICY IS
RATIONAL: AN APPLICATION OF
RATIONALITY THEORIES**

Sarah Lohschelder

**CHINA'S ENCOUNTER WITH THE WEST:
SINO-FRENCH RELATIONS
BEFORE THE ARROW WAR**

Jie Gao

PRESIDENTIAL PARDONS IN SOUTH KOREA: ANALYSIS OF QUANTITATIVE AND QUALITATIVE TRENDS

Felicia Istad

Korea University

Presidential pardons have caused much controversy in South Korea over the past decade. In particular, many have criticized the abusive practice of special pardons, which allows the president to grant clemency without having to go through any formal legal or political process. Many scholars have argued that legal reforms are necessary to prevent power abuse. This paper points to changing trends in the use of clemency power by recent South Korean presidents. By analyzing both quantitative and qualitative aspects of amnesty grants over time, major changes can be observed. First, it is found that the number of special pardons has declined significantly. Second, it is observed that controversial pardons have become scarcer over time. Finally, it is suggested that a growing negative public sentiment towards corruption and favoritism have influenced a more cautious approach to pardoning among recent presidents.

Characterized by Paul Larkin as “the human version of mercy,”¹ clemency power has stirred much debate in South Korea. The pardon power is plenary and thereby makes it possible for South Korean presidents to grant amnesty to criminal convicts without going through any formal legal or political procedures. As such, the pardon power is vulnerable to arbitrary and abusive practice. In academic literature, the abuse of special pardons by recent South Korean presidents has been extensively criticized, and various proposals for reform have been suggested. Some authors suggest revisions to the constitution,² others suggest the introduction of a review

1 Paul Larkin, Jr., “Revitalizing the Clemency Process,” *Harvard Journal of Law and Public Policy* 39, no. 3 (2015): 843.

2 Hye-jung Choi, Se-young Lee, and Kyu-nam Kim, “Going Back on Another Election Pledge, Pres. Park Pardons Corporate Heavyweights,” *The Hankyoreh*, August 14, 2015, accessed March 23, 2017, http://www.hani.co.kr/arti/english_edition/e_national/704479.html.

committee,³ and some propose a combination of both.⁴ On the other hand, many American scholars argue that reform could potentially threaten the plenary power of presidential pardons by jeopardizing its role as a check on the judicial system and as a prerogative of mercy.⁵ It is also argued that the political process, including factors such as re-election, public opinion, and advice from judicial branches, is sufficient to serve as a check on the pardon power.

A review of the literature on clemency power in South Korea shows that scholars are mainly concerned with the power abuse that comes with the presidential plenary power. What appears to be missing from the analysis of special pardons in South Korea is a comprehensive examination of both the quantitative and qualitative trends in clemency grants over time. Is the number of amnesty grants similar across recent Korean presidents, or has the pardon rate changed over time? Is the nature of pardons changing, or is there a persistent pattern in the characteristics of amnesty recipients and the underscoring rationale for clemency in South Korea? By conducting an analysis of the number of pardons granted by recent Korean presidents, this paper observes a significant decline in both the total number of clemency grants and the specific rate of presidential pardons. However, it is also observed that former President Park Geun-hye reversed the declining trend by granting more pardons than her two predecessors. Also, by analyzing the qualitative aspects of these pardons, this paper observes a tendency towards less controversial use of the pardon power. The number of clemencies granted to personal acquaintances of the president, corrupt politicians, and

-
- 3 Chan-Hui Jeon, "A Study on the Limitation and Improvements of the Presidential Pardon Power," *Law & Policy Review* 21, no. 2 (2015): 353–78 [in Korean]; Dong-Ryun Kim, "Study on the Present Condition of Pardon Power and Legislative Policy," *Public Land Law Review* 61 (2013): 257–85 [in Korean]; Seung-Ho Lee, "A Brief for the Reform of Pardon System in South Korea," *Korean Journal of Criminology* 25, no. 1 (2013): 117–50 [in Korean].
 - 4 Jong-Dok Kim, "A Study on the Control of Amnesty Right Exercise and Amendment Direction of the Korean Amnesty Act," *Law Review* 59 (2015): 205–29 [in Korean]; Moon-Hyun Koh, "A Way to Control Presidential Pardoning Power through Real State Analysis on Exercise of It," *Korean Comparative Public Law Association Review* 11, no. 2 (2010): 3–31 [in Korean]; Chae-Gyu Moon, "The Study on the Reform of Pardon System in South Korea," *Korean Journal of Criminology* 27, no. 3 (2015): 81–107 [in Korean]; Chan-Geol Park, "A Study on the Appropriate Management of Amnesty System," *Correction Review* 51 (2011): 253–79 [in Korean].
 - 5 Jeffrey Crouch, "The Law: Presidential Misuse of the Pardon Power," *Presidential Studies Quarterly* 38, no. 4 (2008): 722–34; Harold J. Krent, "Conditioning the President's Conditional Pardon Power," *California Law Review* 89, no. 6 (2001): 1665–720; Jaired Stallard, "Abuse of the Pardon Power: A Legal and Economic Perspective," *DePaul Business & Commercial Law Journal* 1, no. 103 (2002): 103–33; Mark Strasser, "The Limits of the Clemency Power on Pardons, Retributivists, and the United States Constitution," *Brandeis Law Journal* 41 (2002): 85–154.

high-profile businessmen have decreased steadily. Meanwhile, the quoted rationale for granting pardons shows little change, with most arguments referring to public welfare, such as economic growth and national unity.

Presidential Pardons

The Origin of Presidential Pardons

The idea of executive clemency has existed for thousands of years. Traces of the pardon tradition can be found in both ancient Roman law and more recent English law.⁶ Today, there are only a handful of countries in the world that have not constitutionalized executive clemency.⁷ Many modern democracies, such as South Korea and the United States, have borrowed the fundamentals of their clemency structure from the British legal tradition. In medieval England, the king's power to execute clemency was essentially unlimited and justified on the grounds of "mercy" and "justice."⁸ Similarly, most modern practices of presidential pardons are also plenary and justified on grounds such as mercy, justice, and public welfare.

Presidential Pardons in South Korea

The Republic of Korea (hereinafter South Korea or Korea) was established in 1948. The country's first constitution was promulgated in the same year and was last revised when South Korea became a democracy in 1987. Article 79 in the Korean Constitution states that there are two types of pardons that can be executed by the president.⁹ First, general pardons can be granted to convicts with approval from the National Assembly. Second, the president can execute special pardons without parliamentary consent. Special pardons are the focus of study in this paper and will henceforth be referred to as presidential pardons or special pardons. In Korea, the formal responsibility of proposing a list of pardons lies with the Ministry of Justice.¹⁰

6 Larkin, "Revitalizing the Clemency Process," 833–916.

7 Andrew Nowak, "Comparative Executive Clemency: The Constitutional Pardon Power and the Prerogative of Mercy in Global Perspective," *University of Michigan Journal of Law Reform* 49, no. 4 (2015): 817–51.

8 Paul J. Haase, "'Oh My Darling Clemency': Existing or Possible Limitations on the Use of the Presidential Pardon Power," *American Criminal Law Review* 39, no. 3 (2002): 1287–1308.

9 Republic of Korea Const. Ch. IV. Sec. 1. Art. 79.

10 Simon Mundy, "Lee Criticized Over S Korean Pardons," *The Financial Times*, January 29, 2013, accessed November 27, 2016, <https://www.ft.com/content/b7f788e4-69c2-11e2-8d07->

In the case of general pardons, the president can only carry through the process with approval from the National Assembly. On the other hand, special pardons are plenary and thus not subject to any political or legal control mechanisms. Pardons can be granted to individuals who are facing trial, are currently imprisoned, or who have been released.¹¹

Quantitative Trends

The number of presidential pardons has decreased significantly over the past twenty years in South Korea.¹² Kim Dae-jung (1998–2003) granted 58,930 pardons, Roh Moo-hyun (2003–2008) granted 22,733 pardons, Lee Myung-bak (2008–2013) granted 9,794 pardons, and Park Geun-hye (2013–2017) granted 16,704 pardons.¹³ The number of presidential pardons has decreased by almost 70 percent over the past decade, despite a recent increase by President Park, who granted on average 65 percent more pardons than her predecessor Lee. Park Geun-hye was officially impeached in early 2017, and her term was therefore cut short to four years. This is one year shorter than the regular five-year term. Yet, by calculating the annual average from the total number of pardons granted by each president, major trends become evident. On the one hand, President Park granted, on average, almost twice the number of pardons than her predecessor Lee Myung-bak. On the other hand, she granted around one third of the number of pardons that Kim Dae-jung granted over a decade ago.

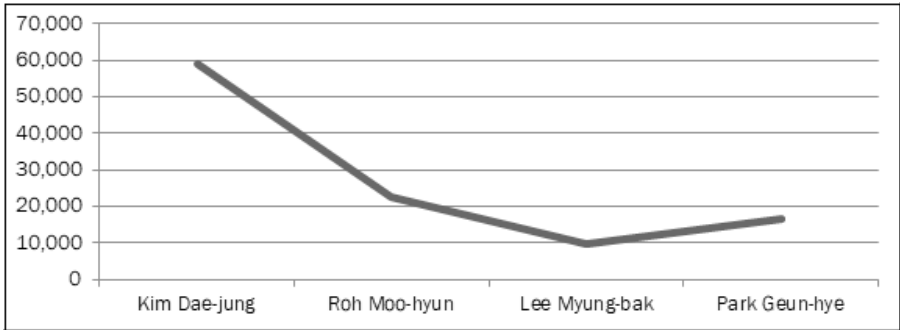
00144feab49a.

11 Si-Soo Park, "Will Jailed Tycoons Get Pardon?" *The Korea Times*, September 26, 2014, accessed November 27, 2016, http://www.koreatimes.co.kr/www/news/biz/2017/03/123_165294.html.

12 To the author's knowledge, official data from South Korea are only available from 1997 and onwards. This might be explained due to the country's short history of democracy, which begun in 1987. Ui-chol Kim, Geir Helgesen, and Byung-man Ahn, "Democracy, Trust, and Political Efficacy: Comparative Analysis of Danish and Korean Political Culture," *Applied Psychology: An International Review* 51, no. 2 (2002): 318–53.

13 Statistics Korea, "Historical Trends in the Execution of Clemency Power," Statistics Korea, accessed November 5, 2016, http://www.index.go.kr/potal/main/EachDtlPageDetail.do?idx_cd=1726 [in Korean].

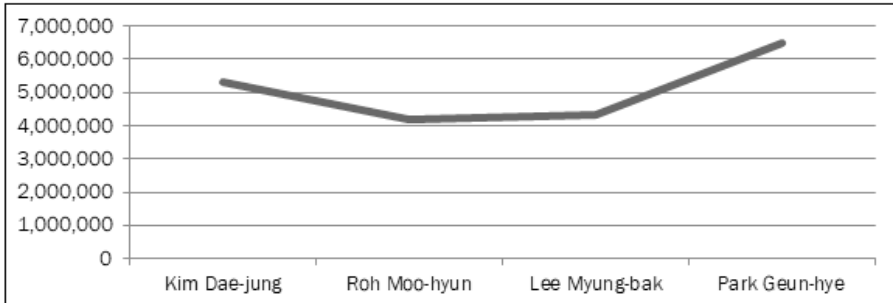
FIGURE 1 Special Pardons (1999–2016)



Source: Statistics Korea, “Historical Trends in the Execution of Clemency Power.”

The number of special pardons largely reflects general clemency trends. In the official government statistics provided by Statistics Korea, the number of special pardons make up the majority of total pardons granted.¹⁴ However, some discrepancies should be noted. Additional reports show that the actual number of total clemencies granted by Korean presidents is far higher than shown above, due to a tradition of pardoning traffic offenders. This tradition first started with the Kim Young-sam government in 1995. Since then, millions of traffic violators have been granted clemency. Kim Dae-jung excused 5.3 million traffic offenders, Roh Moo-hyun excused 4.2 million, Lee Myung-bak excused 4.3 million, and Park Geun-hye excused 6.5 million by her fourth year in 2016.

14 Statistics Korea, “Historical Trends in the Execution of Clemency Power.”

FIGURE 2 Traffic Pardons (1995–2016)

Source: Statistics Korea, “Historical Trends in the Execution of Clemency Power.”

The number of pardons is significantly higher when special clemency grants for traffic violations are included. However, the general trends in clemency grants over time remain similar. The number of pardons granted to traffic violators was reduced in the early 2000s but increased again during the Park Geun-hye government. This is similar to the previously outlined trends in pardon grants, where the number of pardons has been declining before increasing again during the last presidency. In summary, clemency in South Korea has been on a steady decline over the past twenty years but has recently increased under the Park Geun-hye administration.

Qualitative Trends

Controversial Pardons Between 2003–2016

It is a tradition in South Korea that the president grants special pardons in commemoration of national holidays. The most popular day for pardon grants is National Liberation Day, which marks the liberation from Japanese colonial rule in 1945.¹⁵ Occasionally, Korean presidents also grant pardons in the event of Lunar New Year, Buddha’s Birthday, and other national holidays.¹⁶

15 Chang-won Lim, “Special Pardon for CJ Group Chief to Celebrate Liberation Day,” *The Aju Daily Business*, August 12, 2016, accessed December 4, 2016, <http://www.ajudaily.com/view/20160812142509302>; Sang-Ho Song, “Park Grants Special Pardons to More Than 4,870 People Including CJ Chairman,” *Yonhap News Agency*, August 12, 2016, accessed December 4, 2016, <http://english.yonhapnews.co.kr/national/2016/08/12/38/0301000000AEN2016081202653315F.html>.

16 Hong-wuk Ahn, “President Park Expresses Plans for First Press Conference and Special New Year Pardon for Poverty Triggered Crimes,” *The Kyunghyan Shinmun*, December 24, 2013, accessed December 1, 2016, http://english.khan.co.kr/khan_art_view.html?code=710100&a

Presidents Kim Dae-jung and Roh Moo-hyun offered pardons on eight occasions, President Lee on seven occasions, and President Park on three occasions as of 2016.¹⁷ An upcoming event for clemency grants is usually announced to the public in advance, thereby causing much speculation in the media, politics, and business circles. After the presidential pardons have been granted, another round of frenzy follows, during which opponents and proponents voice their respective criticism and support of the president's choices. Over the past decade, Korean presidents have repeatedly stirred controversies by granting pardons to personal acquaintances, high-profile business people, and politicians.

Between 2003 and 2008, Roh Moo-hyun offered amnesty to hundreds of businessmen and politicians. His choice to pardon business tycoons was much welcomed by chaebol companies and their industry federations. Some of those pardoned included Daewoo Corporation Executive Lee Sung-won,¹⁸ Daewoo Motors Vice President Kim Seok-hwan,¹⁹ Doosan Heavy Industries Chairman Park Yong-sung,²⁰ Daewoo Group Chairman Kim Woo-choong, and Halla Engineering and Construction Chairman Chung Mong-won.²¹ Most of the executives were convicted of financial misconduct, but Roh Moo-hyun also granted special pardons to several businessmen convicted of corruption. These included, among others, LG Group Vice Chairman Kang Yu-sig, Hyundai Motor Vice Chairman Kim Dong-jin, Asiana Airlines President Park Chan-bup, and Lotte Shopping President Shin Dong-in.²² In addition to business leaders, President Roh granted pardons to several politicians. Many of these had been convicted of corruption, including Chyung Dai-chul, Lee

rtid=201312241649047; Kyung-un Choi, "Roh Pardons Old Associate for Buddha's Birthday," *The Chosun Ilbo*, May 13, 2005, accessed December 4, 2016, http://english.chosun.com/site/data/html_dir/2005/05/13/2005051361031.html; Whan-woo Yi, "Special Pardon Granted to 4,876 Convicts," *The Korea Times*, August 12, 2016, accessed December 4, 2016, http://www.koreatimes.co.kr/www/news/nation/2016/08/116_211774.html.

17 "Stop Abusing Presidential Pardons," *Korea JoongAng Daily*, May 8, 2015, accessed December 4, 2016, <http://koreajoongangdaily.joins.com/news/article/Article.aspx?aid=3003951>; Yi, "Special Pardon Granted to 4,876 Convicts."

18 Choi, "Roh Pardons Old Associate for Buddha's Birthday."

19 Jin-young Hwang, "Kang Geum-won on the Pardon List," *The Dong-A Ilbo*, May 13, 2005, accessed December 4, 2016, <http://english.donga.com/List/3/all/26/241332/1?m=kor>.

20 "S Korea Pardons Criminal Bosses," *BBC News*, February 9, 2007, accessed December 3, 2016, <http://news.bbc.co.uk/2/hi/business/6345847.stm>.

21 Yon-se Kim, "Roh Commutes Sentences of 6 Death-Row Inmates," *The Korea Times*, December 31, 2007, accessed December 2, 2016, http://www.koreatimes.co.kr/www/news/nation/2016/11/113_16476.html.

22 Choi, "Roh Pardons Old Associate for Buddha's Birthday."

Sang-soo, Shin Sang-woo,²³ Choi Do-sool,²⁴ Park Jie-won, Kim Hyeon-cheo, and Kwon Roh-gap.²⁵ Finally, President Roh also released some people who had been sentenced under his tenure, such as Changshin Textile Chairman Kang Geum-won. Chairman Kang was a close associate of President Roh and had been convicted of embezzlement and tax evasion.²⁶

Lee Myung-bak was inaugurated as the president of South Korea in 2008. Similar to his predecessor, President Lee also released numerous politicians and business people who had been found guilty of illegal activities, including economic and corruption-related crimes. Among the business tycoons released by the Lee administration, Hanhwa Chairman Kim Seung-youn served a sentence for kidnapping and assault,²⁷ and Samsung Chairman Lee Kun-hee, SK Group Chairman Chey Tae-won, and Hyundai Chairman Chung Mong-koo had been convicted of financial misconduct, such as embezzlement and tax evasion.²⁸ In addition to pardoning business tycoons, President Lee granted amnesty to numerous politicians and public officials.²⁹ Many of those pardoned had been convicted of corruption and election irregularities, including National Assembly Speaker Park Hee-tae, former senior aide Kim Hyo-jae,³⁰ close ally Choi See-joong, and longtime friend Chun Shin-il.³¹ Not only politicians but also businessmen close to President Lee were granted amnesty, including his close acquaintance

23 Jung-wook Kim, "Pardoned Politicians Start Testing the Waters," *Korea JoongAng Daily*, August 14, 2005, accessed December 2, 2016, <http://koreajoongangdaily.joins.com/news/article/Article.aspx?aid=2606281>.

24 Kim, "Roh Commutes Sentences of 6 Death-Row Inmates."

25 Annie I. Bang, "434 High-Profile Convicts Pardoned," *The Korea Herald*, April 5, 2010, accessed December 4, 2016, <http://www.koreaherald.com/view.php?ud=20070210000034>.

26 Choi, "Roh Pardons Old Associate for Buddha's Birthday"; Hwang, "Kang Geum-won on the Pardon List."

27 Nathaniel P. Flannery, "How the Latest Scandal at Explosives-Maker Hanwha Highlights Broader Investment Risks at Major Korean Companies," *Forbes*, February 10, 2012, accessed December 4, 2016, <https://www.forbes.com/sites/nathanielparishflannery/2012/02/10/time-for-change-how-the-latest-scandal-at-explosives-maker-hanwha-highlights-broader-investment-risks-at-major-korean-companies/#724de0e2a8dd>.

28 Sang-hun Choe, "Korean Leader Pardons Samsung's Ex-Chairman," *The New York Times*, December 29, 2009, accessed December 21, 2016, <http://www.nytimes.com/2009/12/30/business/global/30samsung.html>; Jung, "President Pardons Convicted Tycoons."

29 "Biz Execs Pardoned to Stimulate Economy," *The Dong-A Ilbo*, August 13, 2008, accessed December 1, 2016, <http://english.donga.com/List/3/all/26/259742/1>; Myo-ja Ser, "MB's Pardons Outrage Park, Parties," *Korea JoongAng Daily*, January 29, 2013, accessed December 4, 2016, <http://mengnews.joins.com/view.aspx?ald=2966347>.

30 Mundy, "Lee Criticized Over S Korean Pardons"; Choe, "Departing South Korean Leader Creates Furor with Pardons."

31 Min-uck Chung, "Lee Presses on Pardons," *The Korea Times*, January 27, 2013, accessed December 4, 2016, http://www.koreatimes.co.kr/www/news/nation/2017/03/113_129527.html.

Sejoong Namu Tour Chairman Chun Shin-il, who was charged with bribery,³² and the son-in-law of the president's cousin, Hyosung Group President Cho Hyun-joon, who was sentenced for embezzlement.³³ None of those pardoned by President Lee had been convicted during his term at the Blue House.

In 2013, Park Geun-hye became the first female president of South Korea. Like her predecessors, President Park also granted some controversial pardons to businessmen charged with economic crimes, such as embezzlement and tax evasion. Between 2013 and 2016, in total 26 businessmen were pardoned by President Park, including Hanwha Group Vice Chairman Kim Hyun-chung, Yeochoon NCC CEO Hong Dong-wook, SK Group Chairman Chey Tae-won, and CJ Chairman Lee Jay-hyun.³⁴ During the first four years of her presidency, Park did not grant pardons to any businessmen, politicians, or civil servants convicted for corruption or election irregularities.³⁵ During her presidency, no controversies had erupted regarding pardons of close friends and allies. As shown, Korean presidents have, over the past decades, issued pardons to businessmen and politicians convicted of economic and corruption-related crimes.

Official Justifications for Presidential Pardons

In contrast to controversial pardons in the United States, Korean presidents usually provide a rationale when pardoning high-profile convicts. A variety have been cited over the years, but some themes appear to be reoccurring. Below follows an analysis of various justifications provided in relation to pardons granted by Korean presidents over the past years. Most of the data cited in this section are collected from media reports because the official statements given on special pardons often did not include elaborative comments about the underlying rationale. Instead, they were announced by the president and its administration at press conferences and through other

32 Choe, "Departing South Korean Leader Creates Furor with Pardons."

33 Ser, "MB's Pardons Outrage Park, Parties."

34 Seung-woo Kang, "Culture is New Growth Engine," *The Korea Times*, February 26, 2016, accessed December 4, 2016, http://www.koreatimes.co.kr/www/news/nation/2016/02/180_199173.html; Lim, "Special Pardon for CJ Group Chief"; Alanna Petroff, "South Korea to Pardon Over 6,500 Convicts to Boost Economy," *CNN*, August 14, 2015, accessed December 5, 2016, <http://money.cnn.com/2015/08/13/news/south-korea-economy-criminal-pardons/>; Yi, "Special Pardon Granted to 4,876 Convicts."

35 Seok-hoon Kim, "2.21 Million Will be Given Special Pardon on Independence Day," *The Economy Hankook*, August 14, 2015, accessed December 4, 2016, <http://www.hankook.co.kr/2-21-million-will-be-given-special-pardon-on-independence-day/>.

types of communications with the press.

Mercy is a common theme in Korean clemency grants. Humanitarian pardons are typically granted to defendants that have health issues, are elderly, or hold a foreign nationality. In 2007, President Roh granted amnesty to thirty-seven former government officials and seven politicians on the grounds of their declining health.³⁶ Later in 2013, President Lee pardoned several elderly prisoners and one foreigner.³⁷ More recently, President Park offered amnesty to CJ Chairman Lee Jay-hyun, whose health had been worsening due to illness.³⁸

Public welfare is perhaps the most widely cited rationale by Korean presidents who grant amnesty. This is true for convicts of various crimes, ranging from petty crimes to serious economic and corruption-related crimes. Felony convicts are usually excluded. Pardons granted on the grounds of public welfare can largely be divided into two interrelated categories: economic stimulus and national unity. Politicians are usually pardoned with reference to “national unity” and “reconciliation.”³⁹ In times of economic slowdown, the release of businessmen has also been considered important in bringing people together. As such, Korean presidents have released businessmen to foster “national cohesion,”⁴⁰ “forge national reconciliation,”⁴¹ “bring the people together,” and “overcome the economic crisis.”⁴² Over the years, businessmen of both small and large companies have been offered amnesty under the pretense of expectations that they will contribute to the public welfare with job creation, increased investment, and economic revival. The Roh administration used terms like “new jobs” and “economic leap forward.”⁴³ The Lee administration followed up with similar terms, such as “investment stimulus,”⁴⁴ “job creation,” “economic reinvigoration,”⁴⁵

36 Bang, “434 High-profile Convicts Pardoned.”

37 Ser, “MB’s Pardons Outrage Park, Parties.”

38 Lim, “Special Pardon for CJ Group Chief.”

39 Chung-un Cho, “Park to Conduct Aug. 15 Pardon,” *The Korea Herald*, July 13, 2015, accessed December 4, 2016, <http://www.koreaherald.com/view.php?ud=20150713001094>; “Pardons in South Korea: Get out of Jail Free!” *The Economist*, August 17, 2010, accessed December 4, 2016, http://www.economist.com/blogs/banyan/2010/08/pardons_south_korea.

40 Seung-woo Kang, “SK Chief Pardoned,” *The Korea Times*, August 13, 2015, accessed December 4, 2016, http://www.koreatimes.co.kr/www/news/nation/2016/12/116_184806.html.

41 Mundy, “Leading South Korean Tycoon Granted Presidential Pardon.”

42 Yi, “Special Pardon Granted to 4,876 Convicts.”

43 “S Korea Pardons Criminal Bosses.”

44 “South Korea Politics: Pardon Me,” *The Economist*, August 14, 2008, accessed December 4, 2016, <http://www.economist.com/news/asia/21571192-departing-president-proves-extravagantly-forgiving-pardon-me>.

45 “Pardons for Corporate Criminals in South Korea: Pardon Me?” *The Economist*, July 29, 2010,

“entrepreneurial spirit,”⁴⁶ “economic revival” and “employment.”⁴⁷ Finally, the Park administration also cited rationales like “national development” and “economic growth,”⁴⁸ while voicing expectations that those pardoned would “revitalize the economy,” “boost people’s spirits,”⁴⁹ and “contribute to national development.”⁵⁰

Public Debate on Presidential Pardons

Advocates for presidential pardons granted to company executives argue that the large conglomerates are vital to the domestic economy and that the companies require their leaders in order to function.⁵¹ The symbiotic relationship between government and business in South Korea is evident in many of the government’s major projects. The release of many business tycoons might also be due to their expected participation in such projects, as illustrated by the following examples. Hyundai Motor Chairman Chung Mong-koo was granted clemency by President Lee in 2009 and later became honorary chairman of the 2012 Yeosu Expo organizing committee. Samsung Chairman Lee Kun-hee was offered amnesty by President Lee in 2009 and later supported the country’s bid to host the 2018 Winter Olympics. President Park pardoned SK Group Chairman Chey Tae-won in 2015, and one year later they launched the joint project for Hongcheon’s eco-friendly town.⁵² Park also pardoned CJ Chairman Lee Jay in 2016, a year after the launch of the Creative Center for Convergence Culture (CCCC). Located in the CJ

accessed November 20, 2016, <http://www.economist.com/node/16693589>.

46 “The Korea Discount: Minority Report,” *The Economist*, February 11, 2012, accessed November 20, 2016, <http://www.economist.com/node/21547255>.

47 Myo-ja Ser and So-young Moon, “Pardons Granted to Tycoons and Pols,” *Korea JoongAng Daily*, August 13, 2008, accessed December 5, 2016, <http://koreajoongangdaily.joins.com/news/article/article.aspx?aid=2893603>.

48 “The Economist Explains: Presidential Pardons,” *The Economist*, November 25, 2015, accessed December 5, 2016, <http://www.economist.com/blogs/economist-explains/2015/11/economist-explains-18>.

49 Mundy, “Leading South Korean Tycoon Granted Presidential Pardon.”

50 Song, “Park Grants Special Pardons to More Than 4,870 People.”

51 Sun-young Lee, “Hanwha Beefs up under Kim Seung-youn,” *The Korea Herald*, August 15, 2016, accessed December 5, 2016, <http://www.koreaherald.com/view.php?ud=20160815000263>; “Governance Reform Still Distant for the Chaebol,” *The Economist*, August 30, 2016, accessed December 5, 2016, <http://www.eiu.com/industry/article/1144555098/governance-reform-still-distant-for-the-chaebol/2016-08-30>.

52 Eun-jung Kim, “CJ to Step Up Global Expansion Following Chairman’s Release,” *Yonhap News Agency*, August 12, 2016, accessed December 5, 2016, <http://english.yonhapnews.co.kr/news/2016/08/12/0200000000AEN20160812006700320.html>.

E&M Center, the Center is run jointly by the CJ Group and the government.⁵³ The CCCC is considered one of the major achievements towards President Park's ambition of a "creative economy."⁵⁴

The Korean government has on several occasions explained that its decisions regarding clemency grants have come about as a result of discussions with various interest groups, including business lobby groups such as the Federation of Korean Industries, the Korea Chamber of Commerce and Industry, Korea International Trade Association, and the Korea Federation of Small and Medium Business.⁵⁵ Industry groups and company officials have also voiced their opinion in media. In 2015, one official argued, "Conglomerates whose top executives are currently imprisoned suffer from a leadership vacuum as they have lost impetus to push new businesses forward."⁵⁶ An executive from the SK Group explained, "A large-scale investment needs a lot of consideration and study. With our chairman behind bars, it's practically impossible to draw up such a plan and carry it through."⁵⁷ Traditionally, family members run these conglomerates, instead of managers hired from inside or outside the company. Control of these companies tends to be highly centralized, which might explain the argument for release of company leaders.⁵⁸

On the other hand, the government's special treatment towards South Korea's elite seems to have become increasingly unpopular among the public. In recent years, the people, media, and opposition parties have paid close attention to special pardons granted in the name of mercy and public welfare. In particular, amnesties granted to business tycoons and politicians have stirred controversy. Local media outlets report an increasing public resentment towards favoritism of criminal business leaders and

53 Sun-ah Shim, "Gov't to Operate Cultural Belt in Full Swing This Year," *Yonhap News Agency*, January 18, 2016, accessed December 5, 2016, <http://english.yonhapnews.co.kr/news/2016/01/18/020000000AEN20160118002551315.html>.

54 Kang, "Culture is New Growth Engine."

55 Cho, "Park to Conduct Aug. 15 Pardon"; Kang, "SK Chief Pardoned"; Kim, "Roh Commutes Sentences of 6 Death-Row Inmates"; Kim, "2.21 Million Will be Given Special Pardon"; Bong-moon Kim, "Presidential Pardons Include SK Chairman Chey," *Korea JoongAng Daily*, August 14, 2015, accessed December 4, 2016, <http://mengnews.joins.com/view.aspx?ald=3007902>; Kim, "CJ to Step Up Global Expansion"; Ser, "MB's Pardons Outrage Park, Parties"; Ser and Moon, "Pardons Granted to Tycoons and Pols"; Yi, "Special Pardon Granted to 4,876 Convicts."

56 Kim, "2.21 Million Will be Given Special Pardon."

57 Park, "Will Jailed Tycoons Get Pardon?"

58 Stephen P. Ferris, Kenneth A. Kim, and Pattanaporn Kitsabunnarat, "The Costs (and Benefits?) of Diversified Business Groups: The Case of Korean Chaebols," *Journal of Banking and Finance* 27, no. 2 (2003): 251–73.

politicians.⁵⁹ Similarly, a national survey by Gallup Korea showed that 79 percent of the surveyed population was against special pardons offered to politicians.⁶⁰ Moreover, 54 percent of these respondents were opposed to pardons granted to business tycoons. In a later poll, significant variation was observed among the different generations. People in their 20s and 30s showed strong opposition, with respectively 80 percent and 69 percent of the respondents being against special treatment of business tycoons. On the other hand, the older generation was mainly in support of pardoning businessmen, with 55 percent and 59 percent of people in their 50s and 60s in favor.⁶¹ Some speculate that slower growth and a perception of rising inequality have changed attitudes towards the culture of political impunity.⁶²

In reflection of public opinion, numerous civic organizations have voiced criticism against controversial pardons. Some of the groups paying close attention to presidential pardons include Solidarity for Economic Reform⁶³ and the People's Solidarity for Participatory Democracy.⁶⁴ Increasingly, media outlets have also voiced discontent with perceived favoritism in the practice of special pardons. Most of the newspapers that have published critical editorials regarding pardon practices are left-wing

59 Yi, "Special Pardon Granted to 4,876 Convicts."

60 The survey by Gallup Korea was carried out in July 2015 and included 1,003 respondents (Kang, "SK Chief Pardoned"), with a sampling error of plus/minus 3.1 percent (Ron Chang, "More Than Half of Country Opposed to Pardons for Businessmen: Gallup Poll," *Traffic Broadcasting System (TBS)*, July 24, 2015, accessed November 20, 2016, http://www.tbs.seoul.kr/news/bunya.do?method=daum_html&typ_800=P&seq_800=10100140.)

61 "Gallup: 54% S. Koreans Oppose Special Pardons for Business Tycoons," *Korea Broadcasting System (KBS)*, July 24, 2015, accessed December 20, 2016, http://world.kbs.co.kr/down.htm?inpage_id=42249&Type=DOC.

62 "South Korean Politics: Pardon Me."

63 Choe, "Korean Leader Pardons Samsung's Ex-Chairman"; Christian Oliver, "South Korea to Pardon Businessmen," *The Financial Times*, August 13, 2010, accessed December 20, 2016, <https://www.ft.com/content/16d3a502-a6a0-11df-8d1e-00144feabdc0>; Jee-yeon Seo, "Business Tycoons Face Growing Calls for Responsible Management," *The Korea Herald*, March 9, 2016, accessed December 21, 2016, <http://www.koreaherald.com/view.php?ud=20160309001067>; Song, "Park Grants Special Pardons to More Than 4,870 People."

64 Choi, Lee, and Kim, "Going Back on Another Election Pledge"; Jane Han, "Pardon Not Impacting Corporate Performance," *The Korea Times*, August 13, 2008, accessed November 20, 2016, http://www.koreatimes.co.kr/www/news/biz/2011/04/123_29301.html; Jung-A Song, "South Korean Leader under Fire for Pardoning Convicts," *The Financial Times*, August 12, 2016, accessed November 21, 2016, <https://www.ft.com/content/fdbd0d10-6057-11e6-ae3f-77baadeb1c93>.

publications, including *The Hankyoreh*,⁶⁵ the *Korea JoongAng Daily*,⁶⁶ *The Kyunghyang Shinmun*⁶⁷ and *The Korea Times*.⁶⁸ Finally, many politicians have protested against controversial amnesty grants. Critical politicians are represented on both sides of the political spectrum, included Na Kyung-won of the former Grand National Party (now Saenuri Party),⁶⁹ Lee Sang-il of the Saenuri Party,⁷⁰ Roh Hoe-chan of the former Democratic Labor Party (now the Unified Progressive Party),⁷¹ Jung Sung-ho, Lee Un-ju, and Park Ki-choon of the Democratic United Party,⁷² and Yoo Eun-hae of the New Politics Alliance for Democracy.⁷³

Analysis

This section will present an analysis of the quantitative and qualitative trends observed in the preceding section. First, it is observed that presidential pardons have halved over the past twenty years, in spite of a small increase under the Park administration. Pardons granted to traffic offenders remain high, but they have also decreased over time and are therefore consistent with the general trend in clemency.

65 "[Editorial] Presidential Pardons Need to be Kept in Check," *The Hankyoreh*, February 10, 2007, accessed December 15, 2016, http://herstory.hani.com/arti/english_edition/e_editorial/189797.html; "[Editorial] Improper Political Pardons," *The Hankyoreh*, July 28, 2008, accessed December 15, 2016, http://english.hani.co.kr/arti/english_edition/e_editorial/301109.html.

66 "Pardon with Prudence," *Korea JoongAng Daily*, July 28, 2009, accessed December 16, 2016, <http://koreajoongangdaily.joins.com/news/article/Article.aspx?aid=2907957>; "Stop Abusing Presidential Pardons," *Korea JoongAng Daily*, May 8, 2015, accessed December 16, 2016, <http://koreajoongangdaily.joins.com/news/article/Article.aspx?aid=3003951>.

67 "[Editorial] President Lee, Give Up Special Pardon of Corrupt Aides!" *The Kyunghyang Shinmun*, January 28, 2013, accessed December 4, 2016, http://english.khan.co.kr/khan_art_view.html?artid=201301281659157&code=790101; "[Editorial] President Park Needs to Keep Her Principle, 'Do Not Abuse Pardon Power,'" *The Kyunghyang Shinmun*, July 14, 2015, accessed December 16, 2016, http://english.khan.co.kr/khan_art_view.html?code=790101&artid=201507141834317.

68 "[Editorial] Don't Abuse Pardon," *The Korea Times*, December 25, 2007, accessed December 4, 2016, http://www.koreatimes.co.kr/www/news/opinion/2013/08/202_16139.html.

69 Su-jin Chun and Sung-tak Kim, "Roh Hands Out Pardons to 434 Convicted Figures," *Korea JoongAng Daily*, February 10, 2007, accessed December 4, 2016, <http://koreajoongangdaily.joins.com/news/article/article.aspx?aid=2872305>.

70 Chung, "Lee Presses on Pardons."

71 Bang, "434 High-Profile Convicts Pardoned."

72 Sang-hun Choe, "Departing South Korean Leader Creates Furor with Pardons," *The New York Times*, January 29, 2013, accessed December 4, 2016, <http://www.nytimes.com/2013/01/30/world/asia/outgoing-south-korean-leader-creates-furor-with-pardons.html>; Ser, "MB's Pardons Outrage Park, Parties."

73 Kang, "SK Chief Pardoned."

Second, the number of controversies stirred by presidential clemency grants have decreased steadily over the last three presidencies, with a particularly noticeable decline between the presidencies of Lee Myung-bak and his successor Park Geun-hye. Presidents Roh and Lee granted hundreds of controversial pardons, but President Park has only granted a few.

Third, the principles applied by the three recent presidents differ greatly from one another, both in terms of the social standing and the crime committed by those who are offered amnesty. Roh Moo-hyun granted pardons to businessmen and politicians, some of them his close aides—all convicted of either economic or corruption-related crimes and convicted before or during his presidency. Lee Myung-bak also granted pardons in a similar manner to that of his predecessor but refrained from granting pardons to people who had committed corruption-related crimes during his presidency. Finally, Park Geun-hye had granted pardons to business tycoons and other businessmen convicted of economic crimes. However, she had steered away from businessmen and politicians convicted of corruption, both before and during her presidency. It can be argued that Korean presidents continue to consider businessmen convicted of economic crimes eligible for clemency, but the skepticism towards individuals with corruption-related convictions has been increasing. The latest president has also shown wariness towards pardoning of politicians and personal acquaintances.

Fourth, an analysis of the media reports on public announcements given by recent Korean presidents for clemency pardons granted over the last decade shows largely persistent trends. First, special pardons are usually accompanied by a justification from the sitting administration. Although the president is not obligated by law to provide any justification, Korean presidents have provided explanations for both controversial and non-controversial pardons. Secondly, presidential pardons have continuously been granted with reference to mercy and public welfare. Humanitarian pardons are mainly granted to individuals with “poor health” and “old age.” Clemencies granted in the name of public welfare mainly refer to “national unity,” such as “reconciliation,” and more commonly to “national development,” including “economic revival,” “job creation,” and “investment stimulus.”

Finally, it is concluded that both the number of clemencies in general and the number of controversial pardons in specific are in decline. Seeing how the underlying rationale for executing special pardons is largely similar among the last three presidents, despite the differences in the principles and frequency behind their principal grants, the declining trend

of controversial pardons might not be so much related to the personal character of the president as it is an outcome of unfavorable public sentiment towards controversial pardons. Surveys of Korean citizens imply increased skepticism about favoritism and corruption. Furthermore, recent political events reflect a public society in demand of more transparency and fairness. In late 2016, the Korean parliament voted for impeachment of President Park Geun-hye.⁷⁴ An independent counsel had investigated and accused the president of bribery and other illegal activities.⁷⁵ In relation to the same scandal, the Samsung heir Lee Jae-yong has been indicted on bribery charges.⁷⁶ It is the first time in history that a Samsung leader has been arrested on criminal charges.⁷⁷

Conclusion

By conducting a combined analysis of quantitative and qualitative data on presidential pardons in South Korea, this paper has observed significant changes in both the number and nature of recent pardons. First, there has been a significant decline in both the total number of clemency grants and in the specific rate of presidential pardons. Second, the underlying reason for executing special pardons overlaps among the last three presidents, but the principles and frequency with which they apply the clemency power largely differs from one another, especially in the Park presidency. At a glance, the pardon power might seem to maintain a strong tradition at the Blue House, as it is being executed at the same day every year, with ruling presidents citing similar rationales. However, as shown in this paper, clemency use has been in strong decline over the past two decades. Particularly, elected leaders appear more sensitive to public sentiment, as they increasingly avoid amnesty grants to controversial recipients such as

74 Ju-Min Park and Jack Kim, "South Korean Parliament Votes Overwhelmingly to Impeach President Park," *Reuters*, December 9, 2016, accessed December 20, 2016, <http://www.reuters.com/article/us-southkorea-politics-idUSKBN13X2JS>.

75 Min-ho Jung, "Park, Choi Colluded to Receive Bribes from Samsung: Counsel," *The Korea Times*, March 6, 2017, accessed March 15, 2017, http://www.koreatimes.co.kr/www/nation/2017/03/251_225161.html.

76 Kyung-min Lee, "Constitutional Court Ruling Looming as Early as This Week," *The Korea Times*, March 5, 2017, accessed March 15, 2017, http://www.koreatimes.co.kr/www/nation/2017/03/251_225062.html.

77 You-kyung Lee, "Head of Samsung Arrested in South Korean Presidential Corruption Scandal," *Chicago Tribune*, February 16, 2017, accessed March 15, 2017, <http://www.chicagotribune.com/business/ct-samsung-ceo-lee-jae-yong-20170216-story.html>.

convicted politicians and businessmen. This finding is confirmative of the previously cited arguments put forward by American scholars, who contend that public opinion is sufficient to serve as a check on the pardon power. Scholarly articles about the Korean clemency power have mostly focused on the issue of abuse and the need for reform. Considering the findings presented in this paper, it would be interesting to see a continuation of the debate on clemency reform in South Korea.

This paper has some limitations. First, reliance on media for data regarding pardon rationales is arguably a disadvantage, but the method appears inevitable as most of the public statements made by recent Korean presidents and their administrations regarding public pardons were not made through official channels but rather at press conferences and in response to questions from journalists and lawmakers. Second, future studies on presidential pardons would benefit from a detailed analysis of the reasons behind both the general decline in clemency grants over time and the more recent decline in controversial pardons. Relatedly, it is also noted that the use of special pardons in treating the society's social elite favorably is becoming unpopular among the public, especially younger generations. Future studies would benefit from a more in-depth analysis of the causes behind this shift in public sentiment, which in turn might help explain the recent changes to trends in controversial pardons granted by Korean presidents.

THE (IR)RESPONSIBILITY TO PROTECT: ARE SMALL-ARMS SUPPLIERS COMPLICIT IN AFRICA'S GENOCIDES?

Stephen Magu
Hampton University

Accounting for 40 percent of current global conflicts, the African continent has one of the highest rates of conflicts and conflict-related deaths and accounts for half of the sixteen on-going United Nations Peacekeeping Missions. These statistics mask that Africa produces minimal small arms and light weapons (SALW). The weapons have been used in genocides, politicides, and numerous conflicts, even as the concept of Responsibility to Protect (R2P) takes hold and is supported by many of the arms-supplying nations. Still, statistics show that the major world democracies and economies, as well as the five permanent members (P-5) of the United Nations Security Council (UNSC), are the largest arms exporters. Within the framework of R2P, how do these countries reconcile their arms transfer activities with weapons supply to countries in conflict? Is there an inverse relationship between arms transfers and support for international mechanisms to resolve international conflict? Are most of the arms used in conflict supplied through government-to-government transfers or through non-state actors—businesses, private military companies, and illicit market? Using multiple regression statistics, the research employs arms-transfer data from the Stockholm International Peace Research Institute (SIPRI) and correlates it with indicators of state fragility, democratization, and political violence. It investigates (1) the correlation between arms supplies and state fragility; and (2) the impact of membership in Intergovernmental Organizations (IGOs) on arms transfers and imports. The research finds that neither state fragility nor IGO memberships correlate with significant levels of arms transfers. Some expected correlations hold; military expenditure correlates with higher state fragility, arms transfer, US military aid, lower levels of economic development, and less globalization. Surprisingly, arms-exporting developed nations belong to more IGOs. Countries in

conflict do not import more arms than countries that are not. It appears that the claim that arms exporters adhere less to international norms than other countries is not supported.

In 1991, the first post-Cold War failed state manifested in Africa: Somalia. While an ethnically unified country, Somalia's failure marked the beginning of a nearly thirty-year period of inter-clan conflicts led by warlords. Soon, state failures became a familiar phenomenon in Africa, characterized by armed, frequently ethnic, conflict. Between 1955 and 2009, Africa accounted for 40 percent of global state failures, which includes ethnic wars, adverse regime changes, revolutionary wars, genocides, and politicides.¹ The estimated costs of Africa's armed conflicts and wars range from US\$100 billion² to US\$14 trillion as of 2015.³ As one of the most conflict-prone regions of the world, Africa unfortunately "has the uncanny reputation of being the world's leading theatre of conflict, war, poverty, disease, and instability."⁴ The complexity of the conflicts arises from the breadth of their nature: some are ethnic, some national, and some interstate.

However, conflict in African countries is not inevitable. Donald Rothchild explains, "There is nothing inevitable about destructive conflict between African states and their culturally distinct identity groups."⁵ He notes that while conflict has been widely chronicled, there is a basic framework for accommodation, reciprocity, and negotiation.⁶ Before delving into the nature and trajectory of conflicts in Africa, it is important to contextualize the idea of conflict. According to James Schellenberg, conflict, defined in the social (as opposed to the individual) realm, is "the opposition between individuals and groups on the basis of competing interests, different identities, and/or differing attitudes."⁷ Roderic Alley argues the root cause of conflict is "poverty,

1 Paul D. Williams, *War and Conflict in Africa* (Malden, MA: Polity, 2011), 5.

2 Chris McGreal, "The Devastating Cost of Africa's Wars: £150bn and Millions of Lives," *The Guardian*, October 10, 2007, accessed April 16, 2017, <https://www.theguardian.com/world/2007/oct/11/congo.international>.

3 James Somper, "Global Cost of War Reaches \$14 Trillion, Says Report," *The Telegraph*, June 18, 2015, accessed April 16, 2017, <http://www.telegraph.co.uk/news/worldnews/middleeast/syria/11682594/Global-cost-of-war-reaches-14-trillion-says-report.html>.

4 Eghosa Osaghae and Gillian Robinson, "Introduction," in *Researching Conflict in Africa: Insights and Experiences*, eds. Elisabeth Porter et. al (Tokyo: United Nations University, 2005), 1.

5 Donald Rothchild, *Managing Ethnic Conflict in Africa: Pressures and Incentives for Cooperation* (Washington, D.C.: Brookings Institution Press, 1997), 1.

6 Rothchild, *Managing Ethnic Conflict in Africa*, 1.

7 James A. Schellenberg, *Conflict Resolution: Theory, Research, and Practice* (Albany, NY: State University of New York Press, 1996), 7–8.

political oppression, marginalization, prolonged failure of state functions, and unequal distribution of resource benefits.”⁸ This leads to insufficiencies in inclusiveness by government institutions, rights of subordinate groups, and allocation of society’s resources.⁹

Important questions arise surrounding the nexus of conflict, identities within the state, and transfer of arms. Are Africa’s conflicts more resource-based, or do they arise as a result and manifestation of disparate ethnic identities? Are they religious or, in more recent years, more ideological in nature? Is conflict a manifestation of the African state?¹⁰ Do the perennial ethnic conflicts threaten the viability of the state? Although addressing these questions are relevant in understanding the complexity of these conflicts, the potential complicity of developed countries and arms transfers is the scope of this study. This paper reviews emerging norms in international relations, specifically the Responsibility to Protect (R2P), and states adherence to these international norms. At the same time, major democracies in addition to the members of the UNSC, the very interlocutors of maintaining global peace, account for majority of arms transfers to Africa. The major research question tackles whether countries’ positions on (and support for) the emerging global norm of R2P align with their practices of arms transfers, especially to non-democratic, conflict-prone countries.

Arms Transfers

Few studies have examined the relationship between the role of arms transfers, especially from major powers, and perennial conflict in Africa within the context of the emerging international norm of R2P. Given that Africa is a net importer of the small arms and light weapons (SALW), it is useful to review the dissociation of arms sales from the causation of conflict. In considering the role of arms transfers and their effect on fostering conflict in the context of R2P, this research builds upon Cassady Craft and Joseph Smaldone’s correlation between arms trade and political violence in the three decades between 1967 and 1997.¹¹

8 Roderic Martin Alley, *Internal Conflict and the International Community: Wars Without End?* (Burlington, VT: Ashgate Publishing Company, 2004), 17.

9 Alley, *Internal Conflict and the International Community*, 17.

10 Bruce D. Porter, *War and the Rise of the State* (New York: The Free Press, 1994), 2.

11 Cassady Craft and Joseph P. Smaldone, “The Arms Trade and the Incidence of Political Violence in Sub-Saharan Africa, 1967–97,” *Journal of Peace Research* 39, no. 6 (2002): 693–94.

Although some African countries have obtained licenses to produce their own weapons, most weapons are imported. While Africa is perceived as receiving an influx of thousands of weapons each year, it has one of the smallest global markets in terms of dollar value, with an estimated value around US\$15 million to US\$25 million.¹² However, most of the arms transfers within this estimate may include only the legally imported arms. Conflicts in the Middle East, in addition to rogue governments, have made it possible for significant quantities of weapons to be brought into Africa by international arms dealers, corrupt officials, African middlemen, and cooperating governments.¹³

Onyinka Onwuka identifies seven major factors that influence the proliferation of SALW in Africa, which include the surplus of colonial and Cold War stockpiles, redistribution of stocks from older post-colonial conflicts, and supplies by governments to private armies, paramilitary forces, armed factions, and certain tribes. Other sources include leakages from government inventories, smugglers, and black market syndicates due to porous borders, diversions from inadequate controls, and supplies from local manufacturers and blacksmiths, such as the weapons used in the Hutu-Tutsi massacre in 1994.¹⁴ These factors pose challenges to the state and cause instability even after peace is achieved.¹⁵

African countries are cognizant of the problems posed by SALW proliferation and their role in exacerbating the numerous, violent conflicts. In 1999, the problem prompted a continent-wide declaration during the thirty-fifth Organization of African Unity (OAU) meeting, which supported a “commitment to combating the illicit proliferation, circulation, and trafficking of small arms, light weapons, and landmines at both sub-regional and continental levels.”¹⁶ This led to the First Continental Meeting of Experts on Small Arms and Light Weapons in Addis Ababa in May 2000.¹⁷

Governments generally regulate arms transfers. Edmund Byrne

12 Mathurin Hounnikpo, “Small Arms and Big Trouble,” in *African Security and the African Command: Viewpoints on the US Role in Africa*, eds. Terry F. Buss et. al (Sterling, VA: Kumarin Press, 2011), 170.

13 Hounnikpo, “Small Arms and Big Trouble,” 171.

14 Onyinka Onwuka, “Territoriality, Arms Trade and Sub-Regional Security,” in *Governance and Border Security in Africa*, eds. Celestine Oyom Bassey and Oshita O. Oshita (Lagos, Nigeria: Malthouse Press Limited, 2012), 182–83.

15 Nicholas Marsh, “Taming the Tools of Violence,” *Journal of Public Health Policy* 28, no. 4 (2007): 401–09.

16 Marsh, “Taming the Tools of Violence,” 401.

17 Ibid.

attributes this primacy of arms transfer by governments to the “centuries-old assumptions about political sovereignty, including the nation-state’s absolute authority and responsibility regarding war and weapons.”¹⁸ Unlike other commercial enterprises, governments often use strict criteria to allow for the transfer of arms, closely regulating the arms suppliers. Because governments are often susceptible to domestic audience pressures and international sanctions, they often regulate the provision of such arms. While weapons restrictions are not easy to put in place, the UN does regulate arms transfers to conflict areas through sanctions and arms embargoes.

Who Transfers Arms?

Between 1945 and 1990, the Cold War superpowers dominated the global arms trade, almost “evenly split about three fourths” of it.¹⁹ After the collapse of the Soviet Union, the United States’ share remained at under 50 percent, while Russia’s share fell to about 15 percent.²⁰ On average, military arms transfers can be directed to governments or to sub-government groups. Arms transfers to governments fall into the broader category of geopolitical power and capabilities contest; whereas to sub-national groups, the arms sellers often attempt to influence present or subsequent governments.²¹

Some of the largest, coordinated, and regulated arms transfers occurred during the Cold War, sanctioned by the US and the USSR. As David Kinsella notes, the rivalry—and therefore arms—ended up benefitting local military rivalries. Reflecting the small arms and light weapons transfer, Kinsella argues client states were not recipients but were still able to acquire weapons, becoming an extension of the superpowers’ competition.²²

Because of this rivalry, the enforcement of arms transfer standards was lax. Arms transfer control mechanisms and prohibitions, or lack thereof, could be violated or disregarded without significant sanction due to UNSC veto power. Post-Cold War, other potential violations occurred through sale and transfer through a second country and through alliances, such as Russia’s actions in the Syrian civil war. The war in Iraq demonstrated, for example,

18 Edmund F. Byrne, “Assessing Arms Makers’ Corporate Social Responsibility,” *Journal of Business Ethics* 74, no. 3 (2007): 202.

19 David Kinsella, “Rivalry, Reaction, and Weapons Proliferation: A Time-Series Analysis of Global Arms Transfers,” *International Studies Quarterly* 46, no. 2 (2002): 209.

20 Kinsella, “Rivalry, Reaction, and Weapons Proliferation,” 209.

21 *Ibid.*, 210.

22 *Ibid.*, 213–14.

how the US military, private military contractors (PMCs), businesses, and individuals facilitated arms transfers. In countries with rampant corruption, companies will promote the illegal arms trade and benefit from increased conflict; whereas in countries with low corruption, companies will rely on legal arms trade and are hindered by threats of conflict.²³

Small arms and light weapons often find their way to African conflicts by circuitous routes. In some instances, weapons belonging to the government become available to militias and civilians; while in others, they are procured for the express purpose of use in wars that often have regional implications. Goose and Smyth, for example, illustrate the complexity of the 1994 Rwandan genocide, tracing its occurrence to historic grievances and independence-era massacres. After Yoweri Museveni's 1986 rise to power in Uganda and following a seven-year civil war, the Rwandan Patriotic Front (RPF) invaded Rwanda. A sizable portion of RPF forces were from the Ugandan army, who also provided a trove of small arms and other weapons systems.²⁴

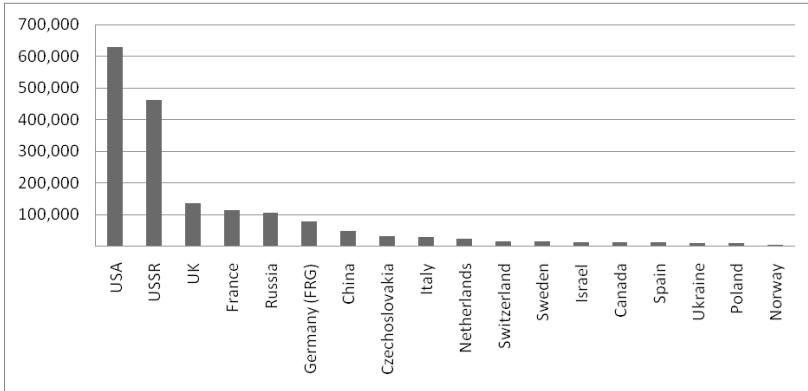
The Rwandan government turned to its former colonizer, Belgium, which declined to provide arms since Rwanda was technically "at war." On the other hand, France, who wanted to keep Rwanda within the bloc of twenty-one Francophone African nations, provided weapons, advisors, and combat troops.²⁵ In addition to fueling the conflict that would become one of the worst genocides in Africa, the weapons purchases by the Rwandan government effectively bankrupted Rwanda.

The largest arms exporters are the US, the USSR (until 1991), the UK, France, Russia, Germany, China, the former Czechoslovakia, Italy, the Netherlands, Switzerland, Sweden, Israel, and Canada (see Figure 1). In the SIPRI list of the top 75 arms exporters worldwide, there are four African countries: South Africa, Libya, Egypt, and Ethiopia. One can confidently assert then that most of the SALW that make their way into the conflicts in Africa originate from developed countries. Majority of the top weapons suppliers are also democracies.

23 Vigna and Ferrara, "Detecting Illegal Arms Trade," 28.

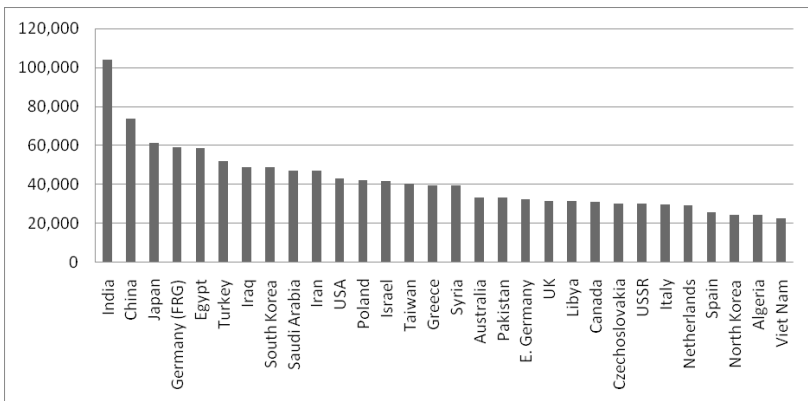
24 Stephen D. Goose and Frank Smyth, "Arming Genocide in Rwanda," *Foreign Affairs* 73, no. 5 (1994): 88.

25 Goose and Smyth, "Arming Genocide in Rwanda," 89.

FIGURE 1 Top Arms Suppliers (1950–2012)

Source: “Top Arms Suppliers,” Stockholm International Peace Research Institute (SIPRI), 2013.

Conversely, in Figure 2 below, only nine African countries are in the top seventy-five arms importers, accounting for 12 percent of total imports. Additionally, four of these, Egypt, South Africa, Ethiopia, and Libya, are also arms exporters. It would appear, therefore, that for the number of conflicts that rage in Africa and given the arms exported/imported into the continent, there is a disconnect in how arms contribute (or do not) to the exacerbation of armed conflicts.

FIGURE 2 Top Arms Importers (1950–2012)

Source: “Top Arms Importers,” Stockholm International Peace Research Institute (SIPRI), 2013.

A Different Approach to Arms Transfers

The end of the Cold War was paralleled by rapid globalization, which facilitated access to information. With the collapse of the old order, client states began to fail. Some of the states' failures were characterized by intense local, regional, and interstate conflicts. US hegemonic reign concurrently occurred as the number of states increased, with the Commonwealth of Independent States (CIS) and the subsequent breakups of Yugoslavia and Czechoslovakia. More states meant more sources of weapons (and conflict); at the same time, issues that had not been as salient, such as regulating arms transfers, took on greater importance. For example, Goose and Smyth show the different reactions to the Rwandan government's affiliated militia's massacre of Tutsis: Belgium withdrew its ambassador while France apologized for the massacres.²⁶ Arms sales and transfers to countries in conflict often bears consequences, from embarrassment to electoral defeat. For example, when the proof of arms sales between Belgium and Nepal—a country in conflict and with a poor human rights records—surfaced in 2002, the Finance Minister Magda Alvoet was pressured to resign.²⁷

Perhaps among the worst offenders, the US quickly shifted its rhetoric: from containing Soviet expansion and unequivocally supporting allies including non-democratic regimes to paying more attention to human rights and democratic reforms.²⁸ Towards this end, the US changed its approach towards recipients of arms transfers, especially governments that were considered human rights violators or non-democratic. It was a significant shift for the US, who had been previously subsumed by the threat of communism. The US now premised foreign aid, alliances, and arms transfers on human rights and democracy records.²⁹ For example, after the overthrow of the democratically elected government in Nigeria in 1999, the US blocked government arms transfers to the military regime.³⁰

These new developments and increased scrutiny in arms transfers paralleled other global political developments. These included, but were not limited to, the fall of the Soviet Union, the increased democratization

26 Goose and Smyth, "Arming Genocide in Rwanda," 91.

27 Lerna K. Yanik, "Guns and Human Rights: Major Powers, Global Arms Transfers, and Human Rights Violations," *Human Rights Quarterly* 28, no. 2 (2006): 357–88.

28 Shannon Lindsey Blanton, "Foreign Policy in Transition? Human Rights, Democracy, and U.S. Arms Exports," *International Studies Quarterly* 49, no. 4 (2005): 648.

29 Blanton, "Foreign Policy in Transition," 648.

30 Ibid., 649.

(for example, close to forty African countries became democratic between 1989 and 1991), and greater scrutiny on use of foreign and military aid. This was also the period when IGOs and NGOs were agitating for increased state responsibility towards their people, re-conceptualizing the relationship between citizens and the polity. This would later evolve into the doctrine of the Responsibility to Protect, or R2P.

The Responsibility to Protect

The R2P doctrine is a major modification to the largely uncontested idea of state sovereignty. Traditionally, sovereignty outlined the rights but was not conceived to encompass the states' responsibility to protect its citizens.³¹ This has gradually changed, although history is littered with mass atrocities and massacres. More recent cases have included the Rwandan genocide, the Janjaweed militia killings in western Sudan, and the ongoing conflict in the Great Lakes region, which has often been characterized as having elements of a genocide.³²

The role of the state in protecting its citizens—and more broadly its responsibility to its citizens—is not entirely new. Recorded history of the obligations of the state towards its citizens includes Justinian (sixth century), the moral codes of most major religions, and the written works of sixteenth to nineteenth century philosophers such as Grotius, Hobbes, and Locke. For example, Locke argued:

Part of God's natural law was that no one may harm anybody else in their health, life, liberty, or possessions. No one could be subjected to another's rule unless they consented, and a government's responsibility was to protect natural rights.³³

Over time, various documents, treaties, and covenants, including the Geneva Conventions of 1899 and 1949, the Treaty of Versailles, and the Universal Declaration of Human Rights (1948), paved the way for greater

31 Gareth J. Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All* (Washington, D.C.: Brookings Institution Press, 2008), 15.

32 Evans, *The Responsibility to Protect*, 18.

33 John Janzekovic and Daniel Silander, *Responsibility to Protect and Prevent: Principles, Promises, and Practicalities* (New York: Anthem Press, 2013), 12.

recognition of the role of states in assuring human rights. During the World Summit in 2005, leaders of 192 countries affirmed the Guiding Principles for the protection of Internally Displaced Persons (IDPs) and the extension of these guidelines to the intractable issues of genocide, war crimes, ethnic cleansing, and crimes against humanity. In a further nod to the importance of the concept of R2P, its principles and definitions were widely accepted and then adopted by both the UN General Assembly and the UNSC in 2009.³⁴

R2P holds that states have the primary responsibility for the protection of their citizens from the four categories of crimes against humanity. It further tasks the international community with the duty to assist states (especially those unable to) fulfill this responsibility using appropriate diplomatic, humanitarian, and other peaceful means to protect populations from potential harm.³⁵ States that failed to carry out their responsibilities faced intervention from the international community. For individual states, R2P entails prevention (warnings to address root causes of potential atrocities), responsibility to react (military, economic, political and diplomatic sanctions), evidence collection, and military intervention as a last resort, and the responsibility to rebuild (full assistance with recovery, reconstruction, and reconciliation).³⁶ As a result of R2P, a formal, collective agreement between the states over the treatment of citizens has been established, precipitating an international response to domestic violations.³⁷

Weapons sales and arms transfers have implications for R2P and how countries assure that their actions are consistent with halting, or at minimum, not facilitating genocide. International arms transfer entails perils even to friendly nations. For example, during the First Gulf War, France could not use their Mirage fighter jets because Coalition forces “could not distinguish the French Mirages from ‘enemy’ Iraqi Mirages sold to Iraq by France.”³⁸ Additionally, the Iraqi radar jamming systems purchased from the British posed a great danger to Coalition forces.³⁹

Even though the Iraqi government had a record of gross human

34 Sarah E. Davies and Luke Glanville, “Introduction,” in *Protecting the Displaced: Deepening the Responsibility to Protect*, eds. Sarah E. Davies and Luke Glanville (Leiden: Brill, 2010), 4–5.

35 International Coalition for the Responsibility to Protect, “Summary of the Responsibility to Protect: The Report of the International Commission on Intervention and State Sovereignty (ICISS),” World Federalist Movement – Institute for Global Policy, accessed August 20, 2013, <http://www.responsibilitytoprotect.org/index.php/about-rtop/learn-about-rtop>.

36 Ibid.

37 Janzekovic and Silander, *Responsibility to Protect and Prevent*, 46.

38 Yanik, *Guns and Human Rights*, 358

39 Ibid.

rights violations, they still managed to acquire these sophisticated weapons. A nation's capacity to acquire modern weapons and maintain them, even when its ideology and support by the arms supplier shift (e.g. the US-supplied Iranian F-14s during the reign of Reza Shah Pahlavi), demonstrates the problems of arms supplied by friendly governments. The arms can then be used later for purposes for which they were not intended. The supply of weapons to Rwanda by South Africa, Israel, Albania, France, and Bulgaria illustrates legal weapons sales later used for nefarious purposes.

Governments need to be cognizant of unintended consequences of arms trade. Trade produces "security externalities" by increasing the recipient's military capacity; therefore, exporters may limit sales to even allies and stop sales to enemies.⁴⁰ For Iran and Rwanda, the arms were delivered to friendly governments, so it is not always evident that governments will later turn on its citizens in violation of R2P.

Lingering Issues

Reviewing relevant literature on the increasing recognition of the role of countries in limiting the occurrence of conflicts and genocide and the states' responsibility to intervene when the countries in question cannot halt atrocities, some inconsistencies are found in countries' positions. For example, there is a disconnect between the foreign policy positions of a number of OECD countries regarding their commitment to the reduction in conflicts, and the total amount of weapons shipped to foreign countries—especially those experiencing conflict—by these committed OECD countries.

Research Questions

This research addresses the following main question: Do countries' positions on the emerging global norm of R2P align with their practices of arms transfers, especially to non-democratic, conflict-prone countries? The research develops several hypotheses to test the relationships between weapons transfers, countries' democratization, state fragility, economic development, and other factors, such as how much countries spend on their

40 Shannon L. Blanton, "Promoting Human Rights and Democracy in the Developing World: U.S. Rhetoric versus U.S. Arms Exports," *American Journal of Political Science* 44, no. 1 (2000): 123–31.

militaries as a percentage of their GDP. Additional questions that this paper explores include: Do countries experiencing internal conflict import more arms to sustain and further their conflicts? Where do they acquire their weapons? Are politically fragile countries concentrated in certain regions or equally distributed across the globe? What other relationships exist between fragile states and other variables such as military expenditure, democratization, and levels of economic development?

Data and Methods

Based on data from 1961 to 2010, this research uses quantitative, multivariate regression statistics to determine the correlation between the rhetoric of adherence to and support for international norms—such as peaceful settlement of disputes and memberships in international organizations—and arms transfers. The data covers the 192 member states of the United Nations, excluding South Sudan since it was not covered by the period under review. The starting point of 1961 was selected since it denotes the beginning of independence declarations in African countries.⁴¹

The research uses several data sources for different indicators that were later compiled into a database. From the World Bank, data on per capita GDP, net ODA received, and military expenditure (percent of GDP) were obtained. Data on the membership of IGOs were obtained from the Pevehouse, Nordstrom, and Warnke's Correlates of War, and IGO Data (v2.1) dataset.⁴² From COW IGO data, the variable, *igounit*, represents the total IGO membership of a country per year. The research includes *netmilaid*, the net US military aid provided to different countries. The variable is included based on the notion that the US is more likely to provide military aid to countries that are cooperative and democratic.

Data for the former Soviet Union republics, now members of the Commonwealth of Independent States (CIS), are available from the years 1990–2000. For Germany's IGO membership, the research uses West Germany's membership from 1961 to 1990, given that West Germany had

41 Data from "Growth in United Nations Membership, 1945-present," United Nations, accessed September 26, 2013, <http://www.un.org/en/members/growth.shtml#text>. In addition to the original 51 members who signed the UN Charter, most of the next group of 32 members came from Asia. The first group of African countries to join the United Nations totaled 17 and joined in 1960.

42 Jon C. Pevehouse, Timothy Nordstrom, and Kevin Warnke, "The COW-2 International Organizations Dataset Version 2.0," *Conflict Management and Peace Science* 21, no. 2 (2004): 101–19.

belonged to more than four times as many IGOs as East Germany. To measure the effect of conflict on a state and its stability, the research eliminated the use of the Major Episodes of Political Violence (MEPV) dataset with the *ACTOTAL* variable (the sum of civil violence, civil wars, ethnic violence, ethnic wars, and interstate wars). Between 1961 and 2010, there were 9,408 observations available, but only 1,537 of them are valid data points (16.34 percent of the cases).⁴³

Results

State Fragility and Arms Transfers

From the first omnibus model, the adjusted R^2 of 0.491 indicates that the model accounts for about 50 percent of the variation in state fragility given different model variables, which is not a robust fit. Ten of fifteen variables in this model are statistically significant, seven of which are statistically significant at the 90, 95, and 99 percent confidence levels. They include year, per capita GDP, level of globalization, military spending as percentage of GDP, South America regional variable, arms transfer, and membership in IGOs. US military aid, North American regional variable, and Africa are statistically significant at the 95 percent confidence level. Per capita GDP, level of globalization, and South America variables are negatively signed. (See Appendix, Table 1).

As expected, state fragility correlates negatively with per capita GDP; richer countries are politically more stable than poorer countries. The same finding holds for globalization; state fragility correlates negatively with higher levels of development (which in turn potentially correlates with wealth). For comparison purposes, the South America variable is included since both Africa and South America experienced some conflict in the twentieth century. The variable correlates negatively with state fragility, indicating that South American nations are more stable than the African nations.

State fragility measures are time limited with the available data. For example, the Fund for Peace started tracking failed states in 2005, while the Polity IV data tracked state fragility beginning in the 1980s. US military aid correlates positively with state fragility. It may be concluded that countries receiving US military aid have higher state fragility rates than countries

43 Monty G. Marshall, "Major Episodes of Political Violence (MEPV) and Conflict Regions, 1946–2012," Center for Systemic Peace, accessed September 26, 2013, <http://www.systemicpeace.org>.

that do not. It is not clear why this might be the case, although countries in conflict may be bigger arms importers. Military expenditure as a percentage of GDP also correlates positively with state fragility. This is an expected and hypothesized finding. Countries experiencing internal or external conflict may be more prone to spending more on their military as they attempt to put down insurrections and challenges to the state. As expected, the African regional variable correlates positively with state fragility. According to the Fund for Peace and Foreign Policy's Failed States Index, 70 percent of the top 10 failed states are in Africa.⁴⁴ Also, 63 percent of the top 30 failed states are in Africa.⁴⁵ These results help explain the positive correlation between state failure and the African region. The IGO membership coefficient correlates positively with the state fragility variable. Countries experiencing conflict have higher fragility scores and belong to fewer IGOs. States in civil wars, such as Somalia, often do not have relationships with or representation at multilateral bodies due to the contestation of government.

Arms Transfers around the World

Having arms transfers with the SIPRI Arms Transfer as the dependent variable produces an interesting finding. The omnibus model has an adjusted R^2 of 0.881; the model explains a robust 88 percent of the variation in arms transfers. The variables' correlations further add to our understanding of the relationship between arms-originating countries and recipients. In the omnibus model that has arms transfer (countries arms' sales) as the dependent variable, ten of the thirteen variables are statistically significant. Of these, four variables are positively signed (constant, state fragility, North American regional variable, and per capita GDP), indicating a positive correlation between these variables and global arms exports. Coefficients for year, level of globalization, military expenditure as percentage of GDP, South American and European regional variables, FDI outflows, and US net military aid are statistically significant but negatively signed, indicating a negative relationship between the variables and arms transfers across the world. (See Appendix, Table 2.)

The negatively signed globalization index variable is curious, given that developed countries are the largest arms exporters. Yet, since

44 Fragile State Index, "The Failed States Index 2013," The Fund for Peace, accessed September 26, 2013, <http://fsi.fundforpeace.org/rankings-2013-sortable>.

45 Ibid.

only a few countries account for a high percentage of arms exports, the relationship between developed countries and arms export is not robust. Indeed, major arms exporters include the USA, USSR (now Russia), UK, France, and China. Although European countries export arms, their arms sales are far behind the US, Russia, and China. European countries do not transfer arms to countries experiencing conflict at significantly higher rates than other countries. One expects that countries' arms imports to positively correlate with military spending as percentage of GDP.

From the results of this model, state fragility positively correlates with military spending, possibly on arms. One can surmise that countries attempting to maintain control of legitimate violence and countries experiencing internal dissent are likely to increase their arms imports, thus spending more on the military to keep their military supportive of the government.

Membership in IGOs and Arms Sales

Next, the regression statistics attempt to explain the determinants of arms transfers especially to the least developed countries particularly in Africa. This model examines selective variables: US net military aid (expected to be low since the countries are experiencing conflict), SIPRI arms transfer (hypothesized that developed countries transfer more arms even as they belong to IGOs), year, levels of globalization, levels of democracy, per capita GDP, and membership in IGOs. Wealthier countries have the financial ability to maintain membership in many IGOs, are more likely to give aid (net ODA), and will invest more in other stable countries (FDI outflows). Likewise, African countries that are hypothesized to have higher levels of conflict should spend more on their military. The adjusted R^2 of 0.120 in the model is not robust enough to explain arms transfers.

From this model, the coefficients for year, Asia, IGO memberships, net ODA, and US military aid are statistically significant, despite the low explanatory power. The expectation for higher IGO membership to correlate negatively with arms exported does not hold; there is a positive correlation between IGO memberships and arms transfers. Despite their membership in IGOs, countries in regions experiencing conflict such as Asia continue to import arms even and participate in IGOs. For example, even as the conflict raged on against the Khmer Rouge during the 1980s in Cambodia, both factions were represented at the UN General Assembly in New York.

Military aid from the US correlates positively with the value of arms received. Perhaps, this reflects both the collinear relationship with military assistance and the possibility that it is in the form of arms. Also, the US is one of the primary sources of arms transfers around the world. Interestingly, the value of arms received correlates negatively with net overseas development aid (Net ODA), suggesting that countries that import more arms are less likely to receive foreign aid of the economic nature. It is therefore possible that as they become more conflictual, countries restrict aid even as they export more arms.

IGO Membership and Arms Transfers

The next model investigates arms transfers by countries that have multiple memberships in IGOs. One expects that a country with multiple IGO memberships is more likely to have fewer arms transfers especially to war-torn and conflict zones. Here, IGO memberships represents concurrence with IGOs and their norms, support for multilateral actions such as arms embargoes, adherence to UNSC resolutions banning transfer of weapons, limiting arms provision to foreign countries embroiled in conflict, and, more generally, engaging in and supporting diplomatic efforts.

Previously, the research found that the top arms exporters are members of UNSC, followed by many OECD countries. These countries are mainly liberal democracies that have often pushed for international norms such as the R2P. While these countries may limit their arms transfers to foreign countries, the leading net arms importers are not necessarily countries experiencing conflict. This leads to the question of how democratic countries with IGO membership end up transferring arms to foreign countries. Is there a disconnect between the countries' rhetoric and membership in international organizations?

With an adjusted R^2 of 0.319, the model explains a paltry 32 percent of the variation in arms transfers and is thus not a strong indicator of the factors explaining arms transfers. Although the model's explanatory power is quite low, several variables are statistically significant: year, per capita GDP, level of globalization, North America, and total arms received. (See Appendix, Table 3.) These variables are also positively signed, indicating a positive correlation between membership in IGOs and these variables. Apart from the total arms received, the other correlations are to be expected. Wealthier and highly developed countries, which are in Europe and North America,

join more IGOs over time. Membership in IGOs is correlated negatively with military expenditure as a percentage of GDP and the regional variables of Europe and Asia. Given the low R^2 value, the model cannot be a reliable indicator for explaining membership in IGOs.

IGO Membership, Global Norms (R2P), and Arms Exports

In the final model, the coefficients for year, per capita GDP, globalization, military expenditure, regions (North America, Asia, and Europe), and arms imports are statistically significant. Most Western democratic countries, which tend to belong to more IGOs, are also the leading arms exporters. Bearing in mind the weak overall explanatory relationship (as evidenced by the low adjusted R^2 value), the data do not support the claim that countries participating in a greater number of IGOs (and therefore, more likely to support international norms such as R2P) transfer fewer arms to countries experiencing conflict, particularly in Africa, than to all other countries. (See Appendix, Table 4.)

Wealthier countries, which are also on average more democratic, belong to more IGOs. Military expenditure as percentage of GDP correlates negatively with membership in IGOs. Countries that spend more on the military may experience more conflict, and thus more fractured, and be less likely to adhere to international norms. This pattern is evident even in examination of raw data: the former East Germany belonged, on average, to about half as many IGOs as the former West Germany.

Even as these findings portend avenues for further research, alternative explanations hold. As shown previously, the US, Russia, China, and major European powers are the main producers and suppliers of weapons; as their own national defense budgets indicate, this leads to a surplus in arms sales. For instance, the US is the largest net arms exporter, and the US defense budget spending accounts for approximately 37 percent of the US\$1.6 trillion spent on defense around the world in 2015.⁴⁶

Additionally, due to the higher levels of technological development, these countries can export arms because they develop the most advanced weapons and weapons technologies. Membership in IGOs may be a point of prestige, particularly in institutions whose membership is either regional,

46 Anup Shah, "World Military Spending," *Global Issues*, June 30, 2013, accessed April 22, 2017, <http://www.globalissues.org/article/75/world-military-spending>.

geographical, or exclusive, rather than inclusive (such as the UN). Thus, countries, such as North Korea, may be less likely to adhere to international norms and will join IGOs as a way to avoid pariah status.

Analysis and Conclusions

This research sets out to understand whether countries' positions on the emerging global norm of R2P align with their practices of arms transfers, especially to non-democratic, conflict-prone countries. The data used in this research did not conclusively support this argument. The US ranked first in arms transfer, followed by several developed countries; at the same time, countries like India, Israel, and Turkey were major recipients of the arms transfers. The correlation between arms transfer and conflict particularly in Africa is very weak. Some of the explanations include the nature of the weapons used in many conflicts in Africa, ranging from domestically produced weapons (machetes, bows, and arrows) to non-domestic, commercially produced weapons (SALW like the AK-47), primarily originating from Russia and China.

Independently, the state fragility and IGO membership variables do not explain arms transfers. The regression statistics found several interesting results: the negative correlation between state fragility and per capita GDP, globalization, and the South American region. State fragility correlates positively with Africa, arms transfer, North America, military expenditure, and US military aid. Other important results include a negative correlation between arms transfers and the year, level of globalization, military expenditure as percentage of GDP, South America, and Europe, FDI outflows, and US net military aid.

These results reflect some expected correlations: a small number of the more developed countries, located in North America, Latin America, and Europe, export fewer SALWs. Therefore, it appears that weapons in African conflicts largely come from non-democratic countries. Military expenditure as percentage of GDP correlates negatively with arms transfers; again, this may be indicative of fewer major arms importers and countries in conflict do not import significant amounts of weapons. Even when countries import arms, their levels of wealth (measured by per capita GDP) make it difficult to import sizeable amounts of arms.

Major powers, some of them democracies and also UNSC members, are the leading arms suppliers to different countries. Developed countries

have a higher level of participation in IGOs and should, therefore, adhere more to international norms such as R2P. The major arms importers are also some of the emerging powers; contrary to initial hypotheses that countries in conflict will import more weapons, countries in Latin America, Southeast Asia, and Africa import fewer arms than would be expected given the levels of conflict.

Accurate data on illegal arms exports is often difficult to find. Even if it is accessible, the trends in arms sales do not suggest that governments are involved in the illegal arms export business. Nonetheless, governments may also export arms without official sanction or for clandestine purposes, as evidenced in the Iran-Contra affair.⁴⁷ It is also plausible that conflicts often arise independently from arms exports. For example, France was one of Rwanda's major sources of arms up to and until the Rwanda genocide broke out in 1994. Prior to that, France may have exported arms to a legitimately elected Rwandan government, only cutting off the arms exports when conflict broke out.

The major finding of this research is that major powers are the most significant arms exporters. They are also active in IGOs, which often set conditions for both war and peace and arms sales, including embargoes. These countries are also active in promoting international rules and regimes, including those espoused in the R2P doctrine. However, there is no correlation between these major countries' arms sales and transfers to African countries and their support for global norms, as measured by their membership in IGOs. Failing states do not join IGOs at a significant rate but spend more on their military perhaps to quell rebellions. Thus, countries with membership in IGOs are neither more nor less likely to sell arms to countries that are not meeting their responsibilities to the R2P doctrine.

47 Mark Gasiorowski, "Islamic Republic of Iran," in *The Government and Politics of the Middle East and North Africa*, eds. David E. Long, Bernard Reich, and Mark Gasiorowski (Boulder, CO: Westview Press, 2011), 62.

Appendix

Table 1 State Fragility: Omnibus Model and Table of Coefficients

[illegible]

Table 2 Arms Transfer: Table of Coefficients

[illegible]

Table 3 IGO Members: Table of Coefficients[illegible]

Table 4 Arms Exports: Table of Coefficients[illegible]

WHY NORTH KOREAN FOREIGN POLICY IS RATIONAL: AN APPLICATION OF RATIONALITY THEORIES

Sarah Lohschelder¹
Georgetown University

This article discusses whether the accusations against North Korea for pursuing irrational foreign policy are justified. To do so, the article will seek to define rational as well as irrational behavior. Rationalist behavior will be divided into two categories: strict rationality (rational choice theory) and loose rationality (constructivism, prospect theory, and cognitive models). These definitions will be applied to two case studies: the Agreed Framework of 1994 with the United States and South Korea's Sunshine Policy during its early phase from 1998 until 2003. Each case study will consider rationalist and irrational explanations of North Korean foreign policy separately and then comparatively assess their explanatory merits. This analysis will indicate the conclusion that rationalist explanations are best able to account for North Korean foreign policy in a consistent manner. Based on the information currently available, it will be argued that North Korea is a rational actor in its foreign policy.

Kim Jong-il,² the late former leader of the Democratic People's Republic of Korea (DPRK), was often accused of being irrational. In particular, the Western media often portrayed him—and by extension, the DPRK's foreign policy—as wildly haphazard. Policy-making circles have emulated such a view. In her autobiography, Condoleezza Rice, the former US Secretary of State, relates an anecdote employed by President George W. Bush to explain North Korean foreign policy: "He [Kim Jong-il] throws his food on the floor, and all the adults run to gather it up and put it back on the table. He waits

1 My thanks go to my thesis supervisor, Dr. Lee Jones of Queen Mary University of London, whose guidance and encouragement made this article possible.
2 The last name Kim will be used hereinafter to refer to Kim Jong-il unless otherwise specified.

a little while and throws his food on the floor again.”³ By characterizing Kim as a child throwing a tantrum, Bush implied a lack of self-reflection in Kim’s behavior. Thus, according to this viewpoint, North Korean policy is based on temporary mood swings rather than long-term strategic goals. Above all, the country’s leadership is continually guilty of failing to consider the consequences of its actions.

To determine if this perspective is valid, this article will attempt a structured application of rationality theories. While the question of North Korea’s (ir)rationality has already been addressed by a multitude of authors, this article hopes to contribute to the debate by engaging more deeply with theories of rationality. Understanding North Korea’s behavior could scarcely be of greater importance given the continuing disputes between North Korea and the West and East Asia. Although some policies have changed under the current leadership of Kim Jong-un, the analysis conducted here is equally applicable to DPRK foreign policy today.

The theoretical groundwork of this article will take the following form: rational choice theory will be defined by strictly rational explanations based on cost-benefit analyses. To complement certain inadequacies of rational choice theory, the article will draw upon “loosely rational” theories, in particular constructivism, prospect theory, and cognitive models. Finally, an attempt to find a useful description of what constitutes irrational behavior will be made.

In subsequent sections, these theories will be applied to two case studies: the Agreed Framework of 1994 and the Sunshine Policy during its early period of 1998 to 2003. The Sunshine Policy will only be considered from its inception until the end of ROK President Kim Dae-jung’s term in office in 2003 to ensure that sufficient attention to detail can be given within the limits of this article.

These two case studies were chosen because they provide the strongest claims for the argument of irrational DPRK foreign policy. On both occasions, Kim Jong-il was presented with an opportunity to end the isolation, which the so-called “hermit kingdom” remained in since the end of the Cold War. Yet, both times, he startled the international community by failing to take advantage of these opportunities. However, on closer inspection, evidence of rational reasons behind Kim’s actions exist. An additional benefit of these two case studies is that they provide a broader basis for analyzing DPRK foreign policy. While many accounts focus exclusively on nuclear policy or

3 Condoleezza Rice, *No Higher Honor* (New York: Simon & Schuster, 2011), 158.

US-DPRK relations, this article hopes to avoid such an imbalance.

In the case studies, all three categories—strictly rational, loosely rational, and irrational—will be examined on their own merits. At the end of each case study, a comparative evaluation will be conducted to determine which theory is most convincing in explaining DPRK foreign policy. The article assumes that there is no distinction between behavior that, for example, can be rationally explained and behavior that is actually rational. This assumption is necessary to avoid the problem of *post-facto* rationalization of irrational behavior, a problem that will be addressed in greater detail below.

One problem with this assumption is that all behavioral theories are subject to what might be bending the facts to make them fit the theory. As analysis of the facts naturally takes place after they have originated, events can be rationalized, just as they can be interpreted to fit the irrational thesis.⁴ However, while this certainly constitutes a considerable weakness in the argument, there is little that can be done to prevent it.

Finally, it should be noted that this analysis is based on the information currently available about the DPRK. It is likely that new information may change the results of the analysis.

Theoretical Framework of Foreign Policy Decision Making

This first chapter will focus on theoretical approaches to rationality and what it means to be a rational actor. This article will employ a rather narrow definition of rationality, pertaining to cost-benefit analysis, rather than the more substantive one offered by Sidney Verba, which focuses not only on the expected utility of an actor but also on the actor's awareness of his own reasoning process.⁵ This narrow focus was chosen because, from the perspective of an external analyst, awareness is difficult to determine. Moreover, it seems possible for a rational decision to occur without the actor being aware of his reasoning process.

Rational choice theory was developed by micro-economists, such as John von Neumann and Oskar Morgenstern,⁶ and applied to the study

4 David Kang, "International Relations Theory and the Second Korean War," *International Studies Quarterly* 47, no. 3 (2003): 311.

5 Sidney Verba, "Assumptions of Rationality and Non-Rationality in Models of the International System," *World Politics* 14, no. 1 (1961): 96.

6 John von Neumann and Oskar Morgenstern, *Theory of Games and Economic Behavior* (Princeton: Princeton University Press, 1944).

of political actors by neo-realist scholars, such as Stephen Krasner and Joseph Grieco,⁷ and neo-liberal institutionalists, such as Joseph Nye and Robert Keohane.⁸ Rational choice theory, which this paper shall call “strict rationality,” is a very precise model of rationality. It is based on means-ends relations and the assumption of utility maximization. Such a limited view of rationality renders it somewhat insufficient when seeking to explain rational behavior. Certain chains of action-reaction behavioral patterns can be logically explained and intuitively do not appear irrational, even though they do not fit into the strict definition of rationality provided by rational choice theory. Thus, the second category shall be termed “loose rationality.” It comprises theories such as constructivism, cognitive models explored by Janice Gross-Stein,⁹ and prospect theory, initially developed by Daniel Kahneman with Amos Tversky¹⁰ and subsequently transferred to foreign policy analysis by Jack Levy.¹¹ The final section of the theoretical chapter will discuss irrationality and will attempt to provide a useful definition based on the limited available literature.

Strict Rationality

In general, strict rationality is understood in this article to be synonymous with a game-theoretical approach, which is based on cost-benefit analyses. The static decision-making process is one whereby certain inputs, such as effects and side-effects of actions, are categorized as costs or benefits with a certain degree of (dis)utility. These inputs are weighed against one another to determine whether the benefits of an action outweigh the costs. If they do, this leads to a positive decision in favor of the action.¹² Rationalist

7 Stephen Krasner and Carlos Pascual, “Addressing State Failure,” *Foreign Affairs* 84, no. 4 (2005): 153-63; Joseph M. Grieco, “Realist Theory and the Study of World Politics,” in *New Thinking in International Relations Theory*, eds. Michael Doyle and John Ikenberry (Boulder: Westview Press, 1997).

8 Joseph Nye and Robert Keohane, *Power and Interdependence: World Politics in Transition* (Boston: Longman, 2000).

9 Janice Gross-Stein, “Foreign Policy Decision-Making: Rational, Psychological, and Neurological Models,” in *Foreign Policy: Theories, Actors, Cases*, eds. Steve Smith, Amelia Hadfield, and Tim Dunne (Oxford: Oxford University Press, 2012).

10 Daniel Kahneman and Amos Tversky, “Prospect Theory: An Analysis of Decision Under Risk,” *Econometrica* 47, no. 2 (1979): 263-91.

11 Jack Levy, “Prospect Theory, Rational Choice, and International Relations,” *International Studies Quarterly* 41, no. 1 (1997): 87-112.

12 Joshua Goldstein and Jon Pevehouse, *International Relations* (New York: Pearson Longman, 2007), 68.

theories differ with regards to the factors flowing into this cost-benefit analysis. The first theory to be examined, rational choice theory, takes a straightforward utilitarian approach and thus falls into the category of strictly rational theories. Rational choice theory was developed as an integral part of methodological individualism, which seeks to explain social phenomena through the motivations of individual actors.¹³

Dynamic decision-making is comparative: rational choices occur when an actor reviews the options available, considers the consequences of each available option, and then chooses the utility-maximizing option.¹⁴ To maximize utility, the *homo oeconomicus* must be aware of his preferences and, in case of conflict, must be able to rank these. Preferences are assumed to be (1) complete for any possible choice and the actor is aware of preferring one option over the other; (2) reflexive in which each option is at least as preferred as itself and simply indicates consistency; and (3) transitive in which option A is preferred to option B and option B is preferred to option C, then option A must also be preferred to option C (if $A > B$ and $B > C$, then $A > C$).¹⁵

Once an actor has determined his or her preferences, two main factors will influence the actor's decisions: the availability of resources and the available information.¹⁶ One problem is limited knowledge which renders decision makers incapable of predicting the exact utility which they will obtain from an action. Actors will therefore use expected utility as the basis for their decision.

Knowledge can also be problematic when unevenly distributed amongst several actors. The problem of asymmetric information was first explored by George Akerlof, who argued that, in the case of uncertainty, actors attach probability estimates to the occurrence of particular events and then attempt to maximize their utility based on these probabilities.¹⁷ The analysis is particularly relevant for repeated games, such as interaction between the DPRK and the US. Thus, the DPRK might attach a 60 percent probability to the US keeping a particular negotiated commitment ("cooperation") and a

13 Andrew Kydd, "Methodological Individualism and Rational Choice," in *The Oxford Handbook of International Relations*, eds. Duncan Snidal and Christian Reus-Smit (Oxford: Oxford University Press, 2010), 429.

14 Graham Allison and Philip Zelikow, *Essence of Decision: Explaining the Cuban Missile Crisis* (London: Longman, 1999), 26.

15 Hal Varian, *Intermediate Microeconomics* (New York: Norton & Company, 2006), 34–48.

16 Goldstein and Pevehouse, *International Relations*, 68.

17 George Akerlof, "The Market for 'Lemons': Quality Uncertainty and the Market Mechanism," *The Quarterly Journal of Economics* 84, no. 3 (1970): 488–500.

40 percent probability to it breaching the commitment ("defection"). In a game theory analysis, the optimal action for the DPRK would involve a mixed strategy equilibrium, meaning randomly choosing to cooperate in six out of ten cases and defecting on the other four occasions.¹⁸

The benefit of rational choice theory is that it is intuitive and linear. The disadvantage of the theory is that reality is often not that straightforward. Therefore, while amendments to the initial theories of Neumann and Morgenstern, such as repeated games and games with uncertainty, have enhanced the explanatory powers of game theory, the actual use of game theory in international relations is debatable. The simplifying assumptions made here may render it inapplicable to reality. For example, how does one determine the utility level attached to the normalization of diplomatic relations between two countries? Moreover, while the rational actor model is predicated on the unitary actor assumption, governments may not be unitary actors with one opinion and one decision-making process and instead be more complex.¹⁹

Loose Rationality

To accommodate those human imperfections which defy the strictly rational model, alternative models have been developed. This article shall term these "loosely rational" because they show that some behavior might be logically explicable, even when it does not meet the strict requirements of rational choice theory. The three loosely rational theories to be explored here are constructivism, prospect theory, and cognitive models.

Constructivism proposes that social phenomena are created through constructions of the material world, just as actors' perceptions of the world are shaped by their values, norms, and assumptions. These influence actors' decision-making behavior by factoring into their cost-benefit analyses.²⁰ Actors are thus rational as long as they adhere to the result of such an analysis, even if this result is different to the one they would have reached, had the inputs been merely external factors (i.e. the rational choice approach).

The main tenet of prospect theory is that actors do not evaluate their

18 Avinash Dixit and Susan Skeath, *Games and Strategy* (New York: Norton, 1999), 136–38.

19 Goldstein and Pevehouse, *International Relations*, 69.

20 Karin Fierke, "Constructivism," in *International Relations Theories: Disciplines and Diversity*, eds. Tim Dunne, Milja Kurki, and Steve Smith (Oxford: Oxford University Press, 1994), 179.

options based on final outcomes, as rational choice theory would have it, but rather in relation to a certain reference point.²¹ This is because actors tend to accept gains much more quickly than losses. Thus, a state which has lost a certain territory will not adapt to the new status quo easily and be much more risk-accepting in seeking to regain that territory than it would be in attempting to gain new territory of an equal size. Conversely, a state which has gained new territory will adapt to the new status quo very quickly and be risk-accepting in defending it.²² The same principle applies to rights, negotiating power, and other facets of state power.²³

Cognitive models gained popularity amongst psychologists in the 1950s as a method for explaining how humans process information. According to cognitive theory, humans employ heuristics to make sense of the vast amount of information they confront. While cognitive models do not follow a clear cost-benefit structure of reasoning, they can still be included in the loosely rational category because the reasoning process is logically discernible and follows a generalizable pattern. As everyone uses heuristics in their decision-making process, any particular actor doing so will be just as rational as all others.

There are four heuristics that cognitive psychologists use. First, humans are “limited capacity information processors,”²⁴ and simplify the world around them to gain a sense of order. One way this can be achieved is through reasoning by analogy. Reasoning by analogy highlights the human failure to obey rational choice theory when it dictates the maximization of current utility levels while ignoring sunk costs.²⁵ Second, humans desire consistency and tend to disregard or underestimate the importance of information which does not fit in their worldview. The implication is a tendency to disregard nuance and complexity in favor of a cohesive narrative.

Third, people think causally. They overestimate the probability of aggression if they can comprehend why it might occur. They make estimations based on available information, which is unlikely to constitute a viable probability analysis given the rarity of a repetition of similar events in history. Therefore, humans are very poor estimators of probabilities and

21 Miles Kahler, “Rationality in International Relations,” *International Organization* 52, no. 4 (1998): 927.

22 Jack Levy and William Thompson, *Causes of War* (Oxford: Wiley-Blackwell, 2010), 153.

23 Ibid.

24 Philip Tetlock and Charles McGuire, Jr., “Cognitive Perspectives on Foreign Policy,” *Political Behavior Annual* 1 (1986): 150.

25 Paul MacDonald, “Useful Fiction or Miracle Maker: The Competing Epistemological Foundations of Rational Choice Theory,” *The American Political Science Review* 97, no. 4 (2003): 556.

frequently fail to assess situations correctly. Finally, cognitive theory argues that humans are loss-averse actors, so that “loss is more painful than a comparable gain is pleasurable.”²⁶ Given these distortions in people’s perception of reality, cognitive models try to explain deviations from rational choice theory. It is also worth noting that all of these distortions are amplified in crisis situations²⁷ where there is a severe threat to important values and limited time in which to respond to that threat.²⁸

All three loosely rational theories are vulnerable to similar criticism as rational choice theory, namely that they lack verifiability. Determining which actor’s initial reference point or which heuristic is most used in any decision-making process remains difficult. Furthermore, prospect theory and cognitive theory do not so much try to provide an alternative to rational choice theory as they “accept rationality as a default position and then explain its boundaries.”²⁹ They are a collection of contingent models rather than individually coherent theories.

Irrationality

Finally, there is the idea of irrationality. One possible way of acting irrationally is through a completely random approach, whereby decision-making processes are equivalent to throwing a dice. However, it is very unlikely that people, let alone large organizations such as governments, act in this way.

Beyond complete randomness, irrationality seems to be defined by default in international relations and political science literature as that which evades rational explanation. Resources outside the discipline take a similar approach. The *Oxford Dictionary of Philosophy*, for example, defines irrationality as, “A view which releases the deliverance of some faculty, such as faith, or intuition, from the critical scrutiny of reason.”³⁰ A decision is thus irrational if it is reached without consideration of costs and benefits arising from the action.

26 Ibid., 104–09.

27 Levy and Thompson, *Causes of War*, 155–56; Barry Buzan and Lene Hansen, *International Security Studies* (Cambridge: Cambridge University Press, 2009), 31–32.

28 Richard Lebow, *Between Peace and War* (Baltimore: Johns Hopkins University Press, 1981), 7–12.

29 Gross-Stein, “Foreign Policy Decision-Making,” 104.

30 “Oxford Dictionary of Philosophy,” Oxford University Press, accessed November 24, 2012, www.oxfordreference.com.ezproxy.library.qmul.ac.uk/view/10.1093/acref/9780199541430.001.0001/acref-9780199541430-e-1704?rskey=iLMaLM&result=1466&q=.

Introduction to the Empirical Analysis

These theories will now be applied to the two case studies. Each case study will begin with a historical survey, followed by arguments for irrational, strictly rational, and loosely rational behavior. Each case study will conclude with a comparison of the explanatory value of these three theories.

As far as rationalist explanations are concerned, a hierarchy of preferences needs to be established. It will be assumed that the primary goal of the DPRK regime is regime survival.³¹ Relevant considerations are internal threats, such as popular, military, or ideological challenges to the leadership, and external threats, such as absorption into the ROK or military conflict with the United States.

It is assumed that welfare is the main secondary goal of the DPRK regime. This goal influences foreign policy in that the regime seeks to obtain as much food, monetary, or other aid from abroad as possible as long as it does not perceive its primary goal of regime survival to be threatened by the aid. In terms of domestic policy, welfare may be conducive to regime survival (by garnering public support for the regime) or contrary to it (as a certain level of welfare, especially in terms of food, is historically required to sustain a popular uprising). Obtaining these two goals requires bargaining power vis-à-vis foreign countries. Therefore, bargaining power can be seen as a means to these ends or as an underlying, intermediate goal of DPRK foreign policy.

Case Study I: The Agreed Framework of 1994

Case Study I: History

The first case to be considered is the Agreed Framework (AF) of 1994 between the United States and the DPRK. The development of the AF can be viewed within three distinct periods: the lead-up to the AF, its signing and initial workings, and its ultimate breakdown.

The first period arguably began in 1991 with the end of the Cold War and ended in the fall of 1994 with the signing of the AF. After the collapse of the USSR, the DPRK's security situation became precarious, which induced the DPRK to intensify its work on a nuclear program. The situation reached a crisis point in March 1993 when the DPRK threatened to leave the

31 Kang, "International Relations Theory," 311.

Nuclear Non-Proliferation Treaty (NPT) within ninety days. To avoid a military confrontation, the Clinton administration consented to negotiations, which led to the signing of the AF on October 21, 1994.³²

The second period covers from October 1994 until 1996 during which both sides complied with the AF. The AF stipulated that the DPRK would freeze its nuclear production and allow International Atomic Energy Agency (IAEA) inspections, which the DPRK indeed did.³³ The DPRK was also expected to ultimately dismantle its nuclear reactors. In return, the US ended economic sanctions against the DPRK and headed an international consortium, the Korean Peninsula Energy Development Organization (KEDO), which would provide the DPRK with two light-water reactors (LWR) for the civilian nuclear energy production and other sources of energy (such as heavy oil) until the completion of the LWR in 2003.³⁴

Between 1996 and 2003, the final period covers the time when the AF was officially still in place but no longer adhered to by either side. Owing to a lack of congressional support and funding from the other KEDO members, President Clinton was unable to secure sufficient funds and some of the promised fuel shipments were delivered late between 1996 and 1999.³⁵ Moreover, the construction of the promised LWR was severely delayed. It only began in 2002 and was put on indefinite hold at the end of that year, clearly not to be completed by the 2003 deadline.³⁶ In the meantime, the DPRK restarted its nuclear program, perhaps as early as 1998.³⁷ Interpretations of the reasons behind this failure vary. The DPRK points to Washington's tardiness in fulfilling its end of the bargain, whereas the US argues that it acted in good faith and blames the DPRK for violating the AF by restarting its nuclear program.³⁸

32 Michael Seth, *A Concise History of Modern Korea* (Plymouth: Rowman & Littlefield, 2010), 222–24.

33 James Sterngold, "North Korea Reports Fulfilling a Nuclear Promise," *The New York Times*, November 20, 1994, www.nytimes.com/1994/11/21/world/north-korea-reports-fulfilling-a-nuclear-promise.html?scp=2&sq=north+korea+inspect&st=nyt.

34 IAEA, *Agreed Framework of 21 October 1994 Between the United States of America and the Democratic People's Republic of Korea* (Geneva, 1994).

35 U.S. GAO, *Heavy Fuel Oil Delivered to North Korea Under the Agreed Framework* (Washington, 1999), 3.

36 Sung-joo Han, "North Korea: A Season for Carrot and Stick," *The New York Times*, November 22, 2002, www.nytimes.com/2002/11/22/opinion/22iht-edhan_ed3_.html.

37 David Sanger, "North Korea Site an A-Bomb Plant, U.S. Agency Says," *The New York Times*, August 17, 1998, www.nytimes.com/1998/08/17/world/north-korea-site-an-a-bomb-plant-us-agencies-say.html.

38 Victor Cha and David Kang, "Can North Korea Be Engaged?" *Survival* 46, no. 2 (2004): 98–99.

In order to move from one period to the next, the DPRK took three key decisions that need to be explained. The first two decisions involve the engagement with the US: first in escalating the nuclear crisis and then agreeing to the AF. Instead, the DPRK might have decided to develop its nuclear program while refusing to negotiate. The likely outcome would have been a military confrontation with the US which would be unfavorable for the DPRK. It is also conceivable that the DPRK could have developed its nuclear program in silence without threatening to leave the NPT. In this event, the US would have suspected the program's existence, but no immediate confrontation from either party was foreseeable at that point.

The third decision made by the DPRK was to allow the AF to fail. Why did it not take this opportunity to advance economically and politically by proving to be a trustworthy partner and "rejoining the international community"? This leads to the question of what were North Korea's intentions when signing the AF. Some argue that the DPRK never intended to maintain the AF, while others believe the DPRK eventually disapproved of the AF terms and hence decided to breach it.

Case Study I: Irrational?

Several proposed reasons support the claim that Kim Jong-il is irrational, but some of these reasons may actually bolster the rationality argument. To expand upon the irrationality argument, Michael Breen contends that Kim was indeed acting irrationally because of two particular personality traits. First, Breen argues that Kim was a "malignant narcissist."³⁹ This assessment is based on a psychological profile created by Jerrold Post and Laurita Denny for the CIA.⁴⁰ It concluded that Kim's childhood as the son of the Great Leader Kim Il-sung, with access to great riches compared to everyone else, led him to become self-absorbed and lacking in empathy.⁴¹ For this reason, Kim not only failed to empathize with others but was also incapable of viewing his own actions through someone else's perspective, which represents the US in this case.⁴² The failure of the AF could then be

39 Michael Breen, *Kim Jong-il – North Korea's Dear Leader* (Singapore: John Wiley & Sons, 2004), 92.

40 Jerrold Post and Laurita Denny, "Kim Jong-il of North Korea: A Political Psychology Profile," Political Psychology Associates, accessed January 23, 2013, <http://www.pol-psych.com/downloads/KJI%20Profile%20-%20Final.htm>.

41 Post and Denny, "Kim Jong-il of North Korea: A Political Psychology Profile."

42 Ibid.

attributed to Kim's failure to understand the political difficulties faced by the Clinton and Bush administrations in keeping US promises—for example congressional unwillingness to fund oil shipments—and deciding to “throw a tantrum” for not having his demands met.

However, this line of argument attributes a very benign role to the US for not meeting specified deadlines. Indeed, given the psychological profile assessment, it fails to consider Kim's perspective. The latter was justified in viewing America's failure to fulfill its promises as a breach of the AF.

Breen continues that this narcissism led to security paranoia and an exaggerated perception of existing threats. Given past attempts on his life and given that he had sent agents to attack South Korean targets, Kim was paranoid about his security.⁴³ James Laney and Jason Shaplen take this argument one step further in comparing DPRK's isolation in the international system to Kim effectively transferring his personal paranoia onto the entire country.⁴⁴ This would explain why Kim was unwilling to terminate the DPRK's nuclear program and violate the *juche* ideology of self-reliance by receiving economic benefits from the US.⁴⁵ Instead, he allowed the AF to fall apart.

According to Breen, this paranoia was compounded by Kim's leadership style. Breen used leadership profiles, originally developed by James Barber to assess various US presidents, to classify Kim as an “active-negative” leader.⁴⁶ Such individuals are active leaders that ambitiously drive toward implementing their policy goals but are ambitious to the point of being compulsive. As a result, they pursue their most important policy goals, regardless of how many minor ones have to be sacrificed. This approach renders such leaders inflexible. The final outcome may diverge significantly from the product of a rational cost-benefit analysis.⁴⁷ In Kim's case, the primary goal which he pursued obsessively was the development of nuclear weapons.

However, Kim became so focused on this goal that he failed to identify the opportunity offered by the AF: to gain international legitimacy. According to this argument, Kim acted irrationally in letting the AF fail because compliance would have benefited him more than the development

43 Breen, *Kim Jong-il*, 94.

44 James Laney and Jason Shaplen, “How to Deal with North Korea,” *Foreign Affairs* 82, no. 2 (2003): 19–20.

45 Grace Lee, “The Political Philosophy of *Juche*,” *Stanford Journal of East Asian Affairs* 3, no. 1 (2003): 105–12.

46 Breen, *Kim Jong-il*, 97.

47 James Barber, *The Presidential Character: Predicting Performance in the White House* (New Jersey: Prentice Hall, 1992), 9–11.

of nuclear capability.⁴⁸ Such apparent short-sightedness is often treated as proof of DPRK irrationality. Yet, it may in fact have constituted rational behavior because it ensured regime survival *in the short run*. In other words, from Kim's point of view, what is the advantage of being integrated into the international system if he is no longer in power to enjoy these benefits?

Case Study I: Strictly Rational?

Kim's decision to enter the AF and then let it fail may in fact have constituted rational behavior. First, the timing of the AF is telling. As Kyoung-ae Park argues, it was no "coincidence that North Korea approach[ed] the United States in the early 1990s, at a time when its former allies, Russia and China, normalized their relationships with South Korea."⁴⁹ At the time, the DPRK regarded re-engagement with the US, the newly crowned global hegemon, as an opportunity to enhance its security.⁵⁰ In this sense, the AF represented a victory for the regime: the US pledged not to attack the DPRK in exchange for its termination of its nuclear program. If Kim had not acted at this time, the DPRK's security situation could have been more insecure than it was at the end of 1994.

Second, Kim may have hoped to gain economic and political concessions by seeking to engage the US. While this outcome was by no means guaranteed, scholars have speculated that short-term economic aid, such as fuel shipments from the US, explained Kim's approach.⁵¹ This argument becomes all the more credible when considering that the DPRK was in economic crisis and beset by famine from 1993 to 1998, following the cessation of trade in agricultural products with the USSR in 1991. Financial support from China was insufficient to stave it off, and inaction would have further threatened regime stability, certainly an issue after Kim Il-sung's death in July 1994. Thus, Park argues that Kim Jong-il was willing to enter international negotiations on the off chance of obtaining external economic aid to solidify his domestic position.⁵² Indeed, he was successful

48 Breen, *Kim Jong-il*, 101–02, 174–75.

49 Kyoung-ae Park, "North Korean Strategies in the Asymmetric Nuclear Conflict with the United States," in *Nuclear North Korea: Regional Dynamics, Failed Policies, and Ideas for Ending a Global Stalemate*, ed. Su-hoon Lee (Seoul: Kyungnam University Press, 2012), 94.

50 Ibid.

51 Victor Cha, "Hawk Engagement and Preventive Defense on the Korean Peninsula," *International Security* 27, no. 1 (2002): 42.

52 Philip Park, *The Dynamics of Change in North Korea: An Institutional Perspective* (Changwon:

in doing so and managed to improve diplomatic relations with other states and to gain economic aid by signing the AF.⁵³

Yet, even if the DPRK was desperate to engage with the United States in the early 1990s, why do so through escalating the nuclear crisis? Such escalation was perceived by outsiders as dangerous and irrational, demonstrating that the regime could not be trusted. Several scholars have argued that for the DPRK, “it pays to provoke,”⁵⁴ when compared to other, less threatening negotiating techniques. The success of this “crisis-oriented negotiating style”⁵⁵ was first tested with the AF and has established a long, successful track record since.⁵⁶

Engaging the US through nuclear escalation was, in fact, a relatively low-risk strategy on the part of the DPRK. While the Clinton administration was sufficiently alarmed to contemplate a military strike, the likelihood of US military action was rather low given that the DPRK was within China’s sphere of influence.⁵⁷ Moreover, the DPRK could always count on the ROK to rein in its American ally. The South Korean public’s sympathies tend not to lie so much with the DPRK regime but rather with the North Korean people.⁵⁸ South Korean President Kim Young-sam protested against US plans for a military strike and thus provided a rather ironic security guarantee through which the DPRK could engage the US.⁵⁹

This type of strategic thinking was also evident with regards to China. In 1995, a DPRK official told a visiting US delegation that to counter-balance Chinese power, a closer relationship with the DPRK would be beneficial to the US.⁶⁰ This remark revealed an acute awareness of international politics

Kyungnam University Press, 2009), 25–27.

53 Jung-ho Bae and Sung-chull Kim, “Japan’s North Korea Policy,” in *Engagement with North Korea: A Viable Alternative*, eds. Sung-chull Kim and David Kang (New York: SUNY Press, 2009), 76.

54 Lee Sung-Yoon as quoted in Sang-hun Choe, “North Korea Gets Ready for Launching,” *The New York Times*, December 6, 2012, http://www.nytimes.com/2012/12/07/world/asia/07iht-north-korea07.html?ref=world&_r=0.

55 Scott Snyder, “Negotiating on the Edge: Patterns in North Korea’s Diplomatic Style,” *World Affairs* 163, no. 1 (2000): 8.

56 Sung-chull Kim and David Kang, “Introduction: Engagement as a Viable Alternative to Coercion,” in *Engagement with North Korea*, 8.

57 Bonnie Glaser, Scott Snyder, and John Park, “Keeping an Eye on an Unruly Neighbor,” Center for Strategic and International Studies, January 2008, <https://www.usip.org/sites/default/files/Jan2008.pdf>.

58 KINU, 통일1993 전국설문조사결과 [1993 National Poll Results in the Matter of National Re-Unification] (Seoul: KINU, 1993), 32, 42.

59 Young-shik Bong, “Waiting to Reap the Final Harvest: U.S. Engagement Policy to Denuclearize North Korea,” in *Engagement with North Korea*, 30.

60 Nayan Chanda, “Lesser Evil: After Chinese Brush-Off, North Korea Courts U.S.,” *Far East Economic Review* 158 (1995): 17–18.

realities, as well as a strategy to play the US and China against one another for the DPRK's gain.⁶¹

The next question to be addressed is whether it was rational for the DPRK to break the AF from 1996 onwards. Park argues that the economic crisis drove the DPRK into negotiations, but to survive long-term, nuclear weapons were essential to deter South Korean or US attacks. Moreover, the delays in fuel shipments between 1996 and 1999 were interpreted by the DPRK as the US reneging on its promises. Finally, while the DPRK has a large military in terms of troop size, most of its military is engaged in civilian construction projects.⁶² As most North Korean workers are low skilled, soldiers are needed for civilian jobs, and a nuclear program would ensure security while freeing soldiers for other work.⁶³ In this sense, the DPRK nuclear program might even be regarded as an Asian version of Eisenhower's New Look. Therefore, breaking the AF can be rationally explained from the DPRK perspective.

Case Study I: Loosely Rational?

While the strictly rational approach explains the DPRK's decisions to enter into and then abrogate the AF, the argument can be augmented by loosely rational theories, particularly with regards to the decision to breach the AF.

Prospect theory qualifies the argument that Kim's behavior was irrational because integration into the international system would have been more beneficial for the DPRK in the long run. This theory contends that Kim was not looking at the long run but trying to survive in the short run by maximizing DPRK utility relative to the economic deprivation and isolation which the country found itself in 1993.⁶⁴

The situation is also supported by cognitive models. Part of Kim's alleged paranoia may be explained through the heuristics of causal thinking. Listing the reasons for aggression against himself or the DPRK (such as Washington's frustration at the dissolved AF or ROK's fear of a DPRK attack) may have increased Kim's sense of insecurity and thus led to the intensification of the "Korean Cold War" through isolation and renewed

61 Taekyoon Kim, "Strategizing Aid: U.S.-China Food Aid Relations to North Korea in the 1990s," *International Relations of the Asia-Pacific* 12 (2012): 47-49.

62 Bruce Cumings, *North Korea: Another Country* (New York: The New Press, 2004), 1-2.

63 Park, *The Dynamics of Change in North Korea*, 34-35.

64 Kahneman and Tversky, "Prospect Theory: An Analysis of Decision Under Risk," 263.

nuclear aspirations.⁶⁵

Moreover, constructivism may provide additional justification for why the DPRK allowed the AF to fail. Laney and Shaplen believe that the DPRK never intended to give up its nuclear program.⁶⁶ Thus, the discontinuation of the AF can be attributed to two factors. First, a nuclear weapon was perceived as a sign of “anti-Americanism,” which forms part of the DPRK’s national identity⁶⁷ and is driven by the cabinet, the Party, and the military.⁶⁸ Second, in its competition with the ROK, nuclear capabilities are a source of “national pride” for the DPRK.⁶⁹ In this sense, nuclear capabilities have intrinsic value for the regime, which exceeds mere defense or deterrence strategies.⁷⁰ Thus, abiding by the AF would ultimately have resulted in immeasurable losses for the nation and was thus never seriously contemplated. Constructivist viewpoints help illustrate how Kim may have taken other factors such as national identity and pride into account during his cost-benefit analysis of the AF.

Case Study I: Section Conclusion

DPRK foreign policy during the time of the AF can be well explained by rational choice theory and supplemented by loosely rational models. The argument for irrationality is not convincing. While Kim may have possessed certain narcissistic and paranoid character traits, evidence to demonstrate that these characteristics were decisive for DPRK foreign policy is scarce. Moreover, in focusing solely on Kim’s behavior, the argument proposing DPRK irrationality is rather one-sided and one-dimensional. While the testimonies of Kim’s security guards—some of whom managed to defect to the ROK—somewhat corroborate the paranoia thesis, the irrationality argument fails to consider that this paranoia may have been justified fear.⁷¹

The rationalist explanations are convincing because the DPRK initially benefited from the AF. It received economic aid and improved

65 Rob Ranyard, Ray Crozier, and Ola Svenson, eds., *Decision-Making: Cognitive Models and Explanations* (London: Routledge, 1997).

66 Laney and Shaplen, “How to Deal with North Korea,” 22.

67 Kim and Kang, *Engagement with North Korea*, 8–14.

68 Patrick McEachern, “North Korea’s Policy Process: Assessing Institutional Policy,” *Asian Survey* 49, no. 3 (2009): 539–44.

69 Bong, “Waiting to Reap the Final Harvest,” 27.

70 Laney and Shaplen, “How to Deal with North Korea,” 9.

71 Breen, *Kim Jong-il*, 94.

diplomatic relations, pulled out in time to keep its nuclear program, and did not have to integrate into the international community to an extent which would threaten its core values, such as the cult of the leader or its *juche* ideology.

It must be acknowledged that a key flaw in rationalist viewpoints is to assume a large amount of knowledge and foresight on Kim's part. Yet, it nonetheless seems rather unlikely that such a positive outcome could have been achieved through pure luck and on the whim of a paranoid, narcissistic leader. Far more realistic, though, is to criticize a rational viewpoint of North Korean behavior based on its short-term nature and essential short-sightedness. This is where loosely rational arguments compensate for certain deficiencies of the strictly rational explanation. However, it should be noted that loosely rational explanations are unable to stand on their own, and are only convincing as a supplement to the strictly rational argument.

Case Study II: The Sunshine Policy

Case Study II: History

The second case study is the DPRK's reaction to the Sunshine Policy (SP), initiated by former ROK President Kim Dae-jung in February 1998. Deriving its name from Aesop's lesson that persuasion is better than force,⁷² the SP follows a neo-functionalist approach, offering the DPRK integration into the international community in hopes of causing regime change through inducement rather than force.⁷³ The SP consisted of three main principles: no armed provocation would be tolerated, no absorption of the DPRK would be set as a goal, and inter-Korean cooperation would be promoted.⁷⁴ The SP was official ROK policy under Kim Dae-jung and his successor, Roh Moo-hyun, until the end of the latter's term in 2008. However, given the complexities of inter-Korean relations during this time and because the later period is distorted by the DPRK's policy toward the United States, only the 1998 to 2003 period will be considered here.

72 Aesop, *The North Wind and the Sun*. In this Ancient Greek fable, the North Wind and the Sun compete against each other, trying to get a traveller to remove his coat. The North Wind fails with force, but the Sun is successful through persuasion.

73 Hyun-joon Chon, "The Inter-Korean Summit: Evaluation and Tasks Ahead," *East Asian Review* 14, no. 2 (2002): 4–5.

74 Samuel Kim, "North Korea in 2000: Surviving through High Hopes of Summit Diplomacy," *Asian Survey* 41, no. 1 (2001): 14.

Periodizing the DPRK's foreign policy during these six years is somewhat more difficult than in the case of the AF. The periodization which seems to meet with general consensus goes as follows: the first period lasted from February 1998 until March 2000 when the DPRK was extremely skeptical of the SP and largely ignored it. In August 1998, the DPRK even launched a Taepodong-1 test rocket over Japan.⁷⁵ Yet, what is often ignored is that the DPRK was far from isolationist during this time. This period oversaw the onset of diplomatic relations with sixteen EU states,⁷⁶ the reception of US Secretary of State Madeleine Albright in Pyongyang in October 2000,⁷⁷ and South Korean tourist visits to Mount Kumgang starting in 1998.⁷⁸

The second period was initiated by Kim Dae-jung's March 2000 speech in Berlin, in which he promised economic aid to the DPRK and support for improvements in infrastructure and electricity supply.⁷⁹ The DPRK became much more interested in inter-Korean relations and engaged more actively with the ROK. While taken as a positive sign, the period of engagement was short-lived.⁸⁰ It culminated in summer 2000 with the signing of the South-North Joint Declaration (SNJD) on June 15 and the summit meeting of Kim Dae-jung and Kim Jong-il in Pyongyang in August. The SNJD outlined the conditions for Korean unification as dependent upon the Korean people rather than outside powers and found common ground in the ROK's concept of "confederation" and the DPRK's concept of "federation" around which to structure the future of the two Koreas. The SNJD also laid the groundwork for family visits across the DMZ, the reopening of the Kyungui railway, and a steady dialogue between government officials.⁸¹

The historic Summit Meeting represented the first face-to-face meeting between leaders of the two Koreas since the 1950s. Moreover, as with the signing of the SNJD, that a North-South meeting took place at all

75 Kyung-ae Park, "North Korea's Defensive Power and U.S.-North Korea Relations," *Pacific Affairs* 73, no. 4 (2001): 536.

76 Kim, "North Korea in 2000," 19–21.

77 Jane Perlez, "Albright Greeted with a Fanfare by North Korea," *The New York Times*, October 24, 2000, www.nytimes.com/2000/10/24/world/albright-greeted-with-a-fanfare-by-north-korea.html?pagewanted=all&src=pm.

78 "To Hyundai's Chagrin, Few Want to Tour North Korea," *The New York Times*, January 17, 2001, <http://www.nytimes.com/2001/01/17/business/worldbusiness/17iht-hyundai.t.html>.

79 *Le Monde Diplomatique*, "Address by President Kim Dae-jung of the Republic of Korea, Lessons of German Reunification and the Korean Peninsula," March 9, 2000.

80 Hwa-seon Lee, "Korea Highlights," *Australian Quarterly* 72, no. 4 (2000): 9.

81 "South-North Joint Declaration," United States Institute of Peace, June 15, 2000, accessed March 1, 2017, www.usip.org/files/file/resources/collections/peace_agreements/n_skorea06152000.pdf&sa=U&ei=n2slUeH7AonPQXxroCYDw&ved=OCB8QFJAB&usg=AFQjCNEiolVboHUG7ZOVf-WUya6T8j_32Q.

entailed an implicit recognition of both countries' separate existence.⁸² The two Koreas struck an agreement for the construction of a joint industrial complex in Kaesong, where North Korean workers would be employed by South Korean companies and thereby deliver income and tax revenue to the DPRK.⁸³ Another achievement was closer economic ties between the two Koreas, although the DPRK stopped short of recognizing ROK companies as domestic and instead granted them Most Favored Nation (MFN) status.⁸⁴

The final period was marked by increasing tension and brinkmanship and arguably began with the DPRK canceling of ministerial level meetings scheduled for March 2001 for no apparent reason.⁸⁵ Several talks and meetings were resumed and then abruptly canceled by the DPRK in an apparently haphazard, on-off style. The uncertainty was compounded by the DPRK removing all personnel from the Kyungui railway project in March 2001⁸⁶ and naval skirmishes on the west coast of the border in June 1999 and again in June 2002.⁸⁷

Case Study II: Irrational?

The most convincing justification for the idea of irrationality, in what was also discussed in the AF section, stems from the regime being presented with an opportunity to engage with the outside world and join the international community. On both occasions, the regime initially embraced this to some extent, only to let it slip away after merely temporary gains had been achieved. Such behavior is plainly contrary to strictly rational views of long-term utility maximization.

Again, with Kim Jong-il's possible paranoia being so severe, he simply did not want to engage with the outside world for fear that increased contact would lead to internal uprisings and end his rule. This theory is supported by his frequently hostile and wildly exaggerated behavior. For example, in 2000, he yet again threatened to cancel ministerial level talks between the Koreas,

82 Nam-koong Young, "Similarities and Dissimilarities: The Inter-Korean Summit and Unification Formulae," *East Asian Review* 13, no. 3 (2001): 59.

83 Chon, "The Inter-Korean Summit," 3-4.

84 Kim, "North Korea in 2000," 18.

85 Young-chool Ha, "South Korea in 2001: Frustration and Continuing Uncertainty," *Asian Survey* 42, no. 1 (2002): 56-66.

86 *Ibid.*, 57.

87 Dae-won Koh, "Dynamics of Inter-Korean Conflict and North Korea's Recent Policy Changes: An Inter-Systemic View," *Asian Survey* 44, no. 3 (2004): 436.

because of an “antagonistic”⁸⁸ view expressed in Seoul’s 2000 Defense White Paper. Kim was so offended at the White Paper’s suggestion that his government still posed a major security threat to the ROK that he moved “500 short-range missiles and other artillery near the border with South Korea,”⁸⁹ thereby turning the assessment into a self-fulfilling prophecy.

In the process, Kim incidentally forgot his own naval provocations of 1999, not to mention his regime’s continued official goal of “‘communizing’ South Korea,”⁹⁰ at a point when the ROK had scrapped its own goal of absorbing the DPRK. Similarly, the DPRK appeared to wildly overreact to allegedly hostile comments by the head of the South Korean Red Cross, which was involved in the coordination of the family visits.⁹¹ This behavior reinforces the narcissistic and paranoid traits discussed in the first case study.

Another oft-cited argument for irrationality is the constant back and forth between engagement and isolationism, or brinkmanship, outlined above. Kim’s alleged paranoia is emphasized by his interpretation of the Sunshine Policy as a “sunburn policy,”⁹² which he regarded as subversive and aimed at undermining the regime by giving its people greater access to the ROK’s economic and cultural success and thus instigating a rebellion.

This may indeed have constituted paranoia at the outset of the SP, when Kim Dae-jung envisioned a relationship of “loose...reciprocity”⁹³ in which both Koreas would have equal standing. However, it was fed by a particular understanding of history within the DPRK, which assumes the Soviet bloc did not collapse because of internal faults—military, political, or economic—but rather because of contact with the West, which exposed the people to “imperialist ideological and cultural poisoning.”⁹⁴

It is both ironic and rather telling then that the DPRK only began seriously engaging with the ROK after Kim Dae-jung’s speech in Berlin, in which he abandoned the loose reciprocity standard and instead promised that “[t]he Government of the Republic is ready to respond positively to any North Korean request [for economic and humanitarian assistance]”⁹⁵ without any expectations in return. When this is juxtaposed against Kim

88 Kim, “North Korea in 2000,” 20.

89 Ibid.

90 Ibid.

91 Ibid., 19–20.

92 Ibid.

93 Chon, “The Inter-Korean Summit,” 13.

94 Koh, “Dynamics of Inter-Korean Conflict,” 434.

95 *Le Monde Diplomatique*, “Address by President Kim Dae-jung.”

Jong-il's supposed "subverting by good will" theory, the new approach should have seemed even more threatening to him. Moreover, a certain amount of paranoia on Kim Jong-il's part may well have been justified, given that one of Kim Dae-jung's goals was to achieve a "soft-landing"⁹⁶ for DPRK's breakdown rather than a sudden collapse, which would force South Korea to conduct a costly absorption of the North.⁹⁷

Case Study II: Strictly Rational?

Arguments for rational behavior are largely based on the timing of certain DPRK decisions and Kim Jong-il's negotiating strategy which led to positive returns for the DPRK. During the initial phase of the SP in 1998 and early 1999, it may have seemed prudent for the regime to be suspicious of the radically new approach adopted by the ROK. During the course of the engagement phase—from 1999 (if considering international diplomatic engagement) or 2000 (if considering ROK-DPRK relations only) until 2001—the benefits for the DPRK can be placed into four categories: diplomatic relations, economic relations, aid, and image improvement for Kim (both domestically and internationally). In all these areas, the strictly rational argument proposes that the regime acted to reap the greatest benefits possible, while not compromising the central goal of system maintenance. Ultimately, "[t]he fundamentals of the North Korean system remain[ed] unchanged."⁹⁸ Regime survival remained a core issue as evidenced by DPRK's interest in receiving economic aid more so than improving relations with the ROK or allowing family contact across the DMZ.⁹⁹

In 1999, the DPRK began a diplomatic initiative to normalize relations with several European and a few Asian countries. The timing was ideal. Internationally, it depicted the regime as moving away from its isolationist stance.¹⁰⁰ Kim Dae-jung, hoping to elicit a positive reaction to his SP, certainly treated it that way. Accordingly, he pleaded with the US to also engage the DPRK. While the Clinton administration was not prepared

96 Han Park, "North Korean Perceptions of Self and Others: Implication for Policy Choices," *Pacific Affairs* 73, no. 4 (2001): 512.

97 Koh, "Dynamics of Inter-Korean Conflict," 426.

98 Kim, "North Korea in 2000," 25.

99 Koh, "Dynamics of Inter-Korean Conflict," 438.

100 Calvin Sims, "North Korea, Apparently Seeking to End Its Isolation, Agrees to Resume Talks With Japan," *The New York Times*, December 4, 1999, www.nytimes.com/1999/12/04/world/north-korea-apparently-seeking-end-its-isolation-agrees-resume-talks-with-japan.html.

to normalize relations entirely, it did lift some of the economic sanctions.¹⁰¹ Moreover, with these delaying tactics, the DPRK was able to obtain a lot of aid. Pressing the ROK to prove it was serious about the SP, Kim Jong-il called on Kim Dae-jung to deliver the support for infrastructural improvement that Kim Dae-jung promised in his Berlin speech.¹⁰² In addition to keeping its promise, the ROK donated 1.6 million tons of food¹⁰³ and 200,000 tons of fertilizer.¹⁰⁴

Despite the cooperation and aid offered by the ROK, the DPRK refused to label South Korean companies operating within the DPRK as “domestic” firms. Instead, to the great dismay of the ROK, the DPRK merely conferred MFN status upon ROK firms, subjecting them to high taxes as “foreign” firms.¹⁰⁵ Here again, the regime displayed its talent for choosing the most favorable path for its interests, in full awareness that Kim Dae-jung had staked his reputation and political career on the success of the SP and would accept MFN status for the ROK.

The same tendency was visible in Kim Jong-il’s insistence on holding the first Summit Meeting in Pyongyang and subsequent refusal to attend the scheduled return visit in Seoul, where he would not have home advantage.¹⁰⁶ These negotiating and stalling tactics, as well as media controls during the negotiating phase, can be interpreted as clear indicators of the tactical thinking of the North Korean leader. Entering negotiations enabled Kim to improve his image, both in the ROK and internationally. He also strengthened perceptions of himself at home as a gracious leader who could procure food and other aid from abroad for his people—a reputation that had been damaged by the Arduous March of the famine years—and as adept leader in foreign policy by proclaiming that the Pyongyang summit would prove the “superiority of the DPRK in the eyes of all Koreans living in the South and abroad.”¹⁰⁷

101 Kim, “North Korea in 2000,” 23–24.

102 James Foley, “‘Sunshine’ or Showers for Korea’s Divided Families?” *World Affairs* 165, no. 4 (2003): 180.

103 Kim, “North Korea in 2000,” 17.

104 Aidan Foster-Carter, “Kim to Kim,” *The World Today* 56, no. 6 (2000): 18–19.

105 Kim, “North Korea in 2000,” 18.

106 *Ibid.*, 15.

107 Jordan Weissman, “How Kim Jong Il Starved North Korea,” *The Atlantic*, December 8, 2011, www.theatlantic.com/business/archive/2011/12/how-kim-jong-il-starved-north-korea/250244/.

To further enhance the North Korean leader's domestic image, the Korean Central News Agency (KCNA, DPRK state media) proclaimed that "[a]t the request of President Kim Dae-jung, he will visit Pyongyang from June 12 to 14, 2000."¹⁰⁸ Moreover, while Kim Jong-il's voice was clearly audible on all internationally shown news footage, he was never heard speaking during the Summit on KCNA news. He was thus able to present himself domestically as having granted a visit requested by a foreign leader, without committing to his agenda, while appearing cooperative abroad.¹⁰⁹ This media strategy reveals the extent of the calculations on Kim's part.

The provocation and brinkmanship which intensified from March 2001 onwards was interpreted by many North Korea experts as a tactic to extort further aid and concessions from the ROK and other countries.¹¹⁰ This strategy was successful to the extent that the DPRK maneuvered itself into the position of greatest aid receiver from the US on the Asian continent, while simultaneously denouncing the US for its "imperialist" foreign policy.¹¹¹ Similar contradictions applied to the DPRK-ROK relationship illustrates how Kim was able to reap multiple advantages from his policy of engagement and tension without sacrificing much in terms of DPRK strategy or ideology.

In sum, an "engagement-only" policy would have left the DPRK with the initial aid proposals and the benefits laid out in the SNJD and Summit Meeting. Yet, a cost-benefit analysis reveals that the "engagement plus provocation" policy was more beneficial for the DPRK, giving it the upper hand in negotiations and enabling it to obtain more aid than would have been possible otherwise.

Case Study II: Loosely Rational?

Loosely rational theories can add to the rationalist argument laid out above. Constructivism explains the DPRK's limited perspective while cognitive models point to the order of Kim's priorities which may not be intuitive to the outside observer. As with the AF, prospect theory can explain the apparent short-sightedness of DPRK policy: aimed at short-term maximization of aid rather than the long-term benefits of improved foreign relations.

108 "North-South Agreement," Korean Central News Agency, April 10, 2000, accessed March 1, 2017, www.kcna.co.jp/item/2000/200004/news04/10.htm.

109 Lee, "Korea Highlights," 11.

110 Chon, "The Inter-Korean Summit," 9–10.

111 Kim, "North Korea in 2000," 27.

Constructivism again points to the importance of ideology in the formation of policy. Self-reliance and military first were the two core values in DPRK ideology. This would explain its aversion to cooperation with the ROK, which is viewed as threatening DPRK independence.¹¹² Although this accounts for the provocations during 2001–2002, it fails to explain why the DPRK chose to engage the ROK through the summit meetings and other talks in the first place. This shortcoming of constructivism demonstrates yet again that loosely rational theories cannot stand by themselves but need to be combined with strictly rational explanations.

Another question is the extent to which Kim was the driver of DPRK ideology, or if he was in fact *driven* by it. In an interview, he pointed towards certain “radical and militant expressions”¹¹³ within the DPRK leadership, which prevented him from further engaging with the outside world. Kim seemed to be fully aware of the need to maintain his father’s ideology in order to sustain his own rule, but this inevitably entailed a certain amount of isolation, which, if taken too far, could result in internal collapse.¹¹⁴

Furthermore, cognitive models propose that humans are loss-averse, willing to sacrifice large potential gains for the sake of preventing (arguably) small losses. Kim feared that opening up his country to the ROK would mean admitting defeat in the “legitimacy competition” over whether the ROK or the DPRK was the legitimate national government.¹¹⁵ For this reason, he was willing to give up any long-term prospects of joining the international community, which would have granted the DPRK many more long-term benefits.

Finally, it could be argued that another heuristic, the disregarding of information which contradicts an individual’s world view, also applied to Kim. As Park has suggested, Pyongyang disliked both the SP of Kim Dae-jung’s administration and the Clinton administration’s engagement policy because it considered them to be one-sided. Through these policies, “only North Korea is to be engaged with the United States and the West. Pyongyang observes that the policy does not guarantee US engagement with North Korea, as evidenced by the lack of economic investments by US firms.”¹¹⁶

If representing Kim’s thinking, it was rather selective. It completely

112 Koh, “Dynamics of Inter-Korean Conflict,” 433.

113 Kim, “North Korea in 2000,” 26.

114 Ibid.

115 Scott Snyder, “North Korea’s Challenge of Regime Survival: Internal Problems and Implications for the Future,” *Pacific Affairs* 73, no. 4 (2001): 519–20.

116 Park, “North Korean Perceptions of Self and Others,” 512–13.

ignored the fact that US and ROK aid to the DPRK was also one-sided. The cognitive explanation for this, though, would be that the distrust felt towards the Western capitalist system—specifically the idea that it seeks to exploit other countries for its own benefit—is so ingrained that the concept of non-reciprocal aid is downplayed when the bigger picture of foreign relations is considered. However, as Park does not provide direct citations, it is difficult to determine the extent to which this unilateral theory is representative of DPRK policy.

Case Study II: Section Conclusion

When reading through existing scholarly literature on the SP, the vastly different authors' interpretation of facts is striking. Some point to the constant cycle of back and forth between engagement and provocation in DPRK foreign policy, viewing this approach as undecided at best and irrational at worst. Other authors, however, dig deeper and identify an underlying pattern in DPRK foreign policy, which does seem to maximize utility for the regime in terms of its survival, economic aid, and security goals.

Of these wildly differing positions, the rationalist interpretation seems more convincing in explaining the motivations behind DPRK foreign policy. The irrationality argument fails to provide clear causal connections, perhaps even by definition. The argument is based on an apparent randomness in DPRK foreign policy and seeks to explain this through analysis of the leader's personality traits, which chief amongst them is paranoia. The irrational viewpoint implies that it makes little sense to search for rational motivations when the actor is known to be irrational. However, in doing so, assumptions, rather than evidence-based arguments, are entered into and fail to consider rational accounts of DPRK foreign policy. Thus, while both Kim and the regime may be influenced by some irrational factors, these are outweighed by the evidence suggesting rational behavior. This assessment is supported by the success of the DPRK which has engaged in:

Brinkmanship diplomacy with nuclear or missile security threats. At the same time, North Korea has been seeking economic benefits through expanded cooperation with foreign countries, sending up to forty-three delegations overseas in 1999 in an attempt to diversify its diplomatic channels, *rather*

*than changing its basic foreign policy.*¹¹⁷ [Emphasis added.]

In this case study, like the previous one, loosely rational explanations are useful and augment understanding of the DPRK's policy but are insufficient to stand on their own. While prospect theory and cognitive models were designed as supplements to rational choice theory to begin with, constructivism is also an insufficient explanation by itself. It can only convincingly explain part of North Korean behavior.

Conclusion

The evidence from both case studies suggests that rationalist explanations are more convincing in explaining North Korean foreign policy than the claims of irrationality. Rationalist explanations aim, quite literally, to follow the reasoning which the DPRK may have gone through in its foreign policy decisions. This is the greatest shortcoming of the irrational explanations: they fail to consider the regime's motivations and instead focus on one-sided perceptions of apparently haphazard changes in policy. As the two case studies have shown, these changes can be justified if rationalist models are applied. In Robert Bedeski's words, "North Korea has used its adversaries' (i.e. most of the world) aversion to conflict to extract maximum advantages with great effectiveness."¹¹⁸ Thus, the DPRK appears to have strategically engaged in seemingly erratic, contradictory behavior to maximize its utility.

Loosely rational explanations are helpful in explaining some of the behavior which strictly rational explanations cannot account for. The main benefit of loosely rational theories can be found in their ability to explain short-term rather than long-term utility maximization. However, these theories cannot stand on their own; they are plainly insufficient if the changes in DPRK foreign policy are to be explained substantively and consistently. Yet, it may prove that loosely rational theories gain in explanatory power if more information of the internal workings of the DPRK regime were to become available.

The greatest weakness of the rationalist explanations, though, lies in the risk of *post-hoc* rationalization. It is difficult to determine whether the DPRK really underwent the proposed reasoning processes, or if instead,

117 Robert Bedeski, "Peace and Neutrality on the Korean Peninsula: A Role for Canada?" *Pacific Affairs* 73, no. 4 (2001): 559.

118 *Ibid.*, 554.

these processes have only been retrospectively ascribed to the regime. Moreover, rational explanations fail to address how utility is assigned to certain outcomes. The theory assumes certain utility assignments as a given but loses explanatory power because it does not explain why. In other words, rational choice theory itself makes many assumptions which, very often, are impossible to test empirically.

Given this analysis, the question remains of why accusations of North Korean irrationality have persisted so thoroughly. Four reasons appear to explain this school of thought. First, the DPRK regime is a poor communicator and does little to help the outside world understand its policies. Its lack of external communication makes its foreign policy vulnerable to misinterpretation, especially when compounded with propaganda about Kim Jong-il, which could scarcely be more different in tone in the press generated by Western governments when they seek to explain their policies.¹¹⁹

Another factor is methodological. If rational behavior is based on a cost-benefit analysis to achieve a certain goal, the definition of the goal is crucial to the analysis. Some scholars seem to equate the greatest benefit for the DPRK regime with that of the North Korean people. Whenever this is not the case and the regime acts in its own best interest rather than that of its people, accusations of irrationality are easily wielded. Yet, this is again indicative of a failure to examine a particular situation from the perspective of the DPRK leadership, as opposed to that of a democratically-elected government, which has an inherently different level of dependency on the general public for electoral support.¹²⁰

This points to another shortcoming of the irrationality argument. Often, North Korean ideology itself is accused rather than the irrational behavior. In the words of Breen, "There are in the world, it hardly need be said, a number of unpleasant states ruled by rather unpleasant people. North Korea is one."¹²¹ Thus, the DPRK invariably stands accused of possessing an ideology which is uncivilized, abhorrent, and could scarcely run more contrary to human rights or human progress. Yet, the failure of many commentators to move beyond this fact in analyzing DPRK foreign policy leaves wide open the possibility that, within its ideology, the DPRK is actually acting perfectly rational.

119 Il-bok Li and Sang-hyon Yun, *The Great Man Kim Jong Il* (Pyongyang: Foreign Languages Publishing House, 1989).

120 James Fearon, "Domestic Political Audiences and the Escalation of International Disputes," *The American Political Science Review* 88, no.3 (1994): 577-92.

121 Breen, *Kim Jong-il*, 171.

Finally, a more cynical interpretation of the irrationality accusation is that it is politically motivated. Michel Foucault criticized the concept of “madness” as an invention of society to label and confine those who do not conform and are perceived as posing a threat to the generally accepted order through such non-conformity.¹²² Irrationality, in his view, is thus not a valid concept of evaluating behavior but rather serves as a label attributed to those actors who fail to “play by the rules of the game.” The DPRK represents the ultimate example of an “outsider” in the international community and is thus labeled as irrational. Actual facts, as this article argues, do not support this label. More importantly, if the international community seeks to successfully engage the DPRK in the future, such labels are not helpful.

122 Michel Foucault, *Madness and Civilization* (London: Routledge, 2001), 213.

CHINA'S ENCOUNTER WITH THE WEST: SINO-FRENCH RELATIONS BEFORE THE ARROW WAR

Jie Gao

Murray State University

This paper explores the evolution of Sino-French relations from the first diplomatic contact in the late seventeenth century to the outbreak of the Arrow War (Second Opium War) in 1856. Most research concerning modern Sino-French relations begins with the Arrow War of 1856-60, when French forces joined a punitive British-led expedition that thrashed the Chinese army and sacked Beijing. Prior to this dramatic turning point, however, French diplomatic policy towards China had gradually undergone significant modifications, shifting its emphasis from missionary activities to commercial interests before finally transforming France from a bystander in Chinese affairs to an active imperial power. This article will systematically explore modern Sino-French relations before the Arrow War in order to clarify how and why this evolution in French policy took place. It will highlight China's desire to establish cordial relations with France, evidenced by the Qing dynasty's willingness to grant deeper concessions than those given to Britain or the United States, and the aggressive turn in French foreign policy in the Far East that came with Louis-Napoléon's ascension to the throne in 1852. France had cultivated China's hope for a strong bilateral relationship, but in the end it preyed on Chinese weakness in much the same manner as all of the other Western powers.

In recent years, China has firmly cemented its status as one of the world's superpowers. It has enjoyed four decades of peace and robust economic growth, transforming into a country that would now be mostly unrecognizable to those who had last seen it during the mass deprivation of the Mao Zedong years. Western nations, including those that once took advantage of the Qing Dynasty's weakness in the nineteenth century to carve out their own

spheres of influence in China, now anxiously seek out Chinese investors that will help them maintain their high standard of living. At the same time, China's growing military assertiveness in areas such as the South China Sea has sent a clear message that Beijing will fight to defend its interests if necessary. The asymmetrical power relationship that existed at the time of China's first encounters with Western nation states has not exactly been reversed, but it most definitely has been eliminated. China deals with the West today with a confidence that could not contrast more greatly with its vulnerability of two centuries ago.

Historians have long been fascinated by early Sino-Western engagements, but this subject matter has renewed importance given China's leading role and the shifting power balance in our contemporary world. They have focused the lion's share of their attention on Britain's role in forcing the Qing to open its doors to the West during the Opium Wars, creating opportunities for secondary European powers, the United States, and Japan to ride in on its coattails. We can, however, gain more insight into this fascinating turn of events—not to mention both British and Chinese policy considerations—by exploring France's role in opening China in the nineteenth century. Historians of modern Sino-French relations typically choose to open with the Arrow War of 1856-60, a joint Anglo-French military campaign that culminated in a decisive victory over Chinese forces and the fall of Beijing to the western invaders. By choosing this starting point, historians have overlooked a very significant, but gradual, evolution of French policy towards China. France's stance was very much reactive, based on its relationship with Britain and a desire not to fall behind its long-time rival. At the same time, France was also very cognizant of its relative weakness in the region. As a result, France carefully shifted its focus from religious penetration, then trade, and ultimately, at the time of China's greatest vulnerability, to military intervention. This paper will examine France's most important strategic decisions in China prior to the Arrow War.

France played a long, clever game in China that enabled it to gain maximum concessions from Beijing at minimal cost. Paris first used missionaries to gain a presence in the Far East while it was preoccupied with European affairs in the eighteenth and early nineteenth centuries. Then, it remained astutely neutral—while feigning a sympathetic position towards China in conversations between French and Chinese diplomats—during the era of the Sino-British Opium War. France held out the prospect of Sino-French cooperation to exploit China's lack of potential foreign allies against Britain and, in doing so, secured deeper trade concessions than

any other foreign power. At the same time, French foreign policy under Napoleon III took an increasingly bellicose turn and was often coordinated with Britain, the strongest imperial power of the era. France augmented its military presence in the Far East during this period, but it did not have the ability to intimidate China into opening the entire country to French trade on its own. Thus, it waited for a pretext, which came with the brutal murder of French missionary Father Chapdelaine in 1856, then joined Britain in a punitive expedition that forced the desired trade concessions on Beijing. China was naive to assume that France would behave any less rapaciously than the other Western powers, but it had no alternative but to hold on to the faint hope of French cooperation against Britain given its lack of other cards to play.

Early Contact: French Activity in China

France and China, the greatest powers of the time in their respective regions, established relations with one another in the final years of the Ming Dynasty (1368–1644) and contacts between the two deepened during the early Qing Dynasty (1644–1911). In 1665, the Sun King Louis XIV sent a number of learned French Jesuits, including Joachim Bouvet and Joan Franciscus Gerbillon, to China for missionary work.¹ Louis XIV's empire expanded in Canada, the Caribbean, West Africa, and South Asia over the course of the seventeenth century. The French East India Company was founded a year earlier to challenge British and Dutch trade in Asia, where France lagged behind its competitors. Direct Sino-French trade began shortly thereafter when the *Amphitrite*, a ship under the French East India Company, departed for its first voyage to China and arrived in Guangzhou in November 1689.²

Successive French rulers presided over a rapidly growing empire, and the hyper-competitive environment of the era meant that events in one colony could quickly spill over into global wars with other European rivals. France fought no fewer than six major wars with England (later Great Britain) from Louis XIV's reign to Napoleon's, which meant that French commercial interests in China grew slowly as developments in Europe, the Americas, and to a lesser extent, South Asia, took precedent. Nevertheless, the lure of

1 John F. Cady, *The Roots of French Imperialism in Eastern Asia* (Ithaca: Cornell University Press, 1967), 7.

2 Paul Pelliot, *Le Pronies Voyage de L'amphitrite en Chine: l'origine des relations de la France avec la chine* (Paris: Librairie orientaliste P. Geuthner, 1930), 7.

Chinese trade prompted the French East India Company to establish a trading factory in Guangzhou in 1725,³ and in 1776 France established a consulate there.⁴ Despite these auspicious beginnings, Sino-French relations failed to develop in a meaningful manner before the First Opium War between China and Britain in 1840 due to developments back in Europe.

French missionary influence in China ground to a halt thanks to the infamous “Chinese Rites Controversy” in the 1720s, a highly divisive internal church debate between Jesuits on one hand and Dominicans and Franciscans on the other over whether certain Chinese practices were compatible with Christianity.⁵ Jesuits had been the champions of accommodating elements of Confucianism as a means of winning over more Chinese converts, while their Dominican and Franciscan rivals saw native practices as incompatible with Christianity. Pope Alexander VII sided with the Jesuits in 1656, which enabled Catholic missionaries to win the support of the Kangxi Emperor (1654–1722), who issued an edict of toleration towards Christianity in 1692.⁶ This goodwill evaporated when Pope Clement XI reversed course in 1704, condemning Chinese rites, a move that subsequently prompted the Kangxi Emperor to crack down on Catholic missionaries in his country in 1721.⁷ While Catholic France waffled over whether it should tolerate or suppress long-standing Confucian and imperial rites in China, Sino-French trade lagged while that of China and Protestant Britain—mercifully free from this counterproductive Catholic squabble—grew at a healthy rate.⁸

The unfavorable conclusion of the Chinese Rites Controversy for France was soon followed soon by a series of large-scale global military conflicts between the British and French empires. Paris spilled much blood and expended considerable treasure in the War of Spanish Succession (1701–14), the War of Austrian Succession (1740–48), the Seven Years War (1756–63), and the American War of Independence (1778–83), which meant that its attention was mostly consumed by events in Europe and the Americas until the end of the eighteenth century. France’s preoccupation

3 Zhongping Cao, *Dongyayutaipingyangguoji guanxi: dongxi fang wenhua de zhuangji, 1500–1923* [International Relations between East Asia and the Pacific: The Cultural Impact between the East and the West, 1500–1923] (Tianjin: Tianjin University Press, 1992), 40.

4 Taishen Wei, *China’s Foreign Policy: 1839–1860* (New York: Columbia University, 1932), 24.

5 Cady, *The Roots of French Imperialism in Eastern Asia*, 8.

6 David E. Mungello, *The Forgotten Christians of Hangzhou* (Lanham, MD: Rowman & Littlefield, 2015), 62.

7 Kejia Yan, *Catholic Church in China* (Beijing: China Intercontinental Press, 2004), 45.

8 Robert Maillard, *L’influence Française en Chine aux points de vue historique et économique* (Paris: Imprimerie Chaix, 1900), 44.

with European matters became so pronounced during the Napoleonic era that the French consulate in Guangzhou was cancelled in 1804.

Decades after the spectacular collapse of Napoleon's empire in 1815, the French government began the process of reconsidering its passive policy towards the Far East. This reevaluation was driven in large part by the growing intensity of conflicts between China and Britain at the end of the 1830s. During this period, Britain had surpassed France to establish itself as Europe's most formidable power and an uneasy coexistence developed between the two historic enemies. France had chosen a path of rapprochement with London during the reign of Louis Phillippe I (1830–48) by pursuing a more subdued, cooperative foreign policy to assuage fears of French revanchism. Nevertheless, Paris reasserted that France was at the center of the global developments despite its recent misfortunes and could not be allowed to fall behind any other nation.⁹ In order to make good on this pledge, France sent its first new consul, M. Gernavert, to Guangzhou in 1832 after a nearly thirty-year hiatus.¹⁰

On the eve of the Opium War, Théodore-Adolphe Barrot, a French consul in Manila, kept close watch on the Sino-British conflict and promptly reported on pertinent developments to the French government in Paris. He convinced his superiors to put more diplomatic resources in China to collect more detailed information for decision makers in Paris, which led to the reopening of the Guangzhou consulate in July 1839.¹¹ On the heels of this bureaucratic shuffling, A. S. Bellée twice proposed to Adolphe Thiers, who doubled as the French Prime Minister and Foreign Affairs Minister, in March and April 1840 that the French government should send out a diplomatic mission to China to restore France's former status and influence.¹²

After the Sino-British Opium War broke out in March 1839, France implemented a new Chinese policy aimed at better understanding the rapidly changing situation in the Far East. In March 1841, the French government decided to dispatch Adolphe Dubois de Jancigny (1795–1860), a soldier during the Napoleonic era who later spent a decade in Southeast Asia and

9 "Note sur la Mission en Chine," *Archives du Ministère des Affaires Etrangères, Mémoires et documents*; see Fuping Ge, "Faguoyuyapianzhazheng [France and the Opium War]," *Shijielishi* 5 (2000): 50.

10 R. Montgomery Martin, *China; Political, Commercial and Social; in an Official Report to the Majesty's Government* (London: 1847), 397.

11 Henri Cordier, *La Mission Dubois de Jancigny dans l'Extrême-Orient, 1841-1846* (Paris: Champion & Larose, 1916), 30–33.

12 A. S. Bellée, "Programme d'une Mission en Chine, Les 19 mars et 16 avril 1840," *Archives du Ministère des Affaires étrangères, Affaires divers politiques, Chine* 1: 2-15.

was widely regarded as one of France's most knowledgeable experts on the Far East,¹³ as an imperial envoy to China. The objective of this expedition was threefold. First, it was designed to obtain firsthand information on the political situation in China and on the prospect of extending French trade in the greater Far East. Second, it set out to draft a series of recommendations regarding the role which France might play in the area in the future given recent developments. Finally, it was a measure that would show the French flag in a region where France's historic rival Britain was aggressively using the Royal Navy to assert its geopolitical interests. This mission carried no diplomatic credentials and was not authorized to enter negotiations, severely limiting its ability to chart a new course for France in the region. Nevertheless, the squadron sailed from Brest harbor on April 28, 1841, and reached Chinese waters the following December.¹⁴

Given the lack of reliable information from the Far East, prudence was the overriding aim of French policy towards China at this time, an approach that dictated neutrality and non-interference in the Sino-British conflict. The French government adopted this position because the battlefield situation of the Sino-British War was still not clear when the observation mission was dispatched, and it was not possible for Paris to make a reasonable predication as to whether Britain would end up the victor. After the war broke out, Barrot reported to the government in an urgent document that he doubted the British expeditionary force could defeat the Chinese given popular determination to fend off the invaders.¹⁵ He was ultimately proven wrong. Furthermore, the French government decided against participating in the Sino-British conflict as much as possible to avoid inflaming British opinion or creating misunderstandings that had the potential to lead to more tension between France and Britain in Africa, the Near East, and Europe.¹⁶ France still stung from its long series of painful conflicts with Britain and did not want to risk action that would jeopardize efforts to reconsolidate its empire.

13 Henri Cordier, *Histoire Générale de la Chine et des relations avec les Pays Etrangère* (Paris: Geuthner, 1921), 10.

14 Cady, *The Roots of French Imperialism in Eastern Asia*, 33–34; Dubois de Jancigny, "Note sur la Mission projetée aux Indes Orientales et en Chine, Paris, March 24, 1841," *Archives du Ministère des Affaires étrangères, Mémoires et documents, Chine* 24: 5–6.

15 "Barrot au Duc de Maréchal Dalmatic," *Archives des affaires Etrangères, Correspondance Politique, Chine* 1: 26; Shuyuan Li, "The Jancigny Mission and Sino-French Relations during the Opium War," *Collected Papers of History Studies* 4 (2003): 20.

16 Qinghua Huang, *France's Missionary Policy towards China* (Beijing: China Social Sciences Press, 1991), 202.

Nevertheless, Jancigny and Jean Thomas Médeé Cécille operated independently of one another rather than coordinating their efforts. They both shared a desire to open China and assert French influence, which translated into a willingness to take bold actions that far exceeded those authorized by the French government.¹⁷ In late January, Cécille advised the Chinese to make peace as quickly as possible and suggested that Beijing should send a special envoy to Paris to formally request an alliance with France if that was what it sought. Sensing an opportunity, Cécille made two further requests of the Qing government: canceling the special tax on French merchantmen and the release of a French missionary. Nearing the end of the meeting, Cécille then indicated that the Qing officials might contact the special envoy sent by the French King.¹⁸

In meetings held in late March and early April, the French suggested seven principles for Sino-British negotiations that would satisfy the Western powers' position. This included: the permanent ceding of Hong Kong to Britain, British surrender of parts of China it occupied, opening of several Chinese ports for friendly nations' merchantmen, permission for foreign ministers to enter Beijing, a Chinese war indemnity in silver to Britain, Chinese compensation for British economic losses during the disruption of the opium trade, and a more flexible Chinese position on the issue of opium imports. Jancigny expressed his belief that the conclusion of a peace treaty on these terms would not only benefit China but also all "civilized" nations.¹⁹

These were indeed weighty overtures, but existing materials do not confirm whether Jancigny or Cécille actually had the right to negotiate with China in the name of France given that neither clarified their diplomatic status during their respective conferences with the Chinese. This was a deliberate subterfuge; they intentionally concealed their position in order to use the Qing officials' ignorance of international diplomatic protocol to France's advantage during the negotiations. There was little risk in this to France. If the Qing were willing to accept all of France's requests, a properly accredited diplomat could build on the work of Jancigny and Cécille, and Jancigny and Cécille could be rebuked for breaching protocol if the Qing denied the requests. After these conferences, both Frenchmen travelled separately north by water and began to carry out their next task: learning more about the situation on the ground in the Sino-British War.

17 Ibid., 34.

18 Ge, "Faguoyuyapianzhazheng," 51–52.

19 "Jancigny au Ministre des Affaires étrangères, Macao, 15 mai 1842," *Archives du Ministère des Affaires étrangères, Mémoires et documents, Chine* 24: 67.

New French Priorities

Events on the ground moved quickly, and the French government was forced to reconsider its new policy towards China following the conclusion of the Treaty of Nanjing between China and Britain on August 29, 1842. The Jancigny mission had only been in country for roughly a year and a half, but major decisions had to be made swiftly.

Before long, the French government adopted new measures and sent Benoît-Ulysse-Laurent-François de Paule, Comte de Ratti-Menton, a high-ranking Italian-born diplomat with extensive experience, to Guangzhou to strengthen France's influence in China.²⁰ Comte de Ratti-Menton arrived in July of 1843, at which point he provided sound advice for Paris. He observed that in view of Britain's tendency to enlarge its circle of dominion in Asia that extended from Turkey to China, an intensification of the rivalry between Britain and Russia, which was caught in the British pincers, was inevitable. He argued that such a development would afford France new opportunities to exploit the British-Russian rivalry, recommending that Paris should prepare a long-term policy of aggrandizement in eastern Asia and the establishment of a shorter and more secure line of communications with the homeland. He identified a harbor or an island in the Red Sea, the Gulf of Siam, and Tonkin as particularly valuable stepping stones for French colonial ventures in Asia.²¹

During his meeting with Qi Ying, the Qing imperial envoy in Guangzhou, on September 6, Comte de Ratti-Menton requested that France be granted the same trade privileges as Britain. Four days later, Qi Ying clarified French merchants did indeed enjoy equal rights to British and other Western competitors in China. Qi also praised the efforts of Comte de Ratti-Menton as a positive step towards the successful conclusion of Sino-French negotiations.²² Still, France's complicated diplomat shell game continued as the note he delivered from François Guizot, the foreign minister, stipulated that Comte de Ratti-Menton was not authorized to negotiate with China

20 Cordier, *La Mission Dubois de Jancigny dans l'Extrême-Orient*, 92–93.

21 "Ratti-Menton à Guizot, Ministre des Affaires étrangères, Macao, 29 juillet 1843," *Archives du Ministère des Affaires étrangères, Correspondance politique, Chine 1*: 182–87.

22 "Ki-Ying, Haut-Commissaire Impérial et Ki-Koung, Vice-Roi de la Province des Deux Kouang, à M. Guizot, Grand Ministre de France chargé du Département des Affaires étrangères, 23e année de Tao Kouang, 7e lune Intercalaire, 17e jour (10 septembre 1843)" in *La Mission Dubois de Jancigny dans l'Extrême-Orient*, 81–83.

given his rank of consul in Guangzhou.²³

Despite his best efforts, Jancigny was unable to keep pace with his compatriot in the competition to see which diplomat could secure the greatest package of concessions for France in China. However, Jancigny did represent the French government in signing the "Provisional Project of a Convention between France and China" with Qi Ying on July 5, 1843. The proposed treaty contained fifteen articles, the fifteenth of which was to remain a secret. In disregard of the "open door" principles that granted all foreign trades equal access to the Chinese market, several articles proposed granting special import privileges to French manufactured items and also to make provision for the export of raw silk to France outside of regular Chinese tariff requirements. The secret article provided that arms and ammunition of war of all sorts carried to China by French ships would be exempt from duty, which would be of great benefit to both parties in the event of the resumption of Sino-British hostilities.²⁴ China badly desired European weaponry to resist further British encroachment, while France saw an opportunity to profit from China's weakness and to curtail Britain's ability to gain further concessions through military pressure.

While Cécille, Jancigny, and Ratti-Menton disagreed with each other and took separate measures, they all shared the common goal of obtaining an agreement similar to the Sino-British Treaty of Nanjing, which would grant the same privileges to France as Britain enjoyed in China. Although their activities overstepped the boundaries of rank and the official instructions they had been provided by the French government, their policy proposals were nevertheless adopted by the government after the fact and contributed to its decision to deploy the Lagrené Mission to China. France was finally preparing itself to actually commit to a new direction.

The Lagrené Mission signaled a major transformation of French policy towards China. This mission was headed up by Théodose de Lagrené, an experienced career diplomat who was instructed by his government to focus on expanding French commerce. Following the Opium War, France dispatched two destroyers and three small escort ships to China, but its trade came nowhere close to matching its ability to project force in the region. Sino-French annual trade still amounted to only two million francs (the equivalent

23 *Journal des Débats*, 29 mai 1844.

24 J. M. Callery, *Journal des Opérations Diplomatiques de la Légation Française en Chine* (Macao, 1845), 30; Cady, *The Roots of French Imperialism in Eastern Asia*, 39. Regarding the detailed protocol, see "Projet d'une Convention provisoire entre la France et la Chine," in *La Mission Dubois de Jancigny dans l'Extrême-Orient*, 62–66.

of roughly US\$383,000 today), which lagged far behind that of Britain and the United States. The most important condition for growing future French commercial interests was securing equal treatment for French merchants. Therefore, Lagrené was directed to negotiate a treaty with China following the British model. Lagrené's mission was also ordered to collect commercial and shipping data which might be useful to French commercial interests. Along with promoting business interests in China, Guizot also requested that Lagrené ensure political privileges, such as consular jurisdiction.²⁵

In his secret instructions, Guizot emphasized the need to acquire a territorial foothold for France somewhere in the vicinity of China. Such a base was required to free French vessels from dependence on the hospitality of the Portuguese- (Macau), British- (Hong Kong), or Spanish-held (Manilla) East Asian ports and to provide facilities for extending political and commercial contacts with the people of the area. Guizot suggested that the base should possess a large and enclosed harbor and have a healthy climate with abundant supplies and water at hand. These instructions finally directed Lagrené to explore the possibility of acquiring a base from Spain in the Sulu Archipelago, situated between Spanish Mindanao and Borneo, and to consider the island of Basilan.²⁶

The Lagrené Mission arrived in Macao on August 13, 1844. Before Lagrené met with Qi Ying, he received cordial direction and help from both the American negotiator, Caleb Cushing, and the British representative in Hong Kong, J. F. Davis. Davis wrote a letter to Lagrené before the arrival of the French mission to express his willingness to provide help in France's policy towards China and sent a copy of the Sino-British treaty and regulations to Lagrené as a reference.²⁷ Cushing sent Lagrené a copy of the Sino-American Wangsha Treaty, highlighting the differences between the Sino-British and Sino-American treaties in detail, and educated him on how to negotiate with the Qing officials. Lagrené admitted that Cushing gave him a great deal of useful information.²⁸

25 "Instructions du Guizot, Ministre des Affaires étrangères à Lagrené, envoyé extraordinaire et ministre plénipotentiaire de France en Chine, Paris, 9 novembre 1843," *Archives du Ministère des Affaires étrangères, Mémoires et documents, Chine* 4: 130–39.

26 "Note Confidentielle, 9 novembre 1843," *Archives du Ministère des Affaires étrangères, Mémoires et documents, Chine* 4: 140–43.

27 "M. Davis, Minister Plenipotentiary, Governor and Commander in Chief of Hong Kong to M. Lagrené, Victoria, Hong Kong, 19 July 1844," *Archives du Ministère des Affaires étrangères, Mémoires et documents, Chine* 6: 32.

28 Lavollée, *France et Chine*, 32–34.

Negotiations Begin

Plans for negotiations were carefully laid during the month of September while Lagrené awaited Qi Ying's announcement of the opening of a formal Sino-French conference.²⁹ On October 5, formal negotiations finally started. Lagrené critiqued China's domestic and foreign policies repeatedly over the course of the conference, following with suggestions on how best to modify them as a precursor to establishing a mutually beneficial Sino-French friendship. According to the records from Lagrené and J. M. Callery, Lagrené focused on several main themes.³⁰ His first was that China should draw a lesson from its defeat to the British, abandon its policy of isolation, and seek a Western ally. Second, he proposed that France and China exchange diplomatic embassies and set up cultural institutes in their respective capitals to strengthen Sino-French relations. Third, he emphasized that France did not have any territorial claims in China, but it would be helpful for China to permit France a base—his suggestion was Humen in the Zhujiang River Estuary in close proximity to Macau and Hong Kong—from which France could assist China in the event of another war. Fourth, he suggested that China could express its respect and friendliness by permitting the spread of France's ethics and religion in China,³¹ reconsidering the punishment of Christians for criminal acts, and consenting to the legalization of Christianity.³² All in all, China readily made these concessions.³³

On the morning of October 6, the Chinese representative, Qi Ying, sent a formal note including copies of the Sino-British and Sino-American trade regulations and customs tariff transcripts to Lagrené to indicate that he agreed to negotiate similar terms with France. That afternoon, Qi Ying and Lagrené continued to negotiate. At this point, they exchanged plenary

29 Cady, *The Roots of French Imperialism in Eastern Asia*, 48.

30 J. M. Callery was an interpreter and translator in the Lagrené Mission. Callery was a Turin-born naturalized Frenchman who had studied Chinese in Macao under the Portuguese Father Gonzalez during the 1830s. He had resigned as a missionary in 1840 and returned to France. His connections appear to have been with the Paris Society. See Cady, *The Roots of French Imperialism in Eastern Asia*, 43.

31 In 1692, Emperor Kangxi enacted a toleration edict, which avoided any mention of the missionaries themselves in order to obviate any embarrassing counter demand on the part of the Chinese that France accepted responsibility for preventing furtive missionary penetration into the interior of China. See Cady, *The Roots of French Imperialism in Eastern Asia*, 49.

32 Angelus Crosse-Aschhoff, *The Negotiations between Ch'i-Ying and Lagrené, 1844–1846* (St. Bonaventure, NY: Franciscan Institute, 1950), 57–59; Louis Wei Qingxin, *France's Missionary Policy towards China* (Paris: Nouvelles Editions Latines, 1960), 263–66, 340–41.

33 Wei, *France's Missionary Policy towards China*, 267.

power certificates and decided to continue working out the text of the treaty the following day. China assigned Huang Entong, Pan Shicheng, and Zhao Changling as representatives, while France assigned Th. de Ferrière Le Vayer, Bernhard d'Harcourt, and Callery.³⁴

These negotiations proceeded smoothly, with seven meetings split between the dwellings of Qi Ying and Lagrené. Lagrené prepared the content of the protocol, while the Chinese representatives generally agreed to his draft without careful inspection, though there were a pair of exceptions. They rejected the French request to exchange envoys between Beijing and Paris and refused to cede territory for a French base. This was not enough to scupper the treaty, which Qi Ying and Lagrené signed on the French battleship *Archimedes* on October 24, 1844. In accordance with international practice, this Sino-French treaty was titled the Huangpu (Whampoa) Treaty, named for the locale where it was signed.

It is significant to note that while the Huangpu Treaty mirrored the Sino-British and Sino-American treaties, it also extended more privileges to the French and had its own characteristics. For example, this treaty text was the first to use the title of “emperor” for the French king, which Lagrené thought was possibly the first exception in the Chinese empire’s glorious tradition.³⁵ This simple matter of title—referring to a Western ruler and nation in the same breath as the Chinese empire—signaled that the Chinese government was coming to realize that China was not a superior nation in the world nor was it the only nation to possess great influence and be an advanced civilization. This acknowledgement indicated that there should not be differences or distinctions in Sino-Western relations.³⁶

When it came to trade, there were more advantageous stipulations for France than for other Western powers. For example, Article 2 specified that in the event of an incident of smuggling or bargaining in unopened ports, the punishment would be confiscation of the offending cargo followed

34 J. M. Callery, *Correspondence Diplomatique Chinoise: Relative aux Négociations du Traité de Whampoa Conclu entre la France et la Chine le 24 Octobre 1844* (Paris, 1879); see Zhang Jianhua, “Zhong Fa ‘huangpotiaoyue’ jiaoshe—yi Lagrenéyu Qi Ying zhijian de laiwangzhaohuihanjianweizhongxin” [The Sino-French Negotiation of the Whampoa Treaty – Focusing on the Note Documents between Qi Ying and Lagrené], *Lishiyanjiu* 2 (2001): 86.

35 “M. de Lagrené à M. Guizon, Macao, 29 octobre 1844,” *Archives de Ministère des Affaires étrangères, Mémoires et documents, Chine* 6: 289. Regarding the appellation of France’s King, see Tieya Wang, ed., *The Compilation of the Old Sino-Foreign Regulations* (Beijing: Shanglian Shudian, 1957), 58.

36 “M. de Lagrené à M. Guizon, Macao, 29 octobre 1844,” *Archives de Ministère des Affaires étrangères, Mémoires et documents, Chine* 6: 261–79.

by a note to the relevant consul. By contrast, it was expressly stipulated in the Sino-British and Sino-American treaties that these crimes would be punished by the confiscation of the offending ships, a far costlier deterrent. Later, Article 6 stated that the Chinese government could not add any injunction on different varieties of cargo in its tariff regulations. Article 35 postulated that only France was authorized to request revisions to the treaty after twelve years and explicitly specified that China could not impose duty on French goods on behalf of other third-party countries. Moreover, China would reduce its clove, liquor, and tobacco customs duties to the benefit of French exporters.³⁷

China made a reasonable explanation for its concerns on consular jurisdiction and warship anchorage that were meant to address France's needs. Article 23 stipulated that Frenchmen arrested for illegal penetration of China's interior would be transferred to the nearest consulate, but they should not be physically mistreated or harmed by the Chinese authorities. This treaty granted even further privileges in the realm of cultural promotion, which was arguably the one sphere where France could reasonably be expected to outperform the British and Americans. In Article 22, China conceded the right of foreigners in the treaty ports to establish schools and asylums. The former would be key to promoting the French language and by extension cultivate Francophile elements within China. Article 24 permitted foreigners at the treaty ports to hire teachers, buy and sell books, and engage in scientific and literary work.³⁸ In its entirety, the Huangpu Treaty was not only the first Sino-French treaty but also the most comprehensive of the first batch of unequal treaties China signed with the Western powers. It seemed that arriving late had produced certain advantages for France.

Lagrené also deliberately planned to expand the French missionary presence in China as a means of countering France's inferior economic and military position compared to Britain. On November 1, 1844, Lagrené explicitly pointed out in a report to French Minister of Foreign Affairs Guizot that "in the commercial trade aspect, the British and Americans left nothing for us to do; but in the spiritual culture aspect, I thought it was time for France and the French government to take action by turns."³⁹ In his earlier correspondence in October, Lagrené explained to Qi Ying that it would be difficult for France, a civilized country with cultivated tastes and little

³⁷ Ibid., 280–316.

³⁸ Lavollée, *France et Chine*, 132–33.

³⁹ "M. de Lagrené à M. Guizot, Macao, 1er novembre 1844," *Archives du Ministère des Affaires étrangères, Mémoires et documents, Chine* 6: 317–63.

interest in the commercial aspects of the treaty, to be convinced of China's friendship so long as the religion professed by Frenchman was proscribed as a criminal offense in China.⁴⁰ Thus, Lagrené and Callery tempted Governor Huang Entong to persuade the Qing government to permit the free exercise of Christianity.⁴¹ Still, Qi Ying sent a confidential report on the negotiations to Beijing outlining his belief that China's legalization of Christianity would not guarantee any assistance in the form of a French alliance.⁴²

Surprisingly though, imperial approval was accorded on December 28 to the effect that the Chinese accepted the religion of the Lord of Heaven for good purposes and that it would thereafter be exempt from legal culpability. Lagrené was still not satisfied with this measure because the edict did not overrule previous anti-Christian laws and had merely suspended their application on the grounds that Christianity was now judged to be a moral religion. The reply from the Chinese representative indicated that he dared not antagonize the Beijing mandarins by again raising the subject of religious toleration.⁴³ Undeterred, Lagrené negotiated with Qi Ying once again in August 1845 on religious issues and proposed new demands after obtaining the French government's support. These included having China separate Christianity from other religions that did harm under the pretext of missionizing, having local officials post notice of the Emperor's edict to make it widely known, releasing Christians that were in custody, and granting permission from the government to permit Chinese Christians to build churches. Under pressure from Lagrené, the Qing government conceded to all of these demands except the third. Later in October 1845, Emperor Daoguang issued the second sacred edict which announced that Christians were permitted to build churches and consecrate the cross. Every one of Lagrené's demands had been met.

And still Lagrené pressed for more. There was great tension in Sino-British relations in December following the withdrawal of British forces from the island city Zhoushan and their redeployment to the mainland port at Guangzhou, giving Lagrené a golden opportunity to exact further concessions from Qi Ying.⁴⁴ As a competent diplomat, he chose to take advantage of the situation by adding new requirements. It had already been agreed that the

40 Cady, *The Roots of French Imperialism in Eastern Asia*, 50.

41 Wei, *France's Missionary Policy towards China*, 340–561.

42 Cady, *The Roots of French Imperialism in Eastern Asia*, 55.

43 Ibid., 56–60.

44 Regarding the Zhoushan Island evacuation and French attitude on this affair, please refer to Cady, *The Roots of French Imperialism in Eastern Asia*, 65–68.

Sino-French Treaty would include a supplementary sacred edict to be issued explaining the toleration policy and to be distributed to local officials in every province. Lagrené pressed further; he now requested that any old church buildings dating from Kangxi's time, if still standing and not otherwise in use, be restored to Christian ownership. Obtaining Beijing's approval of an edict like this was far from easy. When persuasion failed, Qi Ying finally told the Emperor bluntly that the new French demands, coupled with the appearance of a greatly augmented French fleet, were an ominous threat to China that signaled treacherous designs. French war vessels had been brought to China at great cost to support Lagrené's demands and China could not afford to sacrifice the friendship of France in the face of British hostility.⁴⁵ Thus, the Emperor Daoguang bowed to French pressure and issued the third sacred edict to ratify these demands in February 1846.⁴⁶

In summary, the visit of the Lagrené Mission and the ratification of the Sino-French Huangpu Treaty signified that France's policy towards China had shifted from its 'wait-and-see' attitude to an active scramble for influence and concessions in line with that of other Western powers. French negotiators had not only won the same privileges as the British and Americans, but they also secured protection for Christians and firmly established France's position and influence in China.

French China Policy under Napoleon III

France originally intended to extend Christian influence in China rather than pursue commercial opportunities and additional territory. Accordingly, over the following half decade after the completion of the Lagrené Mission, French activities in the Far East were very heavily associated with an aggressive surge of the Catholic missionary movement and with naval and other measures taken to support it. France was, by contrast, extremely cautious in terms of geopolitical matters, and its commercial interests were almost nonexistent, particularly when compared to those of Britain.⁴⁷

The appearance of a relatively low level of interest in the region concealed the fact that France was waiting for a fortuitous opportunity before dispatching a powerful fleet to the Far East once again. This shrewd approach was rooted in an understanding that the status quo was unlikely

45 Ibid., 62–64.

46 *Qing Dai Chouban Yiwu Shimo: Daoguang Chao*, Vol. 75, 2936, 2964.

47 Cady, *The Roots of French Imperialism in Eastern Asia*, 70.

to last given China's deep dissatisfaction with the humiliating concessions it had to make at the end of its war with Britain along with London's appetite and willingness to take advantage of Chinese weakness to press for more gains. The moment Paris had been waiting for came with the outbreak of the Arrow War, also known as the Second Opium War, which was the byproduct of France's aggressive intent.⁴⁸ In February 1856, the news of Father Auguste Chapdelaine's death was destined to become a pretext for the French government to initiate a war with China.

The French thought that the "Father Chapdelaine Incident" was a tangible and flagrant challenge to French political prestige as well as an attack on the missionary cause. Father Chapdelaine was the first representative of the Missions Etrangères in China since 1815 to suffer death by order of a Chinese magistrate. In 1852, he had left France to join the Christian mission in the Guangxi province, then relocated to nearby Guangzhou for a brief spell before settling in Guiyang, the capital of the Guizhou province, in the spring of 1854. In December of that year, he travelled to Yaoshan village in Guangxi's Xilin County with Lu Tingmei to meet with the local Christian community of around 300 people. This was a relatively remote interior settlement where Chinese had made little contact with outsiders, much less Europeans. Father Chapdelaine celebrated his first mass in the community on December 8, 1854, but was arrested by the local authorities on trumped up charges and thrown into the Xilin county prison ten days after his arrival. He was released after a hearing, but this was not the end of his trouble with the law in the Xilin County. On February 22, 1856, he was again denounced on charges of dividing families and causing a public disturbance by those who resisted his missionary activities and the challenge they posed to traditional Chinese beliefs. On February 25, he was arrested once again in Yaoshan, with several Chinese Christians by orders of Zhang Mingfeng, the new local mandarin. Zhang handled the issue terribly; under his command, Chapdelaine was severely beaten and locked into a small iron cage, which was hung at the gate of the jail as though he were a medieval thief. He was already dead when Zhang had him beheaded for good measure on February 29, 1856.

Father Chapdelaine's tragic death could well have been a minor incident had France genuinely been interested in a productive relationship of

48 Research on France's role in the origins of the Second Opium War is still thin. Although almost all scholars in China note that the death of Father Chapdelaine was a pretext for the French war with China, they seldom elaborate further.

equals with China, which had after all already freely conceded to virtually all previous requests from Paris. So why then did it balloon into an international crisis, and what were France's true motives?

The peculiarities of French domestic politics provide a major explanation for Paris's decision to go to war. Louis-Napoléon Bonaparte (Napoleon III) had been assiduously courting Catholic support as part of his preparations for his successful coup d'état on December 2, 1851. This directly brought religious interests to the heart of French overseas policy and contributed to an aggressive posture in the Far East, which, as outlined earlier, was of a region of high priority to missionaries.

During the presidential election in 1848, Louis-Napoléon had established a political union with the Catholic party in order to bring some conservatives into a coalition with his primary supporters amongst the poor and the left. To satisfy the demands presented by Comte Charles Forbes René de Montalembert, the leader of the Catholic party, Louis-Napoléon issued a manifesto on November 27, 1848, acclaiming religion, family, and property as the basis of society and pledged his support for freedom of worship and liberty of instruction and for the restoration of papal authority in Rome.⁴⁹ As a result, Louis-Napoléon got his share of the religious vote without shedding support from his base on the left-leaning end of the political spectrum. After his electoral triumph, Louis-Napoléon moved to bind the Church closely to his cause and took a series of actions to enhance the Catholic Church's political position in France, such as appointing Alfred de Falloux as the new education minister and dispatching an army to Rome in 1849 to restore Pius IX as the head of the papal state.

Clerical backing was a crucial element in obtaining popular acquiescence in Louis-Napoléon's coup d'état of December 1851 that transformed him from a president to an emperor.⁵⁰ The Catholic party not only voted for Louis-Napoléon but also persuaded farmers and other social strata to support his election. Thereafter, the symbiotic relationship between Napoleon III and the Catholic party deepened. Therefore, when the news of Father Chapdelaine's death made its way to Paris, Napoleon III saw a rare opportunity to please the domestic Catholic party through a bold foreign policy that delivered revenge. He soon began raving about the prospect of sending forces to China to demand payment on the blood debt for the dead

49 Cady, *The Roots of French Imperialism in Eastern Asia*, 89–90.

50 Ibid., 90–91.

missionary.⁵¹

On the other hand, Napoleon III also considered using Chapdelaine's death as a tool to enhance his domestic reputation, national glory, and prestige of the dynasty, which was consistent with his actions after entering the political stage. He stoked nationalism through a series of aggressive wars closer to home in the 1850s and 1860s. In Africa, France conquered Algeria and established a Senegalese colony; in North America, France dispatched troops to Mexico in support of Archduke Ferdinand Maximilian of Austria's claim to the throne (a terrible miscalculation in hindsight); in Asia, France seized Cochin China and brought Cambodia under its protection; in the Near East, France joined the Crimean War against Russia and took on a leading role in the Middle and Near East together with Britain; while in Europe, Napoleon III personally commanded troops against Austria in Italy. Participating in the invasion of China during the Arrow War was consistent with France's aggressive foreign policy of the era.

Certainly, the capture of overseas markets and raw materials for French industry was a great motivating factor behind Napoleon III's decision to deploy his expeditionary force to China. France's economy could not compare with Britain's, but the gross value of its industrial output nearly doubled from the 1830s to the 1840s. Also, the country had basically completed its own Industrial Revolution during the Second Empire. As an active participant in the forcible opening of the Chinese market, France saw great benefits for the continued development of its domestic economy. These factors led France to support British and American demands for treaty revisions with China during the 1850s, with the anticipation that this would further weaken Beijing. The French government concluded that France's economy would grow even more quickly if France's commercial trade could expand to all coastal areas of China rather than being limited to the five treaty ports.⁵² At the end of 1856, France's Foreign Minister Alexandre Florian Joseph Walewski instructed M. Alphonse de Bourboulon, the French ambassador to China, that France's activities in China should not only be based on their "own dignity" but also on the needs of "commercial interests." He further requested that Bourboulon use his influence to spread French commercial trade further inland.⁵³ In May 1857, after making the official decision to send an expedition to China, the French government emphasized

51 Ge Fuping, "Faguoyu di er ci yapianzhanzheng [France and the Second Opium War]," *Jindaishiyanjie* 1 (1997): 98.

52 Cordier, *L'Expédition de Chine de 1857-58*, 8–10.

53 *Ibid.*, 96–101.

in a letter to plenary power envoy Baron Gros that the goal of treaty revisions with China was to “make our merchants navigate along China’s rivers and freely pass in and out all harbours.”⁵⁴ Thus, it can be seen that France joined the Arrow War not only for “France’s honor” or “pure religious benefit” but mainly for substantial commercial interests that had hitherto been absent from calculations of France’s China policy.

Moreover, French participation in the Arrow War should be understood in respect to the European situation of the period, especially the obligations of the Anglo-French alliance. France, long feared by its neighbors because of its hegemonic ambitions in Europe, wanted to break out of its international isolation and had been making a concerted effort to coordinate its foreign policy with London. Anglo-French cooperation first manifested itself in a shared, favorable position towards Belgian independence from the Netherlands in 1831 and 1832. Then in 1834, France officially allied itself with Britain, Spain, and Portugal. While suspicions between historic enemies France and Britain remained on both sides, collaboration continued unimpeded in war and peace. Just prior to the Arrow War, Britain and France triumphed over Russia in the Crimea War, which was the high-water mark in Anglo-French cooperation in the nineteenth century. Across the continent in Asia, France had located its main forces in Annam (northern Vietnam), but these were still insufficient to carry off a major military action in China alone. Most of the officers in the Foreign Affairs Ministry and Army Department believed that allying with Britain against Beijing was a golden opportunity to expand France’s influence in China and gain wealth in East Asia.⁵⁵

Finally, French participation in the Arrow War was also the inevitable result of France’s policy towards China after the First Opium War. The Huangpu Treaty had made France one of the great powers in the Far East by granting France the same political and commercial privileges as Britain and the United States. From this turning point, France swiftly modified its formerly hesitant approach and began actively cooperating with Britain to intimidate China into making further concessions. In January 1847, France cancelled its consulates in Manila and Guangzhou and separately established an embassy and consulate in Macau and Shanghai respectively. In 1849, following Britain’s lead, France also obtained a concession area in Shanghai. Then in 1851, the French government appointed Alphonse de Bourboulon as ambassador to China to cooperate with British and American representatives

54 Ibid., 145–51.

55 Ge, “Faguoyu di er ci yapianzhanzheng,” 100.

on forcing the Qing government to revise old treaties and protect missionary activity in China.⁵⁶ In 1856, when Britain suggested that France join it in combined action in China, the French government immediately consented. That December, the French government instructed Bourboulon that it had already consulted with Britain and the United States on its policy towards China and had decided to gather the requisite battleships along the Chinese coast to ensure that it had enough power to influence negotiations from the very beginning of hostilities.⁵⁷

Conclusion

France's conduct in China was based on nothing more than pure national interest, and it was unrealistic of the Chinese to expect French assistance against Britain without any tangible benefits for Paris that would mitigate the risk of antagonizing its powerful neighbor. That said, given France's long-standing rivalry with Britain, it was unfathomable to expect the country to stand back and allow London to secure a significant economic and military advantage in the Far East. In fact, if France had enjoyed Britain's resources, it too almost certainly would have pursued an aggressive, predatory policy in China much earlier than it did. Its relative limitations dictated a policy of caution and opportunism. China was willing to grant France many privileges, but the temptation to secure a better deal at gun point was too difficult for Paris to resist. In the end, China was vulnerable, and France manipulated it masterfully to its advantage.

France's resources in the Far East—be they military, religious, cultural, or economic—were never sufficient for Paris to establish the sort of colonial control in China that it had with such success in the Americas and Africa. By the early nineteenth century, France was active in China to a certain extent, but its limited trade and a relatively small number of Catholic missionaries meant that it played a much smaller role in the country than Britain and perhaps even the United States. France's empire had become terribly overextended by the reign of Napoleon III, who should have been more focused on continental affairs than imperial expansion with the great German threat looming, yet a deep desire remained to establish France as an East Asian power to be reckoned with. This could not have happened

56 Wei, *France's Missionary Policy towards China*, 638.

57 Cordier, *L'Expédition de Chine de 1857-58*, 96–100.

without the opportunity provided by the British, who were determined to break down all barriers to the Middle Kingdom and graciously invited other European imperial powers to join in their scramble to pick over the bones of the Qing Dynasty, coupled with cunning diplomacy.

France at no point during the pre-Arrow War period had a genuine interest in allying with China and astutely played Sino-British tensions in the 1840s and 1850s to win maximum cultural and commercial advantage at minimal cost. Shrewd, boundary-pushing diplomats such as Jancigny, Cécille, and Lagrené feigned sympathy towards China in conversations with the Qing dynasty's emissaries, who came away with the impression that France might well offer some degree of support in a future Sino-British conflict. These diplomats played their role in concealing the true nature of the French threat to China, giving Paris time to prepare for a military intervention on favorable terms. Meanwhile, Napoleon III imposed upon France his daring foreign policy vision of war and imperial expansion as a means of shoring up legitimacy for his regime. When it came to China, he wed aggression with patience, cautiously building up French military strength in the Far East, coordinating policy with London, and waiting for a pretext to act. This process culminated in the murder of Father Chapdelaine and the war Napoleon III launched in conjunction with Britain to avenge him. The Treaty of Tianjin that concluded the fighting opened even more ports to France and international trade, removed travel barriers for foreigners in China's interior, opened the Yangtze to foreign shipping, and allowed for the establishment of foreign legations in Peking. Napoleon III had won a stunning military victory on the far side of the world, while French missionaries and traders had unfettered access to a huge new market of potential souls and customers. For France, this was the culmination of a game well played.

China, by contrast, was naïve to assume that France would behave any less rapaciously than the other Western powers that had so rudely announced their presence in the Far East, but it cannot exactly be faulted for holding on to the faint hope of French cooperation against Britain given its ignorance of European great power politics and lack of other cards to play. In summary, France's policy towards China during the period from the Sino-British Opium War to the Arrow War underwent a significant transformation. It shifted from a limited emphasis on missionary activities to the voracious pursuit of commercial interests that fit with an era that saw the high-water mark for European colonial empires. France shifted to a more active policy in China when it enjoyed peace on the home front and could divert more resources to the Far East. Over time, France abandoned its bystander role to

become an imperialist power with direct interests in China. This foreseeable perfidy meant that France, despite pretenses to culture and high civilization that had strong echoes in the Middle Kingdom, would be lumped in with the rest of the villains during China's century of humiliation.

ESSAYS

PROFILE AND CHARACTERISTICS OF ARAB THINK TANKS

Yi Li

THE ROLE OF NON-DOMESTIC FACTORS IN THE PERPETUATION OF THE ROHINGYA CRISIS

Eileen Chong Pei Shan

CULTURAL NATIONALISM IN SOUTH KOREAN BUSINESS: THE CASE OF HAANSOFT SOFTWARE PRODUCTS

Nigel Callinan

POLITICIZATION OF CULTURE: CHINA'S ATTEMPT AT RECLAIMING CULTURAL LEGITIMACY AFTER MAO'S CULTURAL REVOLUTION

Nur Zafirah Binte Zainal Abidin

PROFILE AND CHARACTERISTICS OF ARAB THINK TANKS¹

Yi Li

Shanghai International Studies University

Arab regional think tanks are often confronted with similar issues because of their common history, languages, and races. This paper takes the Gulf countries, the Sham region, and the North African countries (Egypt and the Maghreb) as examples to analyze the characteristics of Arab regional think tanks. The Gulf think tanks enjoy a good economic environment and rich cultural background. They give priority to building bridges between knowledge and power, playing active roles in promoting regional countries' foreign policy, in state economy, in mass media, and in education. The Sham think tanks are mostly independent institutions; they make full exchanges on the key points of the reform and unify their thoughts to optimize government decision-making processes using conferences and meetings. In North African countries, Egyptian think tanks have a high degree of internationalization, having close contacts with think tanks and research institutions in other countries. The Maghreb think tanks are always concerned with the regional situation and focus on studying it. In short, the Arab think tanks serve their governments by providing intellectual support and political suggestions for the development of their countries.

In the dynamic global structure, think tanks play an important role in global collaboration: narrowing the gap between knowledge and policymaking. Think tanks, which promote national soft power and international discourse power, are an important part of national governance. In recent years, the global think tank industry has grown in leaps. After studying the quantity, geographical distribution, and volume of these think tanks, scholars have reviewed the potential reasons:

1 This article is financed by the National Social Science Fund of China (15BGJ057), the Shanghai International Studies University Research Team "Regional Cooperation between East Asia and Middle East in the New Era," and China's Ministry of Education Program (16JJDGJW013).

- The increase in statehood formation during the period of decolonization and the subsequent increase in demand for policy advising;
- The regime changes during the post-authoritarian period, which often start from scratch;
- The increase in the number of bilateral and multilateral donors who use these think tanks to encourage better governance measures in recipient countries;
- The demand for “available knowledge” due to technological advance and social change in order to respond to new policy challenges;
- The advances in communication technologies that allow people to rapidly generate and disseminate knowledge.²

These reasons coincide with the situation in Arab countries. In the Arab world, regional think tanks are especially prominent. Because of the shared history, language, and race, they collaborate on cross-border policymaking issues.³ These networks help facilitate transnational values in policy analysis as well as professional skills. Furthermore, such networks have become a type of governance model, since they promote public-private partnership.⁴ These networks make full use of international politics, regional economics, and regional administration to advance and develop themselves, thus creating the framework of think tanks in the Gulf countries, the Sham region, and the North African countries. This essay outlines the framework of think tanks in the Arab world by analyzing the main characteristics of the three main regional think tanks, with special emphasis on the most prominent think tank in each country.

Think Tanks in the Gulf Countries

During the Middle East’s post-decolonization period, Arab think tanks built a

2 Alan J. Day, “Think Tanks in Western Europe,” in *Think Tanks and Civil Societies: Catalysts for Ideas and Action*, eds. James G. McGann and R. Kent Weaver (New Brunswick, NJ: Transaction Publishers, 2000), 112.

3 Diana Stone, “Recycling Bins, Garbage Cans or Think-Tanks? Three Myths Regarding Policy Analysis Institutes,” *Public Administration* 85, no. 2 (2007): 266.

4 Stone, “Recycling Bins, Garbage Cans or Think-Tanks,” 266.

new communication channel with the public, keeping them informed about the new measures in policy, governance, economics, and social revolution and putting forward pertinent solutions. Think tanks in the Gulf region, in particular, have grown quickly and have had far-reaching impacts in the Arab world.

The think tanks of the eight Gulf countries can be categorized into two types. One type has developed economic power—especially those in Saudi Arabia, the United Arab Emirates (UAE), and Qatar—in which think tanks have a royal connection through support from the king or the emir. Therefore, they have made great progress, are impactful, and enjoy a good reputation in the region.⁵ The other type values public opinion and academia, like those in Iraq, which emphasize research within college and university environments. Furthermore, some are established by non-governmental organizations (NGOs), such as those in Yemen, and combine public surveys and fundamental research.

Table 1 Think Tanks in Gulf Countries

Country	Characteristics	Main Think Tank
Saudi Arabia	Well-funded; focused on Islamic studies and regional development.	Gulf Research Center
United Arab Emirates	Well-funded; has royal support.	The Emirates Center for Strategic Studies and Research
Qatar	Strong economic support; government emphasizes the construction of think tanks.	Al Jazeera Centre for Studies
Kingdom of Bahrain	With a "revolving door" mechanism to ensure exchange between the royal family and academia.	Bahrain Centre for Studies and Research; Derasat
Kuwait	Focused on the study of regional economic development and the country's civilization and history.	Arab Planning Institute
Sultanate of Oman	Think tank construction only recently started; quality and quantity are relatively underdeveloped.	Tawasul

5 Yi Li, "Arab Think Tanks: Development Trends and Characteristics," *West Asia and Africa* 4 (2016): 129–45.

Iraq	Rich cultural background; think tank construction started early through many colleges and universities.	Al Furat Center for Development and Strategic Studies
Yemen	Mostly non-governmental organizations relying on public opinion surveys to carry out research.	Yemen Polling Center

Saudi Arabia

The prominence of Saudi Arabian think tanks relies on the country's connections to Islamic holy sites and developed economic status. Because two of the three Islamic holy lands are in Saudi Arabia, Saudi Arabian think tanks can make distinct contributions to Islamic studies and Arab historical research. Due to its strong economic development, these think tanks possess a certain level of influence in the Middle East as well as across the globe. Since the country's economic status stems from oil exports, Saudi Arabian think tanks also focus on sustainable development practices to move beyond an oil-based economy.⁶ Although they are well-funded, they need to improve upon gaining trust and appreciation in Saudi Arabian society.⁷

Independently founded in 2000, the Gulf Research Center is one of the world's top think tanks in the field of foreign policy and international affairs, ranking eighth in the Middle East and North Africa region.⁸ The Gulf Research Center principally engages in research, advocacy, and translation work, in addition to providing education, training, and consultation services.⁹ Its research covers a wide variety of topics, such as economic development, energy security, politics, international relations, national defense and security issues, environment, and technology.¹⁰ Setting up branches in

6 "Gulf Energy Program," Gulf Research Center, accessed April 29, 2017, http://www.grc.net/index.php?CAT_ID=11&set_lang=en&frm_module=&sec=Research+Programs&sec_type=h&Cat_Title=Gulf+Energy+Program&main_menu=82&override=Gulf+Energy+Program.

7 Samar Fatany, "We Need Independent Arab Think Tanks to Address our Challenges," *Saudi Gazette*, February 16, 2016, <http://saudigazette.com.sa/opinion/we-need-independent-arab-think-tanks-to-address-our-challenges/>.

8 Guang Pan, "Evolution of Qatar's Foreign Policy and the Development of China-Qatar Relations," *Arab World Studies* 2 (2015), 14–25.

9 "GCC Political Systems," Gulf Research Center, accessed April 11, 2017, http://www.grc.net/index.php?sec=Research+Programs+Categories&sec_type=h&sub_opt=82&override=.

10 Ibid.

Geneva and Cambridge, the Center aims to promote scholarly exchange and to disseminate information on the Gulf region.¹¹ With its high level of public participation and extensive external connection, the Center has provided intellectual support for the sustainable development and diplomatic decision making of Gulf countries through conferences and workshops.¹² As one of the more successful think tanks in Saudi Arabia, the Gulf Research Center can be a model for improving and creating think tanks in the region.

United Arab Emirates

Owing to their financial power and royal support, UAE think tanks stand out in the competitive Arab world. These think tanks focus primarily on peace and security issues in the Middle East and continuously expand their cooperation and research fields. They disseminate Arab scholars' research to the whole region through mass media, stimulating public discourse.

Established in 1994 as a semi-governmental organization and affiliated with the UAE Ministry of Foreign Affairs,¹³ the Emirates Center for Strategic Studies and Research covers research topics such as politics, strategy, foreign relationships, and security issues and provides suggestions to the Ministry.¹⁴ It not only tackles the pressing challenges in the Arab region through a strategic and rational attitude but also fosters the research of political, social, and economic issues primarily in the UAE and Gulf region.¹⁵ Furthermore, the Center fosters mutual understanding in the Gulf region to boost the political and economic strength of these countries. Its publication strategy focuses on producing original research as well as translation of materials into Arabic and English to "enrich Arabic libraries" and to "promote cultural interaction across the world."¹⁶

11 "About GRC - Locations and Structures," Gulf Research Center, accessed April 11, 2017, http://www.grc.net/index.php?sec_code=locationsstructure.

12 Ibid.

13 "About ECSSR - Establishment," The Emirates Center for Strategic Studies and Research, accessed April 11, 2017, http://www.ecssr.com/ECSSR/appmanager/portal/ecssr;ECSSR_COOKIE=9RS5ZGJcmB2GgQFtmKYJGvCR9bkWZxgnpZwvQ6HvX7340hG59jT153687123!126368098?_nfpb=true&_pageLabel=StaticContent&lang=en&_nfls=false.

14 "About ECSSR - Areas of Interest," The Emirates Center for Strategic Studies and Research, accessed April 11, 2017, http://www.ecssr.com/ECSSR/appmanager/portal/ecssr?_nfpb=true&_pageLabel=ECSSRPortal_portal_book_179&lang=en&_nfls=false.

15 Ibid.

16 "Publications - Overview," The Emirates Center for Strategic Studies and Research, accessed April 29, 2017, http://www.ecssr.com/ECSSR/appmanager/portal/ecssr?_nfpb=true&_pageLabel=PublicationsPage&_event=viewIntro&lang=en&_nfls=false.

Qatar

Qatar, ruled by the Al Thani family, enjoys the highest per capita GDP in the Middle East. Because of the country's political stability and economic strength, Qatari think tanks have developed rapidly in recent years in large part due to their durable relationship with the government. Because of this relationship, however, these think tanks have limited opportunities for critical assessment of the Qatari government itself.

Founded in 2006, the Al Jazeera Centre for Studies is an extension of the peninsula's mass media outlet and ranks fifth in the Middle East and North Africa.¹⁷ Its major focus areas include: Arab politics, security and development strategies of neighboring countries, emerging country studies, political thought, and social problems. As such, the Centre recruits various scholars and professionals from the Middle East to carry out research on regional and global affairs. Since its establishment, the Al Jazeera Centre has made efforts to maximize Arab social, political, and cultural structures and to explore solutions to the region's complex challenges. Cooperating with other Middle East research institutes, the Centre promotes dialogues to narrow the gap between different religious groups.¹⁸ Based on its academic and strategic research approach, the Centre helps to broaden the perspectives on culture and media by holding various academic conferences and strategic forums and encouraging the publication of academic journals. In the past few years, the Centre has attracted scholars from countries all over the Middle East.

Bahrain

Despite its small size, Bahrain has several think tanks because of the constant interaction between the royals and academia. The "revolving door" mechanism facilitates the transfer of personnel between these two arenas, but it also ensures royals have the final say in major decisions. Founded in 1981, the Bahrain Centre for Studies and Research (BCSR) is a government institution that focused on critical issues that affect the growth

17 James G. McGann, "2016 Global Go To Think Tank Index Report," *TTCSP Global Go To Think Tank Index Reports* 12 (2017): 69.

18 "Publication Archives," Al Jazeera Centre for Studies, accessed April 11, 2017, <http://studies.aljazeera.net/en/publications/archive/>.

and development of Bahrain.¹⁹ At its establishment, the Centre's goal was to become a first tier think tank in Bahrain.²⁰ Its mission was to serve Bahrain's social work by using application research, to provide consultant service to contract clients, and to supply political insight to Gulf country leaders. The Centre strived to build a research team that focused on developing national, regional, and even cross-boundary relations to actively seek solutions to Bahrain's social obstacles through assessment and analysis of public opinion and policy making on racial issues.²¹ Most importantly, the board of the Centre, including its chief executive director and chief secretary, was composed of nine members from the main departments of Bahraini government, fully embodying its political background. However, the think tank was dissolved in 2010 by royal decree without any explanation.²² Prior to its closure, the government established a new think tank, Centre for Strategic, International, and Energy Studies (Derasat).²³ Focused on the dynamic interests of Bahrain, Derasat collaborates with local organizations as well as foreign think tanks.²⁴ It publishes its own research in both Arabic and English as well as gathers other materials in an online database.²⁵ Thus, although BCSR was shutdown, the Bahraini government did not reverse its relationships with think tanks and continues to promote them.

Kuwait

Think tanks in Kuwait mainly focus on regional economic development. Their primary goals are to provide statistics and intellectual support on Kuwaiti development strategy and to foster communications among Gulf countries on key issues.²⁶ As an economic think tank, the Arab Planning Institute, composed of representatives from sixteen Arab countries, sets its main goals as follows: offering essential knowledge, technology, and

19 "Bahrain Centre for Studies and Research," Devex, accessed April 29, 2017, <https://www.devex.com/organizations/bahrain-centre-for-studies-research-bcsr-36752>.

20 "Bahrain Centre for Studies and Research," Eldis, accessed April 29, 2017, <https://www.eldis.org/go/home&id=4442&type=Organisation>

21 Ibid.

22 "Bahrain Research Centre Staff Fear for Jobs," *Trade Arabia*, June 24, 2010, https://www.tradearabia.com/index.php?/news/edu_181972.html.

23 Ibid.

24 "About Us," Derasat, accessed May 6, 2016, <http://www.derasat.org.bh/about-us/>.

25 "Publications," Derasat, accessed May 6, 2017, <http://www.derasat.org.bh/publications-page/>.

26 Fei Tong, "Economic Development Strategy of the State of Kuwait and 'the Belt and Road' Initiative," *Arab World Studies* 6 (2015): 31–43.

experiences to Arab countries to maintain the region's stable development; simplifying the data matching process for political leaders and researchers; advancing economic management; cultivating talents specializing in regional economic and social development; setting up a platform for experts to discuss major economic and social issues; publishing journals on Arab economic and social development; and constructing relevant data pools.²⁷ The Institute enjoys a good reputation in the Arab world because it links its interest with Arab common culture, history, and global issues, maintains good relationships with famous historians and political analysts in Kuwait, and organizes regular panels and debates related to regional issues.²⁸

Oman

Compared to other Gulf countries, the think tanks in the Sultanate of Oman are relatively less developed due to their short history. Only founded in 2008, Tawasul is an independent and private think tank that focuses on promoting the formation and development of civil society in Oman.²⁹ The institute provides capacity building and leadership training for civil society organizations as well as guides the private sector in social responsibility and sustainable practices. It relies on its policy research papers, media outreach, seminars, and conferences to bring attention to Oman's civil society issues. Even the think tank's name conveys the message of the organization, with "Tawasul" meaning communication in Arabic and its acronym standing for (t)ransparency, (a)cceptance, (w)illingness, (a)ssertiveness, (s)ociety-based, (u)niversality, and (l)eadership. Although Oman lags in its think tank development, Tawasul's expansion, including its partnerships with twenty-one domestic units and fourteen international units, suggests a possible trend for advancement.

Iraq

As an ancient cultural capital rich in academic heritage, Baghdad has benefited from early construction of think tanks. A majority of the Iraqi think

27 "API Objectives," Arab Planning Institute, accessed April 11, 2017, http://www.arab-api.org/page-withmenuoption.aspx?page_id=13&option_id=2.

28 Ibid.

29 "What is Tawasul," Tawasul, accessed April 11, 2017, <http://tawasul.co.om/abtus.html>.

tanks have an establishment background at colleges or universities. For example, the Al Furat Center for Development and Strategic Studies, a noted university think tank, was founded with the help of the Iraqi NGO Cabinet Office.³⁰ The Center's research focuses on Iraqi political, economic, social, and legal aspects. It provides basic information and data, optimizes scientific research and development, establishes effective linkage mechanisms within and outside Iraq's academic institutions, develops training programs, and supports science and technology research and development projects.³¹ While Iraqi think tanks research on general Middle East issues as well, they primarily focus on Iraqi political and economic stability, nation-building, and good governance. Their academic background helps them in forming relationships with international academic institutions, think tanks, and NGOs.³²

Yemen

Because of its slow economic and social development, Yemen suffers from a limited number of advanced think tanks. Due to inadequate government funding, Yemeni think tanks are often established by independent NGOs, several of which rely on opinion polls as the basis of their research. Yemeni think tanks focus their research on domestic economic, political, and civil rights issues. Their purpose is to serve the comprehensive development of Yemen's society, to boost economic growth, and to strengthen exchange and cooperation among different cultures.

Founded in 2004 as the first polling center in Yemen, the Yemen Polling Center has a two-pronged approach of consultancy and advocacy.³³ The Center assists in the research process for national and international institutions, NGOs, enterprises, public offices, academic institutions, and expert associations by providing opinion surveys, in-depth interviews, panel discussions, program evaluations, and media studies.³⁴ In addition to playing a leading role in social science research and data collection in Yemen, its

30 "Information about the Al Furat Center," Al Furat Center for Development and Strategic Studies, accessed April 11, 2017, <http://www.fcdrs.com/about.html>.

31 Ibid.

32 "Overview," Middle East Research Institute, accessed April 29, 2017, <http://www.meri-k.org/about-us/overview/>.

33 "About YPC," Yemen Polling Center, accessed April 11, 2017, <http://www.yemenpolling.org/consultancy/about1>.

34 Ibid.

advocacy wing pushes for “good governance reforms” and for the “creation of communication channels between citizens and state institutions.”³⁵

Analysis

Most Gulf countries’ think tanks have close relations with the government, are supported by national foundations or royal family members, and enjoy a well-known reputation in the Arab world and further abroad. With the exception of Yemen and Oman, these tanks have operated fairly well and continue to develop rapidly due to the region’s economic strength. Attaching great importance to policy research, they attempt to provide diplomatic strategies and policy proposals to their respective governments and for regional coalition building. Furthermore, they have played an active role in promoting the foreign policy, national economy, mass media, and education of the Gulf countries. Because of their integrated relationship with governments, however, Gulf think tanks will need to strengthen their position as a reliable source of independent and diverse thinking.

Think Tanks in the Sham Region

The Sham region consists of four countries that can be separated into two categories: politically stable states and turbulent states. Politically stable countries, such as Jordan, enjoy a rich cultural background and conduct far-reaching research. They often established their think tanks earlier and focus on the study of contemporary Arab ideology, economic development, national security, and other issues. On the other hand, think tanks in turbulent states are more focused on security and political issues. For example, the think tanks in Palestine are mainly concerned about the settlement of the Palestinian question, as well as the development trends of regional peace. Some of the leaders of Syrian think tanks are important figures in the foreign opposition and focus their research on domestic political, economic, social, and security issues.

Table 2 List of Think Tanks in the Sham Region

35 “Vision and Mission,” Yemen Polling Center, accessed April 29, 2017, <http://www.yemenpolling.org/advocacy/about2>.

Country	Characteristics	Main Think Tank
Jordan	Focused on the dissemination of contemporary Arab thought.	Arab Thought Forum
Lebanon	Has several Arab branches of American think tanks; focused on studying the entire region.	Centre for Arab Unity Studies
Syria	Concerned about national strategies of politics, economy, and culture as well as the demands for human rights and justice.	Study Center of Syrian Strategies and Policies
Palestine	Concerned about Palestinian-Israeli conflict, with the main task of promoting peace in the Middle East.	Study Center of Palestinian International Affairs

Jordan

Compared with other countries in the Sham region, Jordan is relatively stable politically and economically—in which citizens are well-educated and wealthier and intellectuals and elites enjoy higher social status. Jordan began establishing think tanks early. Their major purposes are to disseminate contemporary Arab thought, promote economic development, maintain national security, and achieve personal freedom and social progress.

Founded in 1981, the Arab Thought Forum ranks thirty-first among the best think tanks in the Middle East and North Africa.³⁶ His Royal Highness Prince of Jordan personally presided over the establishment of the Forum, placing more concern about the future of Arab countries. The Forum created a platform for presenting alternative political options for the government and provided analytical support for related decision-making.³⁷ The specific objectives of the Forum include: promoting the formation and development of Arab thoughts and disseminating Arab achievements; tackling domestic issues to promote the balance and connection between traditional and modern Arabian nationalism; promoting the development of Arab thought in a scientific way; striving to restructure the world order in order to realize international justice and peace; building a bridge between ideological leaders and decision makers to realize the cooperation among Arab countries; establishing a social security system; and improving public

36 McGann, “2016 Global Go To Think Tank Index Report,” 69.

37 “About the Forum,” Arab Thought Forum, accessed May 6, 2017, <http://www.atf.org.jo/?q=en/node/1409>.

participation in policy development.³⁸

Lebanon

Benefitting from its political stability, Lebanese think tanks often go beyond domestic issues and do more research on the entire Arab world. In addition to its independently established think tanks, Lebanon retains local branches of American think tanks. Founded in 1976 as an independent think tank, the Centre for Arab Unity Studies ranks twenty-seventh among think tanks in the Middle East and North Africa region.³⁹ Initially established as an official association for the goal of “Arab unity,” the Centre publishes books and journals on human science, social science, and economics, as well as other references about Arab unity and future strategies.⁴⁰ With the main purpose of Arab society and unification research, the Centre avoids discussion on current political issues in the Arab world and refuses to adopt any direct political position.⁴¹ Its primary activities include: collecting literature, publications, writings, manuscripts, and printed copies related to Arab unification and social development; conducting academic research and publishing relevant books; and hosting academic activities under the provisions prescribed by the declaration of the Centre.⁴² As a diverse organization, the Centre’s members come from various areas all over the Arab world and enjoy permanent tenure.

Syria

Since Syria fell into a civil war in 2011, the domestic security situation has undergone considerable changes. Syrian think tanks have their own unique characteristics in which some think tank leaders are important figures within the foreign opposition. In order to avoid persecution, their headquarters are often located abroad. Besides focusing on national politics, economic

38 “Forum Objectives,” Arab Thought Forum, accessed May 6, 2017, <http://www.atf.org.jo/?q=en/node/1410>.

39 McGann, “2016 Global Go To Think Tank Index Report,” 69.

40 “Background,” Centre for Arab Unity Studies, accessed May 6, 2017, <http://caus.org.lb/Home/contents1.php?id=25>.

41 “Guiding Principles,” Centre for Arab Unity Studies, accessed May 6, 2017, <http://caus.org.lb/Home/contents1.php?id=26>.

42 Ibid.

development, social development, and other strategic issues, these think tanks strongly demand for human rights and justice. For example, the Syrian Center for Political and Strategic Studies was an independent organization established in Washington, D.C., in 2008.⁴³ The Center guides academic and political activists to reflect on Syrian political, economic, and social strategies and conduct relevant theoretical, applied, and sociological research through academic research, meetings, publications, and sponsorship support.⁴⁴ As the head of the Center, Radwan Ziadeh is an important figure in the Syrian foreign opposition.⁴⁵ He also founded the Syrian Center for Human Rights Studies and is the executive editor of the Arab Project for Transitional Justice. As such, many of the Syrian think tanks located outside of the region focus on challenging the current Syrian regime and promoting Syrians' human rights.

Palestine

Although Palestine suffers from constant political challenges and lack of funding, the Palestinian think tank community remains vibrant. These think tanks focus on solutions and prospects of resolving the Palestinian question, illustrating the Palestinians' efforts and hardships for pursuing justice and peace. For example, the Palestinian Academic Society for the Study of International Affairs seeks solutions to the Palestinian statehood issue through academic research, dialogues, and publications in a domestic, regional, and international scope so that more people come to understand the substance of Palestinian question.⁴⁶ In the spirit of harmony and cooperation, the think tank keeps an open attitude towards academic communication and participates in local and international conferences.⁴⁷ A series of research projects and symposiums have been organized in a professional, scientific, and objective way to discuss the strategic research, EU policy towards the region, and democratic education.⁴⁸ In addition to

43 "Mission," Syrian Center for Political & Strategic Studies, accessed April 11, 2017, http://scpps.org/en/?page_id=11.

44 Ibid.

45 "Dr. Radwan Ziadeh – Executive Director," Syrian Center for Political & Strategic Studies, accessed April 11, 2017, http://scpps.org/en/?page_id=520.

46 "About PASSIA," Palestinian Academic Society for the Study of International Affairs, accessed April 11, 2017, http://www.passia.org/about_us/about_passia.htm#about.

47 Ibid.

48 Ibid.

disseminating information about Palestine to an international audience, it assists Palestinian scholars in gaining access to learning materials on international issues.⁴⁹ Constrained by the nature of turbulent states, Palestinian think tanks generally concentrate on Palestinian political and security issues.

Analysis

Generally, the think tanks in the Sham region are mostly civil and independent institutions, in contrast to government-dependent think tanks in the Gulf. In politically stable countries, think tanks provide intellectual support and policy advice to governments by establishing effective communication and interaction mechanisms with government leaders. These think tanks share relevant background information for national policymaking and provide insightful advice for policy debate. For turbulent states, particularly during social transformation and political reform periods, think tanks convene symposiums, prepare working reports, and gather dissidents' opinions on key points in the reform agenda. This ensures unification of diverse opinions and presentation of a range of options to reshape policies for a rapidly changing political landscape.⁵⁰ The Sham think tanks promote innovative thinking and a constructive public discussion mechanism in order to optimize the government decision-making process and provide references for policymakers in the Arab world.

Think Tanks in Northern Africa

Think tanks in North Africa often have an international, or non-Arab, dimension due to countries' colonial history as well as geographic location. Egyptian think tanks are the most international among the Arab think tanks, with specific intent on maintaining close contacts with think tanks and research institutions all over the world. Highlighting the regional political influence of Egypt, these think tanks play a leading role in the Arab world, both in quantity and quality of research. The Maghreb coalition is made up of five countries whose think tanks focus on regional dilemmas and

49 "Publications," Palestinian Academic Society for the Study of International Affairs, accessed April 11, 2017, <http://www.passia.org/publications/publications.htm>.

50 Xiao Ren, *The Fifth Power: Think Tanks* (Beijing: Peking University Press, 2015), 78–79.

solutions. These states share a history of French colonial subjugation and use more French than Arabic because of colonial policies that imposed French language and culture, even during the post-independence period. Although some think tanks' websites are in French, these think tanks are still committed to national and regional strategies and forward-looking research. They are not only concerned about the sustainable development of culture and education but also attend to social transformation, political development, and regional relations.

Table 2 List of Think Tanks in the Sham Region

Country	Characteristics	Main Think Tank
Egypt	High degree of internationalization; provide intellectual support for government decision-making in economic, social, and political reform.	Al-Ahram Politics and Strategy Research Center
Morocco	Focused on national political and social development; researches on the multilateral relations between the Maghreb and the Mediterranean coast states.	Amadeus Institute
Tunisia	Concerned about Maghreb regional issues and multi-lateral relations of the Mediterranean coast states.	Tunis Strategic Institute
Algeria	Concerned about the political and economic relations and cultural ties between the Maghreb countries and the Mediterranean region of Europe.	Institute of Global Strategic Studies
Libya	Started late, with most established after the Gaddafi regime fell; committed to the process of social democratization of Libya.	Sadeq Institute
Mauritania	Limited in number; provide intellectual support to promote social transformation and national revitalization of Mauritania.	Mauritanian Center for Research & Strategic Studies

Egypt

The main task for Egyptian think tanks is to provide decision-making support on economic, social, and political reform to the government and policymakers. The Egyptian think tanks maintain close contacts with think tanks and research institutes around the world and play an important role in maintaining the leading regional status of Egypt. Established in 1968, the Al-Ahram Politics and Strategy Research Center is affiliated with the widely circulated Egyptian newspaper, *Al-Ahram*, and is one of the most famous

think tanks in the Arab world.⁵¹ Since 1972, the Center has moved beyond research on Zionism, Israeli society, and the Palestinian question and pays attention to comprehensive political and strategic issues, including diplomacy, security, economics, military, society, history, internet, and other fields.⁵² The Center also focuses on regional dynamics between Egypt, the Middle East, and Africa and wants to strengthen interactions among Arab states, regional players, and international organizations. Aided by thirty-six full-time researchers, the Center maintains close relations with political leaders, policymakers, legislative institutions, political parties, government organizations, international scientific and political institutions, the media, and the public.⁵³

Morocco

Morocco's think tanks focus on both domestic political and social development as well as multilateral relations between Maghreb states and Mediterranean coastal states. On one hand, the think tanks carry out strategic research and present analyses related to country-building, providing recommendations to the Moroccan royal family and government. On the other hand, their research priorities extend from the African continent's security issues to Middle East and North Africa relations. As an independent think tank established in 2008, the Amadeus Institute (L'Institut Amadeus) was established to promote research on public issues in Morocco and the Maghreb and to improve communication of North-South and South-South cooperation.⁵⁴ The Institute focuses on Morocco's multiple memberships in regional groups, such as the Maghreb, the Mediterranean, the African continent, and the Arab world. In addition to regional dynamics, the Institute researches on issues related to Morocco's middle class and social transformation, economic growth, sustainable development, energy efficiency, conflict prevention, security issues, political management, and

51 "Al-Ahram Center for Political and Strategic Studies (ACPSS)," Devex, accessed April 11, 2017, <https://www.devex.com/organizations/al-ahram-center-for-political-and-strategic-studies-acpss-47753>.

52 Ibid.

53 "Al-Ahram Center for Political and Strategic Studies (ACPSS)," Devex, accessed April 11, 2017, <https://www.devex.com/organizations/al-ahram-center-for-political-and-strategic-studies-acpss-47753>.

54 "Vision," Institute Amadeus, accessed April 11, 2017, <http://www.institutamadeus.com/>.

civil education.⁵⁵

Tunisia

Tunisia maintains a large number of think tanks, which are often extensively influenced by France. The think tanks focus on improving Maghreb regional development and also emphasize interactions with the Mediterranean European states, particularly France. The Tunisian Institute for Strategic Studies, founded in 1993, ranks twenty-fourth among the best think tanks in the Middle East and North Africa.⁵⁶ The Institute has established cooperative relations with Arab research institutions and think tanks of non-Arab countries such as France, the United States, Italy, Switzerland, and Turkey.⁵⁷ The research covers a wide range of fields such as politics, strategy, security, economics, society, and education, including Tunisian specific issues such as relations between Tunisian society and the Arab world, water resources, sustainable development, and trade.⁵⁸

Algeria

Influenced by French colonial rule, Algerian think tanks are characterized by orientalist ideology. They often pay more attention to political and economic relations and cultural ties between countries of the Maghreb and the European Mediterranean region. Algerian think tanks are more prominent in sociological research, such as social and cultural anthropology, children's and women's rights, national population, and class development.⁵⁹ The Institute of Global Strategic Studies founded in 1985 takes the leading position and provides recommendations to policymakers in terms of international issues and strategic research.⁶⁰ Its study covers political, diplomatic, defense, military, security, international relations, and other areas involving Algeria, the Maghreb region, the European Mediterranean,

⁵⁵ Ibid.

⁵⁶ McGann, "2016 Global Go To Think Tank Index Report," 69.

⁵⁷ "Our Mission," Tunisian Institute for Strategic Studies, accessed April 11, 2017, <http://www.ites.tn/a-propos/>.

⁵⁸ Ibid.

⁵⁹ "Arab Think Tanks Directory," United Nations Development Programme, accessed October 13, 2016, [http://gaportal.org/sites/default/files/Directory%20of%20Arab%20Think%20Tanks%20\(draft\)16July.pdf](http://gaportal.org/sites/default/files/Directory%20of%20Arab%20Think%20Tanks%20(draft)16July.pdf).

⁶⁰ Ibid.

the Arab world, and Africa.⁶¹ Periodical publications such as *International Intersection* have significant impact in the Arab world.

Libya

The present number of think tanks in Libya is relatively limited because many of them were established after the downfall of the Gaddafi regime. Due to the long-term tensions in Libya, these think tanks pay more attention to domestic political, economic, social, and judicial reconstruction process, unlike the regional focus of other Maghreb think tanks. Although a relatively young think tank, the Sadeq Institute, which was established in 2011, has leapt to thirty-fifth place among the Middle East and North Africa's top think tanks.⁶² Specializing in Libyan issues, the Sadeq Institute is committed to Libya's social democratization process. It approaches complete social transformation by using innovative ideas to achieve social pluralism through the practice of investigation and personal involvement. Its research covers economy, security, hygiene, law, education, and governance.⁶³ The Institute also regularly publishes various policy research reports and analytical commentary articles. Setting up the Sadeq Forum with five full-time researchers, the Institute has contributed to maintaining close relations with politicians, diplomats, military experts, the media, and scholars.⁶⁴

Mauritania

Although constructed late, think tanks in Mauritania focus on social transformation, economic development, and regional security issues. Some of these think tanks also provide teaching and personnel training programs. An independent organization founded in 2008, the Mauritanian Center for Research & Strategic Studies aims to contribute to social transformation and national rejuvenation of Mauritania through academic research under the principles of "independence, rejuvenation, and neutrality."⁶⁵ The Center consists of four administrative parts: the General Assembly, the Council,

61 Ibid.

62 McGann, "2016 Global Go To Think Tank Index Report," 69.

63 "Who We Are," Sadeq Institute, accessed April 11, 2017, <http://www.sadeqinstitute.org/who-we-are/>.

64 Ibid.

65 "Vision and Mission," The Mauritanian Center for Researches & Strategic Studies, accessed April 11, 2017, <http://www.cmers.org/english>.

the Administrative Office and the Committee of Experts, as well as eight academic groups: the Political Security Research Group, the Economic and Social Research Group, the Scientific Environmental Research Group, the Educational Research Group, the Public Opinion Research Group, the Legal Advisory Group, the Historical Heritage Research Group, and the Training and Development Group.⁶⁶ Its research covers political, economic, social, educational, and linguistic fields. Project work is carried out through the annual strategic reports, academic journals, undergraduate scientific research awards, and national annual survey of public opinion.⁶⁷

Analysis

Since new problems and conflicts have arisen in the process of political reconstruction and economic and social development in Egypt and the Maghreb countries, think tanks play an increasingly important role in the political decision-making process. They can provide early warnings for medium and long-term social issues and offer international experience for countries to lift themselves from the economic crisis and move towards recovery. Recruiting a broad source of expertise and maintaining a long-term research structure, these think tanks can advise the government on policy solutions and strengthen public intellectuals' policy awareness and political stance through academic research.

Conclusion

Since the Arab Spring in 2010, the importance of Arab think tanks in the region's development has become increasingly prominent. These institutions are becoming more and more important in narrowing cognitive differences between civil and governmental organizations, influencing public opinion, and advancing public diplomacy. As an effective communication and interaction channel between think tank experts and government leaders, think tanks can provide intellectual support for policy decisions, create safe environments for democracy and dialogue advocacy, and promote revolutionary forces

66 "The CMERS Bodies," The Mauritanian Center for Research & Strategic Studies, accessed April 11, 2017, <http://www.cmers.org/english>.

67 "Objectives & Methods," The Mauritanian Center for Research & Strategic Studies, accessed April 11, 2017, <http://www.cmers.org/english>.

of social progress. In real politics, think tanks play a significant role as cultivator, conveyor, and provider of political party modernization, serving as a decision maker to affect political parties, public policy, and philosophical ideas and as a manufacturer of various news headlines.⁶⁸ Although they are not the only founder of “new ideas,” the efforts made by think tanks in the process of modernizing Arab countries exert considerable influence.

Compared to European and American think tanks, think tanks in Arab countries still lag in independent research and global influence because of their recent establishment and small scale. With increasing awareness and political participation by the public, scholars, and researchers, the government relies more heavily on these think tanks. Think tanks in the Gulf region—well-financed by the government—build a sturdy bridge between knowledge and power. Think tanks in the Sham region—rich with culture heritage and innovative ideas—give strong support in decision making to governments, political parties, and large enterprises. Think tanks in North Africa focus on regional situation research and provide early warnings on mid-term and long-term Arab societal issues. Despite the different research focus, they all serve state power, in domestic strategy planning, policy formulation, promotion of public governance, and participation in international affairs.

68 Donald E. Abelson, *Do Think Tanks Matter? Assessing the Impact of Public Policy Institutes* (Montreal: McGill-Queen's University Press, 2002), 3.

THE ROLE OF NON-DOMESTIC FACTORS IN THE PERPETUATION OF THE ROHINGYA CRISIS

Eileen Chong Pei Shan
Yonsei University

Much of the international attention about Myanmar's human rights violation has and continues to revolve around the country's treatment of her most prominent human rights activist, Aung San Suu Kyi. Comparatively, little attention has been devoted to Myanmar's abysmal treatment of its ethnic minorities, in particular, the Rohingya people in the Rakhine State, who have been collectively denied basic rights as citizens of Myanmar and as human beings since Myanmar gained independence in 1948. While the multiple Rohingya crises in 2012, 2014–15, and again in 2016–17 have revived some global interest about the mistreatment of the Rohingya people, there remains woefully insufficient action taken to alleviate the abuses the Rohingya people are suffering. This paper seeks to explore three non-domestic factors: (1) inherent inability of the Rohingya people to self-organize, (2) a paper tiger ASEAN with no bite, and (3) the strategic ignorance of the international community—which has contributed to the perpetuation of the Rohingya crisis into the twenty-first century. This paper argues that the latter two factors are intrinsic to the endurance of the issue, especially by enabling actions tantamount to genocide undertaken by the Burmese government to go unchecked.

The opening of Myanmar to the world in 2010 after decades of authoritarian military rule has earned Myanmar greater access to international society and garnered much enthusiasm about its eventual democratization. Most of the international attention on Myanmar's human rights abuse was focused on their long-term imprisonment of the prominent opposition leader and Nobel Peace Prize winner, Aung San Suu Kyi. Her release after the November elections in 2010 and subsequent participation in the 2015 general election has led to newfound optimism that the lives of the 60 million people living there are improving. The international community soaked up Myanmar's

progress while choosing to remain inconspicuously silent and ignore the plight of their ethnic minorities, especially that of the Rohingyas, who have been subjected to systemic and institutional discrimination for over three decades. Despite knowing that the discrimination against the Rohingyas—which experts have found to be tantamount to genocide—is ongoing, the international community seems to have little intent to go beyond its current sporadic verbal castigation. The Burmese government’s abysmal treatment of the Rohingya people has continued into the twenty-first century with little signs of resolution on the horizon.

This paper seeks to explore the non-domestic factors that contribute to the perpetuation of violence and discrimination against the Rohingya people, a Muslim minority who mostly live in Myanmar’s western state of Rakhine. The three non-domestic factors which will be identified and discussed in this paper are: (1) how the Rohingya’s lack of organization and armed forces led to their being unrepresented internationally, (2) how ASEAN’s doctrine of non-interference and policy of consensus paralyzed the regional organization’s ability to pressure Myanmar into ending its discriminatory policies against the Rohingya, and (3) the international community’s strategic choice to not publicly shame Myanmar’s blatant abuse of human rights that constitutes a long, drawn out process of genocide against the Rohingyas as well as the UN’s overstretched resources in helping.

History: The Rohingya Problem

Who Are They?

The Rohingya are a predominantly Sunni Muslim minority group who live in the Rakhine State of Myanmar. The Rakhine State, formerly known as Arakan, is located on Myanmar’s west coast. It borders Bangladesh to the northwest, the Bay of Bengal lies to its west, and a mountain range to the east divides Rakhine from the rest of Myanmar.

Figure 1 Map of Rakhine State

Source: "Rakhine State" [map], Visual Scale, Radio Free Asia, 2015.

The Rohingya Muslims first migrated to Myanmar in the fifteenth century as part of strengthening the links between the rulers of Arakan and Bengal, and conflict between them and the Buddhist Rakhine majority has persisted ever since.¹ Today, an estimated one million Rohingya² live in Rakhine State. The Rohingya account for most of the population in Rakhine's three northernmost townships of Maungdaw, Buthidaung, and Rathedaung.

Much of the Burmese government's refusal to treat Rohingyas as legitimate Burmese citizens post-independence stems from the lack of a distinctive difference in physical features between the Rohingya people and the Bangladeshi people living in southeast Bangladesh (near the border of the Rakhine State, where most of the Rohingya people currently live). The key characteristic that differentiates them from Bangladeshis living in the

1 "Rohingya Refugees in Bangladesh and Thailand," *Danish Immigration Service* 1 (2011): 7.

2 Maung Zari and Alice Cowley, "The Slow Burning Genocide of Myanmar's Rohingya," *Pacific Rim Law & Policy Journal* 23, no. 3 (2014): 683.

same region is their spoken language.³ The Rohingya speak a language similar to the Chittagonian dialect of Bangla spoken by Bangladeshis living in the same geographical area, only with a minor difference. The Rohingya language is not a written language, and many of the Rohingya population today are illiterate after three decades of systemic persecution.

During the British colonization of Myanmar (1824–1948) and throughout the Japanese occupation (1942–45), the Rohingyas remained staunchly loyal to the British. They thus found themselves on the opposite side of the pro-independence Rakhine. The British promised the Rohingyas an independent Muslim state in the northern part of the Rakhine State in exchange for their loyalty, but the promise was never fulfilled.⁴ Instead, the Rohingyas found themselves stateless in a country where they have been born, raised, and are currently still living.

Three Decades of Systematic Repression

The Rohingyas face systematic and endemic discrimination in their home country of Myanmar. This discrimination is framed by the Burmese government as a disputed immigration problem and leads to the Rohingyas being denied basic and fundamental human rights. There was little effort to assimilate the Rohingyas throughout Myanmar's independent history, and Burmese leaders continue today to deny the existence of the Rohingya people.

Efforts to deprive Rohingya of citizenship began shortly after Myanmar's independence and have continued relentlessly. The 1948 Union Citizenship Act identified specific ethnicities—the “indigenous races of Burma”—to gain citizenship.⁵ However, Rohingyas were not on the list. In 1974, Myanmar began to require all citizens to obtain National Registration Cards. Yet, the Rohingya people were only allowed to obtain Foreign Registration Cards (FRC). This severely limited educational and employment opportunities for the Rohingyas, as many schools and employers did not recognize FRC holders.

3 “Rohingya Refugees in Bangladesh and Thailand,” 11.

4 “Burma: The Rohingya Muslims: Ending a Cycle of Exodus?” *Human Rights Watch Asia* 8, no. 9 (1996): 9.

5 The Union Citizenship Act 1948 (Act No. LXVI of 1948), Union of Burma, http://www.ibiblio.org/obl/docs/UNION_CITIZENSHIP_ACT-1948.htm.

The 1978 military operation “Naga Min” (Dragon King) was undertaken by the national army to find and take action against illegal immigrants.⁶ This nationwide program degenerated into abusive attacks in the Rakhine State on Rohingyas by both the army and local Rakhine people. The Rohingyas were deemed by the Burmese government to be illegal Bangladeshi immigrants instead of an ethnic minority. Operation Dragon King—employing mass murder, rape, and desecration of Muslim religious landmarks—was thus aimed at Rohingya civilians. This resulted in an exodus of more than 200,000 Rohingyas to Bangladesh, many of whom were later repatriated after Myanmar faced international condemnations for the military operation. The repatriated faced persecution in Myanmar due to a national law which declared that the Burmese government owned all lands in the country and that only citizens had the right to live on and use the land.⁷ The stateless Rohingyas had no rights to the land they lived on and were vulnerable to land confiscation by the government.

In 1982, General Ne Win instituted a new citizenship law that again prohibited the Rohingya people from qualifying for full Burmese citizenship, effectively rendering a majority of the Rohingya people stateless.⁸ The citizenship law required a person’s family’s proof of residence in Myanmar since before 1948. Many Rohingya lacked the required documentation despite their families having lived for centuries in present-day Myanmar. They were not issued any form of state identity cards and were also designated as illegal residents in Myanmar with little or no access to education, health care, social security, and employment opportunities. Even if a Rohingya person met the citizenship law criteria, “the Central Body still had the discretion to deny citizenship.”⁹

The Burmese government instituted discriminatory laws that paralyzed the everyday lives of the Rohingyas. The government imposed marriage laws on the “non-citizen” Rohingya people that required government authorization for marriage and imposed a two-child limit on the Rohingya community.¹⁰ Children were used as “evidence” of unregistered marriages,

6 Amanda Crews, Slezak alia Roussos Singer, and Rupa Ramadurai, “Stateless and Fleeing Persecution: The Situation of the Rohingya in Thailand,” *Children’s Legal Rights Journal* 35, no. 1 (2015): 47.

7 Scott Leckie and Ezekiel Simperingham, *Housing, Land, and Property Rights in Burma: The Current Legal Framework* (Geneva: Displacement Solutions & The HLP Institute, 2009), 506.

8 Burma Citizenship Law 1982, Union of Burma, <http://www.refworld.org/docid/3ae6b4f71b.html>.

9 Crews, Singer, and Ramadurai, “Stateless and Fleeing Persecution,” 47.

10 Jason Szep and Andrew R.C. Marshall, “Myanmar Minister Backs Two-Child Policy for Rohingya Minority,” *Reuters*, June 11, 2013, accessed June 1, 2016, <http://www.reuters.com/article/us-myanmar-rohingya-idUSBRE95A04B20130611>.

an act punishable with up to ten years in prison, and third and fourth children who were unregistered were “blacklisted” for life—unable to travel, attend school, or marry.¹¹ The State Law and Order Restoration Council (SLORC) also began to forcibly relocate villages to bring the Rohingya community more directly under government control in the 1990s. The relocations of the Rohingyas between 1995 and 2010 concentrated the Rohingya community in the northern part of the Rakhine State.

There was also a military buildup due to the military campaign “Pyi Thaya” (Prosperous Country) after the 1991 elections in the Rohingya majority town of Maungdaw and Buthidaung. SLORC justified the buildup by citing concerns about Rohingya insurgents, painting them as Islamic extremists who stirred trouble within the local Muslim population.¹²

All the above constitutes a well thought-out state policy that subjected the Rohingya to systematic abuses and persecution over decades. A growing body of evidence reveals that the centrally planned large-scale death and destruction of the Rohingya people has been achieved over a time frame of several decades. Prominent scholars, such as David Simon, Director of the Genocide Studies Program at Yale University, as well as researchers from the International State Crime Initiative (ISCI) have concluded that these actions by the Burmese government and anti-Muslim ultra-nationalists (Buddhist Rakhines) are tantamount to genocide.¹³

Article 2 of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide defines genocide:

[A]ny of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group.

In a landmark paper, scholars Zari and Cowley demonstrate how there was

11 “40,000 Rohingya Children in Myanmar Unregistered,” *IRIN*, January 19, 2012, accessed June 1, 2016, <http://www.irinnews.org/news/2012/01/19/40000-rohingya-children-myanmar-unregistered>.

12 “Burma: The Rohingya Muslims: Ending a Cycle of Exodus,” 12.

13 Zari and Cowley, “The Slow Burning Genocide of Myanmar’s Rohingya,” 684.

intent from state and non-state actors in Burmese society who sought the complete destruction of the Rohingya people as an ethno-religious group. Their study of the state policies against the Rohingya found that it satisfied four out of the five criteria defined in the Convention. Regardless of whether these acts constitute genocide or the government was incompetent in preventing “communal violence” against the Rohingyas, the Rohingya people are still victims of serious human rights abuses and violations.¹⁴ Unfortunately, the world has not done enough to alleviate the suffering of the Rohingya.

A Three-Decade-Long Refugee Crisis in the Making

The systematic discrimination deployed by the Burmese government against the Rohingya people has resulted in a massive refugee flow to neighboring countries. Unfortunately, the first two exoduses have only prompted international verbal castigation of the Burmese government’s actions and resulted in a forced repatriation of the Rohingya back to Rakhine. Little action has been taken beyond the monitoring of the plight of the Rohingyas by human rights advocacy groups and various UN organizations.

Following the 1978 Operation Dragon King, the first massive exodus of more than 200,000 Rohingya refugees arrived in Bangladesh. About 10,000 died from starvation in the squalid refugee camps, while many of the remaining were repatriated to Myanmar and continued to live in destitution. Between 1991 and 1992, the Burmese “Pyi Thaya” military campaign started with a buildup of military forces and formation of a border task force, called Nay-Sat Kut-kwey Ye (or Nasaka), and led to a second exodus of over 250,000 Rohingyas to Bangladesh and over 15,000 to Malaysia.¹⁵ A subsequent bilateral repatriation agreement signed between Bangladesh and Myanmar saw the repatriation of most of the Rohingya refugees by the year 2000, with only 28,000 left in the Bangladeshi refugee camps. A steady outflow of Rohingyas to Malaysia and Bangladesh to flee persecution continued in the years that followed. Unfortunately, the UN could only document Rohingyas in refugee camps and had no resources

14 International Crisis Group, “The Dark Side of Transition: Violence Against Muslims in Myanmar,” *Asia Report* 251 (2013): 4.

15 Samuel Cheng, “Migration Control and the Solutions Impasse in South and Southeast Asia: Implications from the Rohingya Experience,” *Journal of Refugee Studies* 25, no. 1 (2011): 52.

to engage with the huge population residing outside of the camps.¹⁶ As a result, many unregistered refugees were left without access to food rations or employment due to lack of a refugee identity card.

The third exodus was sparked by the rape and murder of a Buddhist woman by Muslim men in May 2012. It caused the long-simmering tensions between the Buddhist and Muslim communities to boil over in the Rakhine State. The tensions intensified in June 2012 with the murders in Toungup township of ten Muslim pilgrims, who were not Rohingya, after the anonymous distribution of inflammatory leaflets attacking followers of Islam. Revenge attacks followed in October, resulting in the displacement of 140,000 in 2012 alone. In the years since then, another 120,000 Rohingyas have been estimated to have fled Myanmar.¹⁷

Renewed International Interest: 2012 - Present

The Rohingya crisis was catapulted into the international spotlight in 2012 when a boat carrying Rohingya refugees fleeing the violence in Rakhine and travelling illegally from Myanmar to Malaysia sank off the coast of Bangladesh, resulting in more than 100 deaths.¹⁸ In 2013, several boats carrying up to 150 Rohingya refugees capsized near the western coast of Myanmar after trying to evacuate from the path of a cyclone.¹⁹ This incident drew short-lived attention to the vulnerable Rohingyas, who suffered from both man-made and natural disasters.

The discovery of mass graves containing hundreds of Rohingyas in both Thailand and Malaysia in May and August of 2015 led once again to world outrage and attention to the plight of the Rohingya.²⁰ The graves were found near trafficking camps in the border areas, prompting UN investigations into whether the deceased were victims of human trafficking. The resulting

16 International Crisis Group, "The Dark Side of Transition," 8.

17 Andrew R.C. Marshall, "Exclusive: Poor and Besieged, Myanmar's Rakhine Join Rohingya Exodus," *Reuters*, November 26, 2014, accessed June 2, 2016, <http://www.reuters.com/article/us-myanmar-economy-rakhine-idUSKCN0JA27020141127>.

18 Hannah Osborne, "100 Rohingya Muslims Drown After Myanmar Refugee Boat Sinks off Bangladesh Coast," *International Business Times*, November 7, 2012, accessed June 1, 2016, <http://www.ibtimes.co.uk/muslim-rohingya-refugees-drowned-boat-sank-myanmar-402405>.

19 Jethro Mullen and Brian Walker, "Boats Carrying Scores of Rohingya Capsize in Myanmar, UN says," *CNN*, May 14, 2013, accessed June 1, 2016, <http://edition.cnn.com/2013/05/14/world/asia/myanmar-boats-capsize/>.

20 "Asia Migrant Crisis: New Mass Graves on Malaysia-Thai Border," *BBC News Asia*, August 23, 2015, accessed June 2, 2016, <http://www.bbc.com/news/world-asia-34033474>.

pressure forced the Thai government to crack down on human trafficking routes on land. Traffickers in turn abandoned boatloads of Rohingya in the Andaman Sea. Despite these terrible circumstances, Thailand, Malaysia, and Indonesia refused to let the Rohingya go ashore. Instead government officials merely replenished their boats with food and water before sending them back into international waters.²¹ This maritime ping-pong drew much criticism from the international community, eventually pressuring Malaysia and Indonesia to take in Rohingya refugees on the condition that they would be relocated elsewhere after a year.

Time and again, the world did not care enough to take action. The Rohingya refugee crisis of the past three decades has only intensified in the twenty-first century, with seemingly no future signs of improvement. The following sections will analyze three non-domestic factors which have contributed to the continuation and deepening of the Rohingya crisis and the difficulty in achieving a solution.

Rohingyas: Putting up a Weak Fight

The first factor is the inherent weakness and lack of a unifying force among the Rohingya people. Unlike other oppressed minorities who either have a visionary leader as their spokesperson (e.g. the Dalai Lama) or a strong military force (such as the Liberation Tigers of Tamil Eelam that fought for the rights of Tamils in Sri Lanka), the Rohingya people have neither. The absence of an outspoken leader meant little representation for the Rohingyas abroad and at home, hence contributing to much obliviousness about their plight. The inability of an outspoken leader to emerge might be attributed to the multi-generational discrimination and vicious cycle of abuse the Rohingya people face in Myanmar. Generations have grown up illiterate and in poverty, unable to leave due to the lack of access to any form of documentation. The government fronted efforts to eliminate their existence in theory is unmatched by many other marginalized groups (Tamils, Kurds, Tibetans, etc.) across the world. Coupled with the crippling lack of a decent military force, it was next to impossible for the Rohingyas to put up an effective resistance against the Burmese government when acts of violence were carried out against them.

21. Aubrey Belford and Reza Munawir, "Migrants in 'Maritime Ping-Pong' as Asian Nations Turn Them Back," *Reuters*, May 16, 2015, accessed June 2, 2016, <http://www.reuters.com/article/us-asia-migrants-idUSKBN00105H20150516>.

Scholars who have studied Rohingya resistance have concluded that while Rohingya insurgencies have a long history, they do not appear to have much support from the local Rohingya people they claim to represent.²² None of these insurgencies have grown from within the Rohingya population living in Myanmar, and many are supported by hardline Muslim organizations in other countries, hence having little appeal to the Rohingya people. Not only is there little support, the actual size of these groups are very small (no more than a few hundred fighters) when considering the one million Rohingyas who live in the Rakhine State, and none of them operate from within Myanmar, where most of the Rohingya people live.

Rohingya Armed Forces

The Rohingya Independent Force (RIF) was formed in April 1964, in the hopes of creating an autonomous Rohingya state within the Union of Burma (then named Myanmar). In 1969, the RIF changed its name to the Rohingya Independent Army (AIR), which later became known as the Rohingya Patriotic Front (RPF) in 1973.²³ The RPF faced serious factionalism and disunity, leading to much infighting and eventually resulting in two breakaway groups—the Arakan Rohingya Islamic Front (ARIF) and the Rohingya Solidarity Organization (RSO).

The buildup of the RSO along the Bangladesh-Myanmar border earned the RSO much media coverage, especially in South Asia, in the 1990s. Due to its religious stances, it has gained the backing of other like-minded religious groups in the Muslim world. However, an investigation showed that it was not purely Rohingyas who were undergoing training in its camps.²⁴ Many of the trainees were members of the Islami Chhatra Shibir (ICS), the youth organization of Bangladesh's Jamaat-e-Islami from the University of Chittagong, where a campus war was being fought between Islamist militants and more moderate student groups. The RSO, unlike what its name suggests, fought little for the rights of Rohingyas living in Myanmar.

22 "Burma: The Rohingya Muslims: Ending a Cycle of Exodus," 11.

23 Bilveer Singh, *The Talibanization of Southeast Asia: Losing the War on Terror to Islamist Extremists* (Westport, CT: Greenwood Publishing Group, 2007), 42–43.

24 Bertil Lintner, "Bangladesh: Breeding Ground for Muslim Terror," *Asia Times*, September 21, 2002, accessed June 1, 2016, http://www.atimes.com/atimes/South_Asia/DI21Df06.html.

The two factions of the RSO eventually chose to join hands with the ARIF into a single representative organization called the Arakan Rohingya National Organization (ARNO). ARNO is an armed self-determination movement whose recruits are mostly Rohingyas living in the refugee camps. ARNO sought to protect the rights of the Rohingya minority and to push for an autonomous Rohingya state within Myanmar. However, the growing radicalization of both ARNO members and other Rohingyas living in Bangladesh meant that much of the Rohingya fighters were fighting for terrorist organizations in the Middle East instead of for their own people's right to self-determination in Myanmar.²⁵

ARNO members were found to have had established ties with radicals from the Taliban and al-Qaeda, while other Rohingyas were also found to be involved with Bangladesh's Islamic militants, Hakkrat-ul-Jihad-al-Islami (HuJI).²⁶ HuJI was founded in 1992 and has since been labeled by the United States as a terrorist organization with ties to Islamist militants in Pakistan. Rohingya recruits in HuJI were sent to Afghanistan to fight for the Taliban and al-Qaeda and not within Myanmar.

The Rohingyas have gained little traction in establishing a well-trained and centralized armed force to fight for their rights. While various groups have sprouted up claiming to represent the interests of Rohingyas, such as the new umbrella organization formed in 2002 called the Bangladesh Islamic Manch and the Muslim Liberation Tigers of Assam (MULTA)—a small group operating in India's northeast—none have any track record of having fought for Rohingya rights from within or outside Myanmar. While the emergence of ARNO in the late 1990s was widely regarded as a symbol of hope for the Rohingya people, the two decades since then have been remarkably devoid of progress.

Rohingya Non-Military Organizations

Unlike the Rohingya military forces, the Rohingya non-military organizations seemed to have made more progress in shining light on the plight of the Rohingyas to the world, albeit achieving little in prompting the world into action.

25 Singh, *The Talibanization of Southeast Asia*, 42.

26 Lintner, "Bangladesh: Breeding Ground for Muslim Terror."

The Arakan Rohingya Union (ARU) is a non-profit global umbrella organization founded in 2011 in Saudi Arabia to represent various Rohingya organizations worldwide. Its mission is to seek a political solution to the issues faced by the Rohingya ethnic minority in Myanmar.²⁷ Since the individual citizens within Burmese borders presently and collectively have rights as a people to self-determination, the goals of the ARU include forging an indivisible Arakan State within Myanmar by seeking peaceful co-existence, democracy, human rights, and federalism. The ARU also seeks the recognition and protection of the rights of the Rohingya minority by the government of Myanmar, including their cultural, religious, ethnic, and political rights. The ARU counts Pakistan and Saudi Arabia as its Muslim allies.²⁸

The Global Rohingya Center (GRC) has a more defined structure, with a legal section to monitor the development of the situation of the Rohingya people and coordinate with donors to provide relief.²⁹ The GRC and the ARU have strived to garner support for their cause within the Muslim world and have been relatively successful. ARU and GRC representatives have met some key leaders, including the King of Saudi Arabia and the Prime Minister of Turkey, which has garnered considerable press coverage in the Muslim world.

However, like the military organizations, the ARC and the GRC gave fresh traction to the Rohingya issue but ultimately failed to speak for the Rohingya people on the international stage. There is little to no press coverage about them or their activities in Western media, nor is there any mention of them in press releases and statements made by the UN offices handling the Rohingya crisis. The lack of a strong unifying force for the Rohingya has resulted in a lack of world attention to their plight, and the resolution of the Rohingya problem will only continue to be a struggle.

27 "ARU Mission Statement," Arakan Rohingya Union, accessed June 1, 2016, <http://ar-union.org>.

28 Associated Press, "UN Rights Council: Rohingyas Hail Pak-Saudi Resolution," *The Express Tribune*, July 8, 2015, accessed June 1, 2016, <http://tribune.com.pk/story/916764/un-rights-council-rohingyas-hail-pak-saudi-resolution/>.

29 "About Rohingya," Global Rohingya Center, accessed June 1, 2016, <http://rohingyacenter.org/en/?p=259>.

ASEAN: The Paper Tiger

As the second non-domestic factor, the response of the Association of Southeast Asian Nations (ASEAN) to the issue has been weak despite its proximity to the Rohingya crisis. While the ASEAN approach of constructive engagement has been partially responsible for the opening up and democratization of Myanmar, it has been unsuccessful in changing the country's discrimination towards its Rohingya population. This section will explore how ASEAN's soft stance towards Myanmar has enabled the Burmese government to continue its repression of the Rohingya people with little consequences.

ASEAN and Myanmar

Myanmar became a member of ASEAN in 1997. In contrast to the sanctions adopted by Western countries against Myanmar, the ASEAN approach has been that of "constructive engagement." ASEAN's norms of respect for sovereignty, territorial integrity, and non-interferences in domestic affairs enabled Myanmar to continue to be a part of ASEAN while doing little to rectify its political authoritarianism and severe human rights abuses. The policy of "constructive engagement" was undertaken to decrease pressures from the West to punish Myanmar for its authoritarian political system and human rights abuses.³⁰ While it was useful in bringing Myanmar into the ASEAN community, it is counterproductive when trying to pressure the Myanmar government about the Rohingya issue. ASEAN has long faced the challenge of how to handle a member state whose actions went largely against the values and ideology of ASEAN without a potential solution.

Unfortunately, ASEAN's reaction towards Myanmar's discriminatory policies towards the Rohingya has mostly been verbal. While Myanmar has since come a long way, with a 2010 general election that ended the rule of the military junta and the release of Aung San Suu Kyi in 2012, little has changed for the Rohingyas. Not only have they not benefitted from the recent democratizing of Myanmar, they became victims whose plights are drowned out by the noise of global encouragement and praise at Myanmar's opening up.

30 Fan Hongwei, "ASEAN's 'Constructive Engagement' Policy towards Myanmar," *China International Studies* (2012): 55.

ASEAN on the Rohingyas

Much of ASEAN's response towards the Rohingya issue can best be described as lackadaisical—soft and hiding behind the policies and doctrines of respecting territorial sovereignty and integrity as well as non-interference in the internal affairs of ASEAN member states. Responses from the Muslim majority ASEAN member states, in particular Indonesia and Malaysia, have been stronger as they largely involve non-state actors.³¹ The plight of the Rohingyas has attracted sympathy, political, and non-political support from several Muslim organizations across the region, forcing Malaysia and Indonesia to be more vocal of Myanmar's handling of the issue.

The exodus of Rohingyas by sea in 2012 presents itself as a new and acute challenge for ASEAN. Despite the nature of this non-traditional transnational security threat, ASEAN has struggled to achieve a solution. Furthermore, several ASEAN member states face huge strains in accommodating the Rohingya refugees. ASEAN continues to lack a regional framework on refugees, with only two of ten ASEAN member states (Cambodia and Philippines) serving as signatories of the UN Refugee Convention. While the member states have convened to criticize the handling of the Rohingyas on boats, there has been no formal criticism of Myanmar, except for bringing up the Rohingya issue during bilateral talks.³²

ASEAN Intergovernmental Commission on Human Rights

The establishment of the ASEAN Intergovernmental Commission on Human Rights (AICHR) in 2009 has not led to any improvements in the ASEAN response towards the Rohingya issue. The ASEAN Human Rights Declaration, while being a step in the right direction in advancing human rights awareness and protection in ASEAN member states, merely remains a paper tiger. It does not have the mandate to handle individual cases should they be submitted to the AICHR, depending heavily on consensus and consultation. The AICHR describes its contribution and impact on human rights in ASEAN as “educating and raising awareness on human rights to

31 Bilveer Singh, “ASEAN, Myanmar and the Rohingya Issue,” *Himalayan and Central Asian Studies* 18 (2014): 12.

32 “ASEAN Leaders To Press Myanmar To Solve Rohingya Issue,” *South China Morning Post*, November 19, 2012, accessed June 4, 2016, <http://www.scmp.com/news/asia/article/1085658/asean-leaders-press-myanmar-solve-rohingya-issue>.

the people of ASEAN” and its duty as “the overarching institution in ASEAN on human rights...cooperat[ing] with other ASEAN bodies and with external partners. AICHR will develop a regional cooperation on human rights.”³³ It is ambitious with good intentions but has few, if any, achievements to show for its grand ambitions.

An examination of the AICHR’s second five-year work plan (2016–20) shows that the mandates are an exact replica of what is listed in the ASEAN Human Rights Declaration, the Phnom Penh statement, and the first five-year work plan (2010–15). While improvements have been made, serious fundamental defects remain, especially within the realm of human rights. Also, AICHR relies on human rights reports submitted by member states to the human rights bodies in the UN instead of conducting a thorough investigation and writing its own report on each member state. It also relies on each member’s voluntary sharing of information and updates instead of closely monitoring the situation. AICHR’s work fails to meet even the minimum level for compliance with international human rights law and standards for it has never intervened in nor reported on any concrete national or regional human rights issues. It has also been disappointingly and shamefully silent on key incidents of human rights violations in Southeast Asia, such as the mistreatment of migrant workers from ASEAN states, thus failing a basic test of its integrity as a human rights body. This incoherence in goals and execution is undeniably the reason why the AICHR has failed to provide any meaningful impact on the Rohingya crisis and on the overall human rights situation in ASEAN.

Toothless ASEAN

The long-burning Rohingya crisis is an apt example of how ASEAN principles of non-interference and a weak mandate on non-economic issues are no longer up to date with the geopolitical reality of Southeast Asia, for they severely limit ASEAN’s ability to enforce collective political will to mitigate the Rohingya crisis.³⁴ The lack of a rough outline of a possible regional solution,

33 The ASEAN Secretariat, “AICHR: What You Need To Know,” ASEAN Public Outreach and Civil Society Division, October 19, 2012, accessed June 1, 2016, http://aichr.org/?dl_name=web_FA_AI-CHR_19102012_FINAL.PDF.

34 Syed Munir Ksar, “Rohingya Refugee Crisis can be Solved Only if ASEAN Musters the Will to Do So,” *South China Morning Post*, June 19, 2015, accessed June 3, 2016, <http://www.scmp.com/comment/insight-opinion/article/1823719/rohingya-refugee-crisis-can-be-solved-only-if-asean-musters>.

in spite of all the discussions about the Rohingya crisis in 2015, further exposes the toothlessness of ASEAN. The ASEAN community will be a failure without any form of regional rights protection, and each day that ASEAN does not step up and take ownership of the Rohingya crisis as a regional problem is one more day where the Rohingyas will suffer in silence.

International Community: Strategic Ignorance?

As the final non-domestic factor, the international community is mostly focused on Myanmar's democratization and seems very willing to lavish praises upon it, despite the blatant human rights violations carried out against its minorities. There is an overall optimism about the democratization progress, marked most visibly by the release of Aung San Suu Kyi from long-term house arrest and her party's sweeping win in the 2015 parliamentary elections. Such optimism remained largely undampened even as Aung San Suu Kyi, a symbol of human rights activism in Myanmar and in the world, flatly denied the ethnic cleansing of Rohingyas in a BBC interview in April 2017.³⁵ The UN is also overstretched in its resources to help the displaced, including the Rohingyas, due to the various systemic barriers placed upon them by the Burmese government. While the UN Human Rights Council finally agreed in March 2017 to send a fact-finding mission to investigate the human rights abuse long suffered by the Rohingya, it was not a Commission of Inquiry (a higher level of investigation) as called for by the UN's special rapporteur in Myanmar.³⁶ This section will thus examine how the unwillingness to pressure Myanmar plus the limitations of finite UN resources contribute to the perpetuation of the Rohingya crisis.

International Community on the Rohingyas

While the outbreak of the boat crisis in the last few years has sparked horror around the world and saw the word "Rohingya" carried in the headlines

35 "Aung San Suu Kyi Denies Ethnic Cleansing of Rohingya," *Al Jazeera*, April 6, 2017, accessed April 28, 2017, <http://www.aljazeera.com/news/2017/04/aung-san-suu-kyi-denies-ethnic-cleansing-rohingya-170406081723698.html>.

36 OHCHR Press Release Office, "Human Rights Council Decides to Dispatch a Fact-Finding Mission to Myanmar to Establish Facts on Violations, Especially in Rakhine State," *Human Rights Council*, March 24, 2017, accessed April 26, 2017, <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21443&LangID=E>.

of major global newspapers, little concrete action to help these migrants has been taken. Western optimism about government reforms in Myanmar coupled with the history of Chinese and Russian vetoes on intervention translates into little political will for a military intervention of any sort against the violence experienced by the Rohingyas.

Despite the attention shone on Myanmar from US President Obama's visit in 2012, the Rohingya crisis remains as dire as ever.³⁷ Tom Malinowski, the US Assistant Secretary of State for Human Rights and Labor, also cautioned against hoping for any major improvements in the situation in the short term. US engagement with Myanmar was, and still is, mostly driven by the concern that Myanmar may become part of China's sphere of influence.³⁸ The strategic location of Myanmar and its abundance of natural gas resources have led the US to become less vocal on the plight of the Rohingyas. The US wishes to keep Myanmar within its sphere of influence and has avoided imposing sanctions that would only alienate Myanmar.

The Rohingya crisis remains a challenge for the West, which has showered economic aid and good will on Myanmar in the hope of one day winning support from a democratic, resource-rich country. Thus, many Western governments have mostly kept quiet about their concerns towards the Rohingyas's treatment in hopes of persuading the Burmese government to change its stance.³⁹

UN Efforts

While a Special Rapporteur to Myanmar by the UN has been appointed, Myanmar has not allowed the establishment of an Office of the United Nations High Commissioner for Human Rights (OHCHR) with a full mandate. It continues to place restrictions on visas and travel authorizations on OHCHR team members.

While the Special Rapporteur is a step in the right direction for supervising the situation in Myanmar and an effort to work with the domestic government, the Special Rapporteur faces many hurdles in being

37 Holly Yan and Ivan Watson, "Obama in Myanmar: Rohingya Crisis Could Dim ASEAN Summit," CNN, November 13, 2014, accessed June 4, 2016, <http://edition.cnn.com/2014/11/13/politics/myanmar-obama-asean-visit/>.

38 "Will Anyone Help the Rohingya People?" *BBC News Asia*, June 10, 2015, accessed June 5, 2016, <http://www.bbc.com/news/world-asia-33007536>.

39 Ibid.

able to make significant steps towards resolving the Rohingya crisis. Former Special Rapporteur Tomás Ojea Quintana commented in a 2013 interview that Myanmar has not done enough to address human rights abuses and described the situation in Rakhine as “quite fragile and critical.”⁴⁰

The Special Rapporteur report in 2016 emphasizes the importance of changing the discriminatory Citizenship Law (1982) to meet international standards. In particular, the provisions of granting of citizenship on the basis of ethnicity or race, which are clearly discriminatory, should be revised. The report also calls upon the new government to take immediate steps to end the highly discriminatory policies and practices against the Rohingya and other Muslim communities in Rakhine. It highlights that little progress has been made in resolving the legal status of the more than one million Rohingya in Myanmar, including their access to citizenship.

The UN’s weak stance regarding the Rohingya can also be seen from the UN Secretary General’s Special Advisor on Myanmar Vijay Nambiar’s visit to the Rakhine State in May 2015. A disappointingly benign statement was released following the visit, stating that “[t]he UN recognizes and appreciates the recent improvements in the conditions in Rakhine, including efforts to improve the situation of the IDPs [internally displaced persons]” and weakly concluded that “[n]otwithstanding these welcome improvements, more work needs to be done to address the daily issues of discrimination, restricted freedom of movement, and deprivation of fundamental rights faced by the IDPs and other Muslim populations.”⁴¹ The statement failed to use the term Rohingya, instead accommodating the Myanmar government by using its preferred term “Bengalis,” referring to and underscoring their alleged illegal immigration from Bangladesh.

The current UN strategy emphasizes development investment as the solution to Rakhine State’s problems; however, it fails to account for development initiatives carried out by discriminatory state actors through discriminatory institutions will likely have a discriminatory outcome. The UN Resident Coordinator in Myanmar (with an ambassador equivalent status) was more focused on the development approach instead of human rights, even asking the Special Rapporteur to be less vocal about the Rohingya

40 “Interview: Tomás Ojea Quintana,” *IRIN*, October 24, 2013, <http://www.irinnews.org/report/98988/interview-un-special-rapporteur-human-rights-myanmar>.

41 “Press Statement,” UN Office of the Resident & Humanitarian Coordinator, Union of Myanmar, May 22, 2015, accessed June 4, 2016, http://reliefweb.int/sites/reliefweb.int/files/resources/FINAL%20Press%20Release_UN%20Mission%20to%20Rakhine%20State_22-23%20May%20.pdf.

issue and to not visit Rohingya displacement camps.⁴²

Also, no commission of inquiry on the human rights situation in Rakhine State was established for an urgent, comprehensive, and independent investigation of the widespread and systematic abuses committed against the Rohingya. For decades, the UN limits its criticism of the Burmese government's treatment towards the Rohingya people to verbal statements and press releases. Despite reports from the Special Rapporteur and various other NGOs about the worsening situation, the UN is still unable to rally member states in undertaking an official resolution against Myanmar's systematic discrimination towards the Rohingya people. The inaction underlies a strategic intent to not cross the line in pressuring the Burmese government with hard measures, especially with the Special Rapporteur's comment about the UN's decision to launch a fact-finding mission instead of a Commission of Inquiry in order to give the new Aung San Suu Kyi-led government more time.⁴³

Conclusion

The inability of the Rohingya people to put up an organized resistance, an ASEAN hiding behind the shield of non-interference, and a strategic ignorance of the international community have all contributed to the perpetuation of the Rohingya crisis. Of the three factors, the author believes that most difficult to change would be the Rohingya people's ability to organize themselves. The Rohingyas, having been a disenfranchised minority for a long time, lack the resources to unite and stand up for themselves. It would also not be ideal to arm them and sit back, letting them fend for themselves and escalating the Rohingya problem into a military conflict. Not only would it not lead to a resolution of the problem, but it would give the Burmese government more reason to use force against the Rohingya people, thus creating further civilian casualties.

The most feasible course of action would be for ASEAN and the international community to stand up for the Rohingya by pressuring the

42 Emanuel Stoakes, "Leaked Documents Show How the UN Failed to Protect Myanmar's Persecuted Rohingya," *VICE News*, May 22, 2016, accessed June 4, 2016, <https://news.vice.com/article/how-the-un-failed-to-protect-myanmars-persecuted-rohingya>.

43 "UN to Probe Alleged Crimes against Rohingya in Myanmar," *Al Jazeera*, March 24, 2017, accessed April 28, 2017, <http://www.aljazeera.com/news/2017/03/probe-alleged-crimes-rohingya-myanmar-170324113526685.html>.

Myanmar government into ending its decades-long persecution. While experts have determined that a resolution to this crisis would require more political interest and economic resources from across Southeast Asia, the ASEAN member states lack collective political will. ASEAN's collective failure to address the root causes of the inadequate rights of the Rohingya will ensure its continuation. On the part of the international community, a Human Rights Watch report's succinct conclusion that "the Rohingyas have no constituency in the West and come from a strategic backwater, no one wants them (and no one is prepared to help them end their decades of persecution) even though the world is well aware of their predicament" is a painful but brutally honest truth. The Rohingya crisis persists today because no one has sufficient interest to create a blueprint of what needs to be done to end this slow-burning humanitarian crisis.

CULTURAL NATIONALISM IN SOUTH KOREAN BUSINESS: THE CASE OF HAANSOFT SOFTWARE PRODUCTS

Nigel Callinan

Pusan National University

This paper explores the use of cultural nationalism and protectionism in business. It uses the example of a rivalry between two software companies offering word processing program and software solutions in South Korea. One of the products offered by a domestic South Korean company had an association with the Hangul writing system, which is an important part of Korea's cultural identity. The competing company was a North American multinational corporation (MNC) seeking to conduct a takeover of the local South Korean company. The research suggests that a local investment company may have leveraged consumer perceptions of American cultural imperialism in order to block the takeover, so that they could take control of the company instead.

South Korea is now a modern country with access to extensive information and communication technology (ICT) infrastructure and business systems. These systems involve a mix of domestically developed and international products. In some cases, domestically developed products end up in direct competition with international products aiming at the same industries. This can result in large multinational corporations (MNCs) directly pitted against local rivals that are solely dependent on the consumer base of their own country. This could be a mismatch because the MNC has a huge budget, marketing, and reach advantage, as long as their product has been localized successfully to suit the target market.

However, there are some strategies that countries and companies can use to try and protect themselves against the competition posed by the products and services of MNCs. According to Anthony D'Costa, one means to do this is through the use of trade barriers or technical barriers to trade

(TBTs) to restrict or limit access to a market.¹ This would take place at the government level. Another approach would be to encourage consumers and businesses to “buy local” by advertising the importance of supporting local businesses and employees or by portraying the MNC as a foreign threat to domestic industry or culture. The government or the domestic company can do this either together or separately in conjunction with the media. This strategy could be more effective if the brand of the domestic product can be associated with the cultural identity of the country.

A study by Taewon Suh and Ik-whan Kwon determined that consumer ethnocentrism is still an important factor when it comes to a reluctance to buy foreign products in South Korea.² Research has also been carried out on the idea of globalization as modern-day colonialism.³ The perception of colonialism though globalization could constitute a potential barrier to market penetration for MNCs. The role of perceived American imperialism in South Korea has also been widely studied as the US has maintained a large military presence in Korea since the 1950s, and this divides opinions in South Korea on the influence of the US. A study by Gi-wook Shin noted a rise in anti-Americanism in South Korea in the 1980s and 1990s.⁴ David Morley⁵ and John Rowe⁶ explored the blurred lines between perceptions of globalization and American cultural imperialism and determined that the two are often considered to be the same in certain countries.

This paper explores the rivalry between an American MNC, Microsoft, and a South Korean company called Haansoft⁷ for control of the office

-
- 1 Anthony P. D’Costa, “Looking Ahead at Economic Nationalism: Concluding Remarks,” *Globalization and Economic Nationalism in Asia* (2012): 246.
 - 2 Taewon Suh and Ik-whan G. Kwon, “Globalization and Reluctant Buyers,” *International Marketing Review* 19, no. 6 (2002): 663–80.
 - 3 Robert I. Westwood and Gavin Jack, “Manifesto for a Post-Colonial International Business and Management Studies: A Provocation,” *Critical Perspectives on International Business* 3, no. 3 (2007): 246–65; Subhabrata Bobby Banerjee and Stephen Linstead, “Globalization, Multiculturalism and Other Fictions: Colonialism for the New Millennium?” *Organization* 8, no. 4 (2001): 683–722; Andreas Georg Scherer and Guido Palazzo, “The New Political Role of Business in a Globalized World: A Review of a New Perspective on CSR and Its Implications for the Firm, Governance, and Democracy,” *Journal of Management Studies* 48, no. 4 (2011): 899–931.
 - 4 Gi-wook Shin, “South Korean Anti-Americanism: A Comparative Perspective,” *Asian Survey* 36, no. 8 (1996): 787–803.
 - 5 David Morley, “Globalization and Cultural Imperialism Reconsidered,” *Media and Cultural Theory* (2005): 30–43.
 - 6 John Carlos Rowe, “Culture, US Imperialism, and Globalization,” *American Literary History* 16, no. 4 (2004): 575–95.
 - 7 Haansoft was rebranded as Hancom in 2010; however, to avoid confusion, their original company name is used throughout this paper.

productivity business area in South Korea. Frédérique Sachward,⁸ Gil-sung Park et al.,⁹ and Sang Mi Park¹⁰ provided examples of protectionism based on the collusion between South Korean companies and the government in order to restrict market access for MNCs. Chuan-hoo Tan et al. used a game theory approach to analyze the rivalry between companies in the word processing area in Korea.¹¹ However, they did not explore the role of nationalism and cultural heritage. Youngmi Kim,¹² Sungwoo Kim and Michael Chesnut,¹³ Haksoo Ko,¹⁴ and Gi-wook Shin¹⁵ discussed the perceptions of cultural imperialism by the US in South Korea but did not investigate the software area.

This study uses the research synthesis approach to investigate whether evidence exists to suggest that business and protectionist measures were used in this software area. The study will use qualitative data to determine if the available literature provides evidence that the South Korean government, media, and business leaders worked together to form a barrier to Microsoft through consumer manipulation using cultural heritage and nationalism.

History and Significance of the Hangul Language

The Korean script, Hangul, is distinct from other East Asian languages as it uses independently created alphabet blocks; whereas Japanese and the various Chinese writing systems are mostly based on ancient Chinese

8 Frédérique Sachwald, "Globalization and Korea's Development Trajectory: The Roles of Domestic and Foreign Multinationals," in *Going Multinational: The Korean Experience of Direct Investment*, ed. Frédérique Sachwald (London: Routledge, 2001), 361–83.

9 Gil-sung Park, Yong Suk Jang, and Hang Young Lee, "The Interplay between Globalness and Localness: Korea's Globalization Revisited," *International Journal of Comparative Sociology* 48, no. 4 (2007): 337–53.

10 Sang Mi Park, "The Paradox of Postcolonial Korean Nationalism: State-Sponsored Cultural Policy in South Korea, 1965-Present," *Journal of Korean Studies* 15, no. 1 (2010): 67–93.

11 Chuan-hoo Tan, Xue Yang, and Heng Xu, "An Investigation of the Word-Processing Software Market War in South Korea: A Game-Theoretic Approach," *Information & Management* 47, no. 2 (2010): 96–101.

12 Youngmi Kim, "Digital Populism in South Korea? Internet Culture and the Trouble with Direct Participation," *Korea Economic Institute Academic Paper Series* 3, no. 8 (2008): 1–8.

13 Sungwoo Kim and Michael Chesnut, "Hidden Lessons for Developing Journals: A Case of North American Academics Publishing in South Korea," *Journal of Scholarly Publishing* 47, no. 3 (2016): 267–83.

14 Haksoo Ko, "Uncompetitive Deals," *Far Eastern Economic Review* 161, no. 33 (1998): 33.

15 Gi-wook Shin, *Ethnic Nationalism in Korea: Genealogy, Politics, and Legacy* (Stanford: Stanford University Press, 2006).

characters. As discussed by Hŭng-gyu Kim and Robert Fouser, this writing system allowed the Chosun monarchy to break the elitist grip that the powerful Yangban families had at the time on education and information due to the difficulties associated with learning more complex Chinese characters.¹⁶ It also was a symbol of Korea's cultural independence from China during the many Chinese and Mongolian invasions and occupations of the Korean peninsula. Later the Hangul script was threatened during the Japanese colonization of Korea when Japan attempted to impose their writing and family name system on Korea in the late 1930s. This made Hangul a symbol of Korean national pride, independence, and patriotism.¹⁷

Research by Harald Haarmann discussed the cultural significance of Hangul.¹⁸ He explained that as Chinese culture dominated East Asia until the mid-nineteenth century, Hangul was seen as one of the ways in which Korean culture could be distinguished from Chinese. In addition, Iksop Lee and Robert Ramsey explained how the Hangul writing system became a key part of the Korean cultural identity under the Japanese empire.¹⁹ Nahm-Sheik Park showed how Hangul literacy was pursued in the years following the Korean War as way to ensure continued independence.²⁰ An example of this was shown when Korea regained its independence at the end of World War II. A new national holiday called Hangul Day was established, which is held on October 9 to celebrate King Sejong's unveiling of the new characters.²¹

Early Digital Representations of the Hangul Language

Until the second half of the twentieth century, access to computers and word processing systems were limited in countries that used non-Romanized writing systems, as it was too expensive to justify investment in localized character input systems. However, as personal computer prices started to become more affordable in the late 1970s and early 1980s, the situation

16 Hŭng-gyu Kim and Robert Fouser, *Understanding Korean Literature* (Armonk: M. E. Sharpe, 1997).

17 Youngsoo Park, "The Language of the Country" in *International Handbook of Reading Education*, eds. John Hladczuk and William Eller (Westport: Greenwood Press, 1992), 269.

18 Harald Haarmann, "The Emergence of the Korean Script as a Symbol of Korean Identity," *Contributions to the Sociology of Language* 65 (1993): 143–58.

19 Iksop Lee and S. Robert Ramsey, *The Korean Language* (Albany: SUNY Press, 2000).

20 Nahm-Sheik Park, "Language Purism in Korea Today," *The Politics of Language Purism* 54 (1989): 113.

21 Valentina Marinescu and Ecaterina Balica, "Audience Perceptions and Representations of Korea," *The Global Impact of South Korean Popular Culture: Hallyu Unbound* 89 (2014).

changed. The Korean language was excluded from many of the earliest attempts to display languages on computers, as it was considered to be a niche market for one country only. The breakthrough in displaying Hangul on computers came from within Korea. The person behind this achievement was Lee Chan-Jin, a former Seoul National University mechanical engineering student, in the late 1980s.²² Lee quickly realized he had a good potential business with his creation, and on October 9, 1990, he established a Korean language word processing program as part of a company called Hangul and Computer. The owners later decided to change their company name first to Haansoft and then later to Hancom in 2010.²³ The company called the Korean language word processing program Hangul, or sometimes Ah-Rae-Ah Hangul in English.²⁴ Coincidentally, this was the same year that Microsoft first began to offer Korean language support through MS DOS and later Windows 3.0.²⁵

Based on the ability of Ah-Rae-Ah Hangul to effectively display and edit Korean text, along with its symbolic significance, the new program moved into a strong market position. After its release in 1990, Ah-Rae-Ah Hangul reached sales of 1 billion won in 1991, before progressing to 10 billion won in 1993 by adding over 100,000 registered users.²⁶ One major advantage the new company had during this period was that Microsoft did not even have a branch in South Korea at the beginning of the 90s. Microsoft's first office in Seoul opened in 1992, but by this time the American company was already well behind in the desktop office software area in South Korea.

To compete with the success of Haansoft, Microsoft tried to create ties with the South Korean business and academic communities. In 1994, the CEO of Microsoft signed a source code licensing agreement with the Korea Advanced Institute of Science and Technology (KAIST), one of South Korea's top technical universities.²⁷ Then, in June 1997 he went to South

22 Chuan-Hoo Tan, "Battle for Dominance in the Word-Processing Software Market in Korea-How and Why Microsoft Tipped the Market as an Entrant? Is it by Chance?" *PACIS 2004 Proceedings* 129 (2004).

23 "Company History," Hancom, accessed November 1, 2012, <http://www.hancomoffice.com/>.

24 Ah-Rae-Ah Hangul was later shortened to just Hangul and then incorporated into the Hancom Office Suite. To avoid confusion, Ah-Rae-Ah Hangul will be used throughout this paper.

25 "Korea Information Security Agency," Microsoft, accessed November 23, 2011, <http://www.microsoft.com/en-us/news/press/2004/nov04/11-22KoreaPR.aspx>.

26 Calvin Sims, "The Business World: How Korean Pride Rallied to Save a Software Maker," *The New York Times*, August 15, 1999, accessed November 23, 2011, <http://www.nytimes.com/1999/08/15/business/the-business-world-how-korean-pride-rallied-to-save-a-software-maker.html>.

27 "Korea's Bill Gates Surrenders to Microsoft: Financial Trouble," *The Korea Herald*, August

Korea again to deliver a presentation to the Chief Information Officer (CIO) Forum, organized by the Federation of Korean Information Industries.²⁸

Meanwhile, the surge in Ah-Rae-Ah Hangul word processing program's usage continued, and by 1997 Haansoft had attained a 60 percent market share for domestic users. The success of the company was a source of pride in South Korea, leading to the software winning the media-voted Hit Product of the Year award for 1995, 1996, and 1998, the Thirteenth Venture Society Grand Prize of 1995, and the New Software Product Grand Award from the Association of Korean IT Industries.²⁹ All this attention meant that the CEO of Haansoft became a very high-profile figure in Korea. His status allowed him to branch out into the world of politics, and he even managed to win an election to become a member of the Korean National Assembly.

At the same time, Microsoft was the clear global leader in the industry with their flagship MS Word program, but they only had a 30 percent market share in South Korea for word processor usage. One technical difference between the products, which Haansoft used as part of their marketing campaigns, was that Ah-Rae-Ah Hangul was able to display over 11,000 combinations of the Korean language's phonetic characters, compared to Microsoft Word's 2,500.³⁰ The default file type of Ah-Rae-Ah Hangul was the HWP format, with the filename extension *.hwp. Early HWP files up to and including Hangul 97 could be opened with the Open Office Suite, but they had to be converted for Microsoft Word use. These conversions often resulted in formatting errors that made the files almost unusable and effectively forced users to purchase a copy of Ah-Rae-Ah Hangul to work with HWP files. Meanwhile, Ah-Rae-Ah Hangul was able to open MS Word files without conversions or formatting problems. This combination of the proprietary file type of Ah-Rae-Ah Hangul and its ability to open MS Word provided a business advantage to Haansoft that contributed to their dominant market share at the time.

18, 2003, accessed November 23, 2011, http://www.accessmylibrary.com/coms2/summary_0286-24117266_JTM.

28 Ryan Leganza, "Free Software in Korea: Part One - The Microsoft Connection," *Linux Today*, October 4, 1999, <http://www.linuxtoday.com/developer/1999100400105NWLF>.

29 Donald Kirk, "Local Company Draws Fire for Ceding a Market to Microsoft: Koreans Bristle at Software Deal," *The New York Times*, July 3, 1998, <http://www.nytimes.com/1998/07/03/business/worldbusiness/03iht-hangul.t.html>.

30 "Koreans Raise the Anti-Microsoft Standard Save our Software," *The Register*, July 24, 1999, http://www.theregister.co.uk/1999/03/24/koreans_raise_the_antimicrosoft_standard/.

Haansoft's Issues with Piracy and Microsoft's Attempted Takeover

In order to analyze the reaction to Microsoft's attempted takeover, a detailed overview of the factors that led to the move are presented here. On the surface, the market dominance looked like a huge success for Haansoft, but the figures masked a serious problem. As with a lot of the software of that era, the licensing and security systems were basic, and it was easy to pirate and copy the program. Furthermore, enforcement of intellectual property laws for software use in South Korea was also a relatively new area, so the legal route was often not a practical option. One of the Haansoft executives disclosed in a 1998 press conference that an estimated 80 percent of the software in use throughout South Korea at the time was pirated. Another issue was that Haansoft had unsuccessfully expanded into new business areas without first stabilizing the company's financial situation, which further stretched their finances. On May 13, 1998, the company defaulted on promissory notes worth KRW 250 million. On May 21, 1998, another arm of their business, Haansoft Service, also defaulted on its notes and could not pay employees' salaries for three months in a row.³¹

The financial problems at Haansoft became public in 1998 at the height of the Asian Financial Crisis, when the company disclosed that they had built up over US\$10 million of debt and were on the verge of collapse.³² A takeover by Microsoft at this time would have allowed them to attain a virtual monopoly of the Korean word processing market, so negotiations began between the heads of Microsoft Korea and Haansoft on June 8, 1998. According to the former Microsoft Korea General Manager, Lee Chan-jin of Haansoft had initially suggested selling the intellectual property rights to his word processor software since he needed operational funds.³³ Instead, Microsoft Korea's representatives proposed that Microsoft would like to invest in Haansoft and change the business strategy of the company. Haansoft showed an interest in this suggestion, so the next step involved forming a team led by the law firm Kim & Chang to arrange the details of the deal.³⁴

31 Seungeun Bae, "On the Rebound," *Invest Korea*, last modified March 3, 2003, http://www.investkorea.org/InvestKoreaWar/work/ik/kor/bo/content_print.jsp?code=4020303.

32 Hyo Jeong Lee, "Calls to Boycott U.S. Goods Spread on Web," *JoongAng Daily*, March 4, 2002, <http://koreajoongangdaily.joinsmsn.com/news/article/article.aspx?aid=1901090>.

33 "Hancom: A Day of Reckoning," *The Chosun Ilbo*, December 15, 2000, http://english.chosun.com/site/data/html_dir/2000/12/15/2000121561221.html.

34 Kirk, "Local Company Draws Fire for Ceding a Market to Microsoft."

At a meeting held on June 15, 1998, in front of a large media audience, Haansoft and Microsoft Korea signed a Memorandum of Understanding (MOU) that confirmed the Korean company's plan to discontinue its Korean word processor software in return for Microsoft's investment. Around the same time, Microsoft's CEO was visiting South Korea and informed the South Korean president about his investment plans in South Korea, explaining that Microsoft actions would help the country out of its financial crisis. During the subsequent press conferences, the South Korean Information and Communication Minister made it clear that the government would never be involved in business activities. This was seen as a gesture to clear the way for Microsoft's investment. In order to project a positive profile for the company, Microsoft's Vice President also announced a US\$77 million software donation to South Korean schools and institutions as part of a promotional tour.

Microsoft's offer of US\$20 million investment in Haansoft was contingent upon the withdrawal of the Ah-Rae-Ah Hangul word processing program from the South Korean market. The US\$20 million would then entitle Microsoft to 19 percent of the company, and they would steer the business in new directions, with Haansoft becoming a reseller for MS Products. According to Laxmi Nakarmi, a Haansoft PR executive announced that with the help of Microsoft's investment the company planned to move away from packaged software into the internet infrastructure business area.³⁵

The Campaign to Save Hangul

The idea of a foreign company taking control of the word processing business in Korea's own language when the country was at a low point due to the financial crisis struck a nerve with the local media and government, and it inspired an immediate backlash. In 1998, the South Korean economy saw a 6 percent contraction in GDP. Conversely, Microsoft was at the peak of the software industry with a US\$260 billion market valuation, which was not very far behind the value of the entire South Korean economy (US\$317 billion in 1998). This also occurred just before the global dotcom crash that affected technology companies all over the world. Microsoft would have been

35 Laxmi Nakarmi, "Pulling Back from the Brink. Korea's Software Giant Gets Internet-Ready Fast," *CNN Asia Week*, May 26, 2000, <http://edition.cnn.com/ASIANOW/asiaweek/technology/2000/0526/tech.korea.html>.

paying the equivalent of what it earned in two days in exchange for virtually complete control of the Korean word processing market.³⁶ The timing of the attempted takeover was significant as it coincided with a weakened South Korean economy, and bankruptcies or takeovers by international companies loomed over many domestic companies. Furthermore, the country faced pressure from the International Monetary Fund (IMF) over the economic restructuring package. There are connections between economic downturns, xenophobia, and nationalism as explored by Peter Gourevitch³⁷ and Anthony Wimmer.³⁸

In this environment, the Committee to Save Hangul Software was established on June 22, 1998, by local entrepreneur Lee Min-hwa who planned to protect Haansoft from foreign involvement. Lee Min-hwa was the founder of the Korea Venture Business Association (KOVA) in 1995 and the CEO of a successful medical devices company called Medison.³⁹ His new group was supported by over fifteen civic organizations, including the Hangul Society. Support from the Hangul Society was especially significant and symbolic because this organization was originally set up in 1912 during the Japanese colonization of Korea in order to preserve and promote the Korean writing system as part of the resistance movement. One of the Committee's announcements stated, "If Haansoft gives up Hangul software, it will be a tremendous loss for the country. The entire business will be taken over by Microsoft, and people will have to learn MS Word." The statement implied that the loss of ownership of the software would be something more than just a common business merger. The phrase "gives up" suggests that something was going to be taken away, and use of the word "country" suggests that it would affect the nation itself and not just their customers. The Committee attempted to connect the cultural value of the product and the nation itself in order to foster resistance.

The group explored alternatives to the Microsoft proposal. One proposition was to open the Ah-Rae-Ah Hangul program's source code and develop an all-Korean word processor product that could serve as its replacement. The leaders of the "Save Haansoft's Korean Software"

36 Tae Gyu Kim, "Die-Hard Korean Software Maker Vows to Undercut MS," *The Korea Times*, June 18, 2012, http://www.koreatimes.co.kr/www/news/tech/2012/08/133_4956.html.

37 Peter Gourevitch, *Politics in Hard Times: Comparative Responses to International Economic Crises* (New York: Cornell University Press, 1986).

38 Anthony Wimmer, "Explaining Xenophobia and Racism: A Critical Review of Current Research Approaches," *Ethnic and Racial Studies* 20 (1997): 17–41.

39 Ji-hyun Cho, "Digital Hospitals to Bolster Growth," *The Korea Herald*, November 21, 2011, http://eng.kohea.co.kr/pr_news/the-korea-herald-digital-hospitals-to-bolster-growth.

movement also met with Microsoft Korea's president to request that they back out of the deal.⁴⁰ The next step in the movement's campaign against Microsoft was to set up the Hangul Venture Company Committee, whose goal was to raise enough funds to keep Haansoft afloat and avoid the need for Microsoft's investment. Lee Min-hwa announced that "Lee Chan-jin and his staff must fight until the end" in a newspaper interview. He also presented a report suggesting that the cost to retrain all South Korean users on Microsoft software could surpass the US\$14 million debt of Haansoft.⁴¹ Meanwhile, South Korean newspaper editorials were published branding Microsoft's CEO as a colonialist. Also, in a survey of South Korean college students, it asked which celebrities they admired most, in which Haansoft's founder Lee Chan-jin placed second and the chairman of Hyundai came in first. In a media interview, the Haansoft founder said that the Hangul Venture Company Committee's aim was "flattering but unrealistic" and asked for more time to negotiate a deal with Microsoft and avoid bankruptcy.⁴² The narrative of connecting Microsoft's CEO with colonialists of the past was a strategy to convince people of an association between the takeover of Haansoft and the perceived American cultural imperialism over Korea. In addition, the survey results suggested that the college students considered the Haansoft founder to be a national hero.

Haansoft and Microsoft Korea continued the takeover negotiations until July 16, 1998, in spite of widespread public opposition. This opposition began with discussions on online bulletin boards like Chollian, Hitel, Naunuri, and Unitel. The participants in these discussions came together and created a petition against the proposed takeover, gathering 13,000 signatures and endorsements from 120 organizations.⁴³ Moreover, the Korean Venture Business Association's (KVBA) fundraising campaign against the takeover was gaining steam. They reached out to both South Korean businesses and individuals for donation requests to protect Haansoft and managed to raise US\$7.3 million, approximately two-thirds of which came from KVBA members and one-third from South Korean individuals. Despite these campaigns, talks continued, and representatives from Microsoft and Haansoft agreed to sign the final draft on July 20, 1998. Microsoft Korea also closed their offices for

40 Sims, "The Business World: How Korean Pride Rallied to Save a Software Maker."

41 Seong Byeon Kim, "Linguistic Nationalism of Korea in the Information Age: Political Economy of the 'Movement to Save Hangul,'" *Korean Political Science* 37, no. 1 (2003): 409–67.

42 "Hancom: A Day of Reckoning."

43 Jinsang Hwang, "Social Shaping of ICTs Standards: A Case of National Character Set Standards Controversy in Korea" (PhD diss., University of Edinburgh, 2005.)

two days because of the Constitution Day holiday starting on July 17.

Within Haansoft, internal conflict was brewing due to the high-profile campaigns against the deal. Haansoft Service's president turned against the Microsoft plan, and he persuaded a Haansoft director to join him.⁴⁴ Between them, they succeeded in forcing Haansoft's CEO to bow to public pressure and back out of the turnover plan at the last minute. They did not immediately inform Microsoft of their change in plans, and Microsoft's CEO was already enroute to South Korea to announce the deal at a prearranged press conference as part of a two-day promotional tour that included meetings with the South Korean president. The press conference was still held on July 20, 1998, but Haansoft's founder surprised the assembled reporters and Microsoft visitors by announcing his decision not to accept their investment offer.⁴⁵ Instead, they outlined their intention to go with the offer from the "Save Haansoft's Korean Software" movement and try to turn the company's finances around with their new backers.

As part of the powershift within Haansoft that led to the strategy change, the Haansoft founder, Lee Chan-jin, was forced to transfer to the position of CTO (Chief Technology Officer) from CEO, and on July 27, 1998, a replacement CEO was chosen. The new CEO's first action was to capitalize on the national pride movement that had been created by rebranding their word processing software and re-releasing it with the name "Hangul 815." The "815" referred to August 15, which was the day that Korea was liberated from Japanese colonial rule.⁴⁶ This name was symbolic and had nationalistic overtones because it drew parallels between Korea regaining independence from Japan and the software product retaining independence from American cultural imperialism. On October 19, 1998, the "Save Haansoft's Korean Software" movement officially dissolved as they announced that their campaign had achieved their goal.

Post-Agreement Problems for Haansoft

The company soon ran into more problems because some of the money

44 Ilhyung Lee, "Culturally-Based Copyright Systems: The US and Korea in Conflict," *Washington University Law Quarterly* 79 (2001): 1103.

45 "Microsoft's Poke in the Eye from Korea," *Computer Business Review*, accessed November 30, 2011, http://www.cbronline.com/news/microsoft_gets_poke_in_the_eye_from_korea.

46 Nissim Otmazgin, "A Tail that Wags the Dog? Cultural Industry and Cultural Policy in Japan and South Korea," *Journal of Comparative Policy Analysis: Research and Practice* 13, no. 3 (2011): 307-25.

pledged by individuals towards the “Save Haansoft’s Korean Software” campaign did not materialize. This meant Lee Min-hwa, the chairman of Medison, was forced to increase his investment to cover the shortfall, making him the largest shareholder of Haansoft. The company’s new power base decided to restructure the company, aiming to refinance the company’s debt and reduce its costs. Haansoft’s workforce was reduced by 10 percent, and their unprofitable businesses, including publications, educational programs, and hardware distribution, were shut down. Research and development efforts were also significantly downsized.⁴⁷ However, these changes did not sit well with the Haansoft founder, and he left the company in 1999 along with a core group of engineers and developers.

In 1998, Haansoft participated in a national campaign to reduce software piracy in South Korea. The campaign encouraged businesses, organizations, and individuals to destroy pirated copies of their software and buy legitimate ones. To facilitate the purchases of legitimate copies, Haansoft cut their prices and began selling their software in places as diverse as banks and supermarkets. The campaign was a success, and the company managed to sell a record 700,000 copies. In August 1998, just one month after their failure to purchase Ah-Rae-Ah Hangul, Microsoft released a Korean version of Windows 98. However, they only managed to sell 27,000 copies in the first four days, which was more or less the same amount as the Windows 95 launch sale three years earlier, and was seen as a disappointing return.⁴⁸

Another new strategy of Haansoft at the time was to expand into the internet business area. In 1999, the company opened a new portal website, Netien, and successfully conducted a KRW 10 billion takeover bid for the Hanulsarang chatting website, immediately gaining access to their 350 million user accounts. They further expanded their offerings by establishing an internet service sister company called Yecar. Haansoft’s share price increased to KRW 40,000 in 2000 from its earlier junk valuation. Medison’s investment of KRW 5 billion jumped up to KRW 120 billion, and their intervention was initially seen as a big success. However, since overexpansion was one of the main reasons Haansoft got into difficulties earlier, there was always the possibility of history repeating itself.

Microsoft decided that the best way to compete with Ah-Rae-Ah Hangul was to develop Microsoft Word’s ability to display Korean characters,

47 Ko, “Uncompetitive Deals,” 33.

48 Josh Meier, “Microsoft Denies Korea’s Request; Windows 98 Support To End July 2006,” *Ars Technica*, December 15, 2005, accessed November 23, 2011, <http://arstechnica.com/uncategorized/2005/12/5765-2/>.

so they released a new version of Word 2000 in January 1999 that addressed this. Microsoft explained that Word 2000 could now display 11,172 Korean syllables, 1.6 million old Korean characters, and 27,000 Chinese characters, which now placed it technically ahead of Haansoft's Ah-Rae-Ah Hangul. In October 2000, Haansoft launched their rival Ah-Rae-Ah Hangul upgrade called Wordian. User reviews of the new program were largely negative, and many Korean customers decided to purchase Microsoft Word at this time. This came as a major blow to Haansoft. However, during this period, no civic movements emerged, as the problem was competition rather than an attempted takeover.

One of the reasons why Microsoft gained market share with Windows 2000 was because they gave large discounts for MS Office use to South Korean universities and schools. Student licenses for MS Office were often priced at around US\$20 per head. This coincided with emerging internet licensing techniques that made it more difficult to distribute illegal software, which benefitted all software producers. One high-profile case illustrating the changing business environment was when a Seoul court fined the majority government-owned Korea Electric Power Corporation (KEPCO) KRW 10 million in 2000 for using pirated versions of Microsoft programs.⁴⁹

However, the reduced academic prices also had a slightly negative outcome for Microsoft, as individual software buyers still had to pay the full price. The result was that Microsoft's own software resellers held public protests in Seoul against the company. Also, Haansoft accused Microsoft of using dumping tactics by selling software at 10 percent of the market price to certain user groups. This became a big public relations problem. The consumer sentiment problem was illustrated in mid-May 1999 when *The Korea Times* ran a story of a study that showed 87.2 percent of South Korean users indicated that the Windows operating system was "unsatisfactory" but had no choice other than to keep using it.⁵⁰

Microsoft responded to the dumping accusations by claiming that they created the site license system to sell their software packages at reduced prices to Korean education customers to encourage the installation of genuine software with students. Microsoft then suggested that Haansoft was guilty of their own accusations because they reduced their prices to under US\$10 for a one-year license of their program. The South Korean government reacted by saying they planned to open an investigation into

49 Cho, "Digital Hospitals to Bolster Growth."

50 Sooyoung Cho and Youngshin Hong, "Netizens' Evaluations of Corporate Social Responsibility: Content Analysis of CSR News Stories and Online Readers' Comments," *Public Relations Review* 35, no. 2 (2009): 147–49.

business practices in the area. Facing mounting pressure, Microsoft had no choice but to relent and withdraw its campus license package before the legal decision by the South Korean government was published.⁵¹ This was another setback for Microsoft Korea in their attempts to dominate the Korean office suite market, but it was not a complete disaster because they did manage to increase their market share.

The South Korean government was caught among pressures from consumers, organizations, and the software industry, along with the need to show the world that South Korea was open to foreign business in the wake of the financial crisis. Therefore, putting a full technical barrier to trade was not an option. However, by this stage, the government was fully aware of the cultural significance of the Ah-Rae-Ah Hangul program, and they tried to support the business. Consequently, the government openly promoted Haansoft's word processor by adopting it for a number of state-run agencies and schools.

However, behind the scenes, Haansoft was again having financial problems. The dotcom bubble was bursting globally, and their main investors from the Medison had run into financial issues with their own business. In 2000, the South Korean credit rating agency downgraded Medison's rating to the junk bond category, and this prompted the firm to attempt to sell its shares in Haansoft to raise funds. Initially, the shareholders approached South Korean companies, including LG Telecom, SK Telecom, and Daum Communication, but they could not make a deal. As a result, the value of Lee Min-hwa's Haansoft stock dropped from KRW 100 billion to KRW 25 billion. Then, Lee Min-hwa searched outside of South Korea in order to make a sale. On November 24, 2000, Medison opted to sell half of their Haansoft shares to Bicus Ballas, a subsidiary of Singapore Telecom, for KRW 22 billion.⁵² After the sale, Medison was no longer the largest shareholder of Haansoft and was in fourth place behind Hong Kong's West Avenue (7.28 percent), South Korea's Moohan Technology Investment (5.84 percent), and Singapore's Bicus Ballas (5.53 percent).

However, there was no significant negative media reaction or public backlash to this purchase of shares by either the Singaporean or the Hong Kong companies. There were a few differences between the earlier offer by Microsoft and this investment. First, these investments were not from companies that offered a rival product to any of Haansoft's services. Therefore, it was not seen as a direct threat to the existence, operation,

51 Hankwon Kim, "Cultural and State Nationalism: South Korean and Japanese Relations with China" (PhD diss., American University, 2007).

52 Cho and Hong, "Netizens Evaluations of Corporate Social Responsibility," 147–49.

and cultural role of the Ah-Rae-Ah Hangul software. Moreover, the two non-Korean companies involved were from Singapore and Hong Kong. Singapore was previously a colony of the British Empire, so it has no connotation of potential cultural imperialism in South Korea. Hong Kong is a part of the People's Republic of China, and China does play a pivotal role in Korea's history. However, Hong Kong was a British concession until 1997, so their cultural association with Beijing from a Korean perspective may not be tied to Korea's historical relationship with China.

As explained earlier, Ah-Rae-Ah Hangul was based on a program design that was not fully compatible with Microsoft. After the new investment, Ah-Rae-Ah Hangul also dispensed with Open Office compatibility.⁵³ However, .hwp files could still not be opened directly by any other program without conversions and major formatting problems. During this time period, the use of digital documents and forms was increasing. Subsequently, local and regional governments in South Korea began supporting Ah-Rae-Ah Hangul by making mandatory online forms available exclusively as .hwp downloads. This meant, for example, all businesses and organizations who needed to file tax returns, fill in reports for local councils, or apply for government support had to get a copy of Ah-Rae-Ah Hangul.⁵⁴ This is another example of the government favoring one product. It could be considered as an example of a soft-trade barrier. It resulted in many organizations needing to purchase multiple word processing products in order to maximize their compatibility for both domestic and international operations. In most other countries, the option of a PDF document or even a web-based form would have been used, as it is considered to be a platform-neutral solution that would have no effect on competition in the industry.

Another one of the avenues that Haansoft ventured into during this time was UNIX, which aimed to create a Korean operating system and compete with Microsoft's Windows system. To do this, Haansoft established an affiliate organization called Hanscom Linux. In January 2002, the new affiliate announced that the South Korean government had procured 120,000 copies of the Hanscom Linux Deluxe 2.0, which came bundled with Ah-Rae-Ah Hangul. The government again favored Haansoft through procurement and extended the usage of Ah-Rae-Ah Hangul through bundling. However, this product did not turn out to be a success, so the Hanscom Linux development team was discontinued and merged back into Haansoft.

While Haansoft was trying to find new business areas, Microsoft

53 Hojung Kim and Yun Jeong Choi, "The Effect of Merger on Innovation: An Empirical Analysis in the Korean Software Industry," *National University of Singapore Review* (2013).

54 Tan, "Battle for Dominance in the Word-Processing Software Market in Korea."

continued to expand their Office Suite market share in South Korea without a huge success. In 2005, they encountered more problems when the Korean Fair Trade Commission (KFTC) followed in the footsteps of the European Union (EU) and launched an inquiry into whether the bundling of a media player and instant messenger services in Windows, along with the availability of Windows Media Services as an optional extra within the Windows server operating system, breached South Korea's fair trade regulations. Consequently, Microsoft was ordered to produce separate packages of Windows after reaching a US\$32 million settlement with the South Korean government.⁵⁵ In this case, the role of nationalism was less clear, especially seeing it was in line with a similar result from the case in the EU. Therefore, there was no discussion of nationalism at this time.

Towards the end of 2010, the digital playing field started to change dramatically when cloud computing and mobile devices emerged. Haansoft reacted to the new landscape by forming new partnerships. The most significant was a 2010 deal with Samsung to provide Thinkfree Mobile services as a pre-installed android app on the Galaxy smartphone and tablets in many regions. Haansoft also created partnerships with other mobile device companies, including LG, Pantech, Qualcomm, ARM, and Toshiba.

Conclusion

This study explored the attempted purchase of the software product Haansoft Office Productivity Suite by a large MNC in South Korea. This was a unique case because the product itself was associated by name with one of the main symbols of Korean cultural identity: the Hangul writing system. In addition, the MNC seeking to purchase rights to the product originated from the US, which meant it could have been associated with perceptions of US imperialism by some Korean consumers.

Based on the available evidence, the media and some local interest groups perpetuated the cultural association of the product and the Hangul writing system in order to ensure that the takeover did not go through and provided an opportunity for a local venture capital organization to take control of the product. When the company got into financial trouble a second time, the next attempted takeover was not by an MNC with a rival product. Instead, it was by a non-Korean and non-American private investment group,

55 Joo-Seong Hwang, "Digital Divide in Internet Use within the Urban Hierarchy: The Case of South Korea," *Urban Geography* 25, no. 4 (2004): 372–89.

so it did not trigger cultural imperialism associations. Thus, the media and consumers did not react in the same way and the business deal progressed smoothly. This suggests that companies need to be aware of the local cultural implications of certain business deals and takeovers before making the decision to proceed, as they may have unexpected repercussions.

POLITICIZATION OF CULTURE: CHINA'S ATTEMPT AT RECLAIMING CULTURAL LEGITIMACY AFTER MAO'S CULTURAL REVOLUTION

Nur Zafirah Binte Zainal Abidin
Yonsei University

The Cultural Revolution in China was Mao Zedong's attempt to redefine China within a new historical and traditional context by removing elements of Chinese heritage and traditions deemed unproductive in pursuit of a socialist utopia. The Cultural Revolution was a way to revitalize the legitimacy of his leadership after the disastrous failure of the Great Leap Forward. However, in China's post-Mao history, the country's heritage and traditions became imperative and integral in China's attempt to re-brand itself politically, domestically, and internationally. The perception of culture and heritage evolves in accordance to the specific dominant political views within specific dominant ideologies. Therefore, culture and tradition become political tools—in both their eradication and subsequent proliferation—utilized by the state to assert cultural dominance and influence on its citizens and other countries.

The Cultural Revolution in China left indelible consequences on the country's cultural and historical trajectory, as centuries of pre-modern culture and traditions were destroyed or appropriated for the political agenda of the Chinese Communist Party (CCP). This cultural and historical interregnum not only attempted to delegitimize China's pre-revolution past but also created a state constructed out of a cultural and historical void. The rise of modern China in the 1970s is the country's re-genesis in medias res,¹ or without any preceding context and reference points, as it is severed from its connection to its past heritage and traditions. According to the rhetoric propagated by Mao Zedong, China's traditional culture and heritage were impediments to

1 Encyclopædia Britannica, "In Medias Res," last modified December 1, 2015, <https://global.britannica.com/art/in-medias-res-literature>.

the formation of a socialist utopia because they were constant reminders of China's humiliating history of subjugation. China's culture, in contrast to that of nations that had invaded and occupied the country in its modern history, was considered backward and incompatible with the values needed to create Mao's socialist vision.

However, after Mao's death, there was a significant shift in the perception towards culture, and it became re-conceptualized within the new political rhetoric and environment. Therefore, cultural and traditional elements that were previously destroyed during Mao's Cultural Revolution were revived and imbued with the purpose of creating a new and strengthened national identity. The state did this through several concerted efforts to reconstruct China: from a new and unknown entity to one with a legitimate history. The state intended to create a softer national image that was not hostile and offensive to other countries. In contrast to Mao's vision of China as a socialist utopia, later generations of leaders wanted to resituate China into its traditional and pre-modern historical trajectory and to re-establish its former status as the apex of cultural superiority, as it had during the period of the Middle Kingdom. The Chinese state continues to encourage efforts to rebuild the country's image as the cultural center of the world, thus enforcing its prestige and status as a regional and international power. Post-Mao China's attempts to reclaim ownership of traditional cultural identity is in response to not only recovering from the previous generation's devastating Cultural Revolution but also achieving regional cultural dominance and hegemony. Therefore, culture and tradition in China have become tools of rhetoric, and its context evolved depending on the dominant ideology that shaped the political environment at specific junctures of Chinese history.

A State, *in medias res*

Mao found it necessary to remove political, social, and cultural elements that would threaten his vision of a socialist utopia, in which past notions of wealth and class were irrelevant.² This necessitated the Cultural Revolution from 1966 till 1976, at the peak of Mao's political control, which instead produced a litany of disturbing and long-lasting consequences. The event

2 Roderick MacFarquhar and Michael Schoenhals, *Mao's Last Revolution* (Cambridge: First Harvard University Press, 2008), 52.

created a society without any discernible social structure in its wake and resulted in the displacement and deaths of millions of Chinese, all for the Party elite's own political agenda.³ Elements of traditional Chinese culture and heritage were systematically eradicated and destroyed, resulting in the loss of China's ancient civilizations.⁴ Thus, the state was inadvertently re-conceptualized and underwent a new national identity formation in medias res without any historical context; all vestiges of traditional culture, heritage, and individual self-expression were violently removed from social and public consciousness.

The Cultural Revolution

The destruction of traditional culture and heritage in the Cultural Revolution-era of China further entrenched Mao's personality cult, legitimizing his leadership and control over the Party and the state. The Cultural Revolution was used to remove dissidence and political threats within the Party and to rid Chinese egalitarian society of any elements containing subversive sentiments, reinforcing the people's loyalty to Mao and the Party.⁵ Mao's leadership and position within the Party had experienced a backlash after the Great Leap Forward (1958–62), which was an attempt to boost the country's economy through agriculture and industrialization. The Great Leap Forward failed because it resulted in famine, resulting in public disillusionment in Mao's political legitimacy.⁶ To deflect the scrutiny and criticism from his political rivals and the masses, Mao targeted China's pre-modern history and society's non-socialist characteristics as being the source for the Great Leap Forward's failure. Therefore, Mao and his allies could justify the identification and removal of elements and individuals that were perceived to be threats to his political control.⁷ By encouraging Chinese youth to turn violently against intellect and traditional culture as a display of unwavering loyalty to him, Mao was able to regain public support by developing a cult of

3 Lucian W. Pye, "Reassessing the Cultural Revolution," *The China Quarterly*, no. 108 (1986): 597.

4 MacFarquhar and Schoenhals, *Mao's Last Revolution*, 118–20.

5 Tang Tsou, *The Cultural Revolution and Post-Mao Reforms: A Historical Perspective* (Chicago: The University of Chicago Press, 1986), 68.

6 Jeremy Brown, "Great Leap City: Surviving the Famine in Tianjin," in *Eating Bitterness: New Perspectives on China's Great Leap Forward and Famine*, eds. Kimberley Ens Manning and Felix Wemheuer (Vancouver: UBC Press, 2011), 227.

7 "Cultural Revolution," University of Washington, accessed December 24, 2016, <https://depts.washington.edu/chinaciv/graph/9wenge.htm>.

personality.⁸ By denouncing China's traditional history and cultural heritage, Chinese society was politically reconstructed, with no historical precedent, allowing Mao to manipulate the loyalty of the people for his personal pursuit of power and legitimacy.

The Cultural Revolution involved institutional deliberation of which aspects of Chinese culture, if any, were conducive to the development of a socialist state and how to treat characteristics that did not advance the values that Mao wanted for the country. According to Mao's perspective, traditional culture and history were reminders of historical elements (e.g. traditional art and history) that did not have any utilitarian value and were pervasive symbols of capitalism and the country's dynastic history.⁹ With Mao's encouragement, Chinese traditional art and architecture were destroyed by youths, leaving behind a cultural landscape devoid of vestiges of the past. Under Mao, China had become a country liberated from its history of political humiliation and economic stagnation.¹⁰ Without the cultural burdens of the past defining Chinese identity, the Party had the opportunity to create a new form of history and national identity according to its own specifications, instead of following the evolutionary historical trajectory of identity formation. However, because the Cultural Revolution occurred without precedence, the Chinese state during and after this event is severed from its own historical trajectory and remains an outlier.¹¹ Therefore, Chinese national identity during this period, and the one that succeeded it, is an anomaly. It is the product of a conscious process by the Party to separate the Chinese state from its past, thus removing the essence of a rich history and heritage within the context of Chinese history.

Cultural elements that could be appropriated by the Party for its political agenda became mediums for reinforcement and propagated the Party's ideology and norms for the population to adhere and exemplify in their daily life. Aspects of culture and heritage that had no utilitarian value, or considered too subversive in content and context, were destroyed to ensure that these undesirable elements of China's imperial past could not be revived, thus minimizing the threat of the past on the Party's desired

8 MacFarquhar and Schoenhals, *Mao's Last Revolution*, 102–04.

9 Yomi Braester, "Mansions of Uneven Rhyme: Beijing Courtyards and the Instant City," in *Painting the City Red: Chinese Cinema and the Urban Contract* (Durham: Duke University Press, 2010), 99–100.

10 Suzanne Ogden, *China's Unresolved Issues: Politics, Development, and Culture* (New Jersey: Prentice-Hall, 1989), 64.

11 Mobo Gao, *The Battle for China's Past: Mao and the Cultural Revolution* (London: Pluto Press, 2008), 50–51.

formation of the egalitarian culture and identity.¹² Rather than remaining as mediums of self-expression and historical significance, these cultural products were appropriated and reframed by the Party to promote its own values and utilitarian agenda.¹³ For example, Peking opera, which was once a form of narrating traditional Chinese myths and stories of past dynasties, was reinvented to proliferate the tenets and ideologies of the Party.¹⁴

After the failure of the Great Leap Forward, the Cultural Revolution was Mao's overt political attempt to regain legitimacy and credibility and to solidify the loyalty of the Chinese people for the socialist cause. By removing non-socialist and traditional elements that did not align with state rhetoric, Mao and his loyalists were able to reconstruct China's political and social history that Mao desired. Furthermore, Mao was adamant about how his legacy would be remembered by future generations, which needed to be mitigated after the failure of his earlier economic and political reforms. To reconstruct the histories of China and the Party, Mao was required to castigate the country's non-socialist past as detrimental to state development. This led to the eventual destruction of China's past and traditional cultures and thus removed them from the anticipated social and political trajectory. The iteration of China constructed during and after the Cultural Revolution appeared in medias res and cannot match the country's historical contexts before and after the events.

Reclaiming National History and Culture in China after Mao

After the demise of Mao and the appointment of more practical leaders within the CCP, the Party could not immediately dismantle Mao's cult of personality because they could not fully discredit the extent of his influence and control over the masses.¹⁵ However, in order to delineate the Party from its tumultuous Cultural Revolution past and to gain power, it was imperative to reposition China back into its predicted historical trajectory.¹⁶

12 Chris Berry, "Entering Forbidden Zones and Exposing Wounds," in *Postsocialist Cinema in Post-Mao China: The Cultural Revolution after the Cultural Revolution*, ed. Edward Beauchamp (New York: Routledge, 2004), 80.

13 Michael J. Lynch, *Mao* (London: Routledge, 2004), 177–202.

14 Ruru Li, "Mao's Chair: Revolutionizing Chinese Theatre," *Theatre Research International* 27, no. 1 (2002): 4.

15 Lynch, *Mao*, 177–202.

16 Heidi Yu Huang, "Gramsci and Cultural Hegemony in Post-Mao China," *Literature Compass* 12, no. 8 (2015): 410.

By reclaiming ownership of the same non-socialist culture and heritage that it had once denounced, the Party legitimized its position in national history by reinforcing the notion that it was responsible for the liberation of the masses, when contrasting the quality of life of the liberated proletariat to the capitalist oppression. By resituating the Chinese state back into a natural, evolutionary history, the state would be able to justify its cultural dominance and enhance its global position. As such, increased interest in state and international politics facilitated the Party's position to reclaim a sense of national heritage and culture, furthering the role of the state in China's cultural development.

As more individuals expressed interest in the country's pre-socialist history, the CCP saw the need to meet these demands by reviving cultural and heritage products that were once considered symbols of the country's shameful capitalist and bourgeois past.¹⁷ As Chinese society became more open and receptive, the people became more critical of the conditions in Chinese history that precipitated the Cultural Revolution and focused on the prevention of such an event from reoccurring.¹⁸ Rather than claiming that its history was problematic and a hindrance to social development, Chinese society and the CCP fully recognized that the country's past and cultures are part of the cause and the solution to healing from national trauma.¹⁹ Therefore, the revival of traditional culture and heritage was a conscientious means for the country to confront and reconcile with its past.

Whose National Culture?

The authenticity of the national culture being propagated by the post-Mao CCP needs to be questioned. In the context of a multi-ethnic and multi-cultured China, which culture receives the privilege of becoming the national identity, and how are other cultures represented in this new context? Since the inception of the Han dynasty, ethnic Han culture and philosophy underlies China's national and cultural identity, and the country's cultural policies continue to feed into this hegemonic national identity.²⁰

17 Lisa Bixenstine Safford, "Cultural Heritage Preservation in Modern China: Problems, Perspectives, and Potentials," *ASIA Network Exchange* 21, no. 1 (2013): 8.

18 Pye, "Reassessing the Cultural Revolution," 602.

19 Ban Wang, "Postrevolutionary History in a Traumatic Key," in *Illuminations from the Past: Trauma, Memory, and History in Modern China*, eds. Mieke Bal and Hent de Vries (Stanford: Stanford University Press, 2004), 94–95.

20 Michael Barr, *Who's Afraid of China?: The Challenge of Chinese Soft Power* (London: Zed Books,

Since China's population comprises over fifty minority ethnic groups, with insignificant population sizes in inaccessible locations, it would be essentialist to conflate the cultural hegemony of one dominant ethnic group to represent the entirety of China's population.²¹ Therefore, the Party faces issues of equal representation and protection of all ethnicities and cultures, which threatens the country's cultural diversity.

In a socialist state like China, the question of ethnic and cultural minorities is a predicament that democratic multi-cultural and multi-ethnic countries do not have to answer; their political systems preclude unmediated cultural representation as a condition to democracy.²² The CCP displays some benevolence to indicate that it acknowledges the presence of minority ethnic groups in the country's social and cultural identity, but groups must exist within boundaries constructed by the Party's political agendas.²³ There is a precarious balance between the will of the socialist state and the protection of ethnic minority rights, as the Party maintains political control to prevent a volatile multi-ethnic and cultural environment.²⁴ Even though the Party has policies that encourage the development of minority cultures and ethnicities, the hegemonic relationship between the dominant culture and minority cultures perpetuates a singular national cultural identity.

The CCP's Present Goal

The Party's efforts to revive national history and culture stems from its attempt to construct the country's political legitimacy in an international context and to justify its position as a dominant global figure. Through an overt display of soft power to its neighbors and other international powers, the CCP spares no political or economic resources in enhancing its global status and promoting Chinese culture within China and abroad.²⁵ For example, the proliferation of Confucius Institutes in other countries legitimizes China's status in the world, allowing China to market itself as

2011), 45; Ke Fan, "Representation of Ethnic Minorities in Socialist China," *Ethnic and Racial Studies* 39, no. 12 (2016): 2103.

21 Qian Zheng, *China's Ethnic Groups and Religions* (Singapore: Cengage Learning, 2011), 33–34.

22 Jostein Gripsrud, "The Cultural Dimension of Democracy," in *Media, Democracy and European Culture*, eds. Ib Bondebjerg and Peter Madsen (Bristol: Intellect Books, 2008), 197–214.

23 Fan, "Representation of Ethnic Minorities in Socialist China," 2097.

24 Wenshan Jia et al., "Ethno-Political Conflicts in China: Toward Building Interethnic Harmony," in *Handbook of Ethnic Conflict: International Perspectives*, eds. Dan Landis and Rosita D. Albert (New York: Springer, 2012), 188–89.

25 Barr, *Who's Afraid of China*, 19.

having adequate solutions for the social and cultural problems that plague Western countries.²⁶ The 2008 Summer Olympic Games in Beijing provided the perfect platform for the country to shed its hostile, offensive image and to establish a softer, more welcoming environment for foreigners.²⁷ Disassociating itself from its recent hostile past, the state reconnects with its national history and culture to prove its pacifist and virtuous nature, with the goal of building relations and dominance through mutual trust instead of force.²⁸

Conclusion

Under the sole control of Mao Zedong, the CCP launched the Cultural Revolution in 1966 to improve the country's egalitarian economic goals and to legitimize the CCP's social and political authority in China that had suffered from the aftermath of the Great Leap Forward. It was imperative for Mao to tighten his political control by removing elements that would impede the construction of his vision of a socialist utopia. Even though the Cultural Revolution's purpose makes retrospective sense in the specific historical context, Mao's policies and the events that transpired created a China that appears in medias res; it does not follow the projected trajectory of Chinese political and social development.

To understand Chinese society that was the consequence of this unprecedented event, researchers must situate it within the context of the preceding historical, socio-political, and economic conditions of China. After the fall of the Qing Dynasty and the Kuomintang, Chinese society was not prepared for the propagation of socialist economic policies, which resulted in the failed Great Leap Forward—a blow to Mao's political authority—and led to the disillusionment with this political and economic model. In Mao's perception, it was imperative to destroy these cultural and socio-political structures that continued to promote capitalist values and ideals. Therefore, the destruction of national culture was not a spontaneous event but a careful political maneuvering to secure the political position of Mao and his

26 Joe Tin-yau Lo and Suyan Pan, "Confucius Institutes and China's Soft Power: Practices and Paradoxes," *Compare: A Journal of Comparative and International Education* 46, no. 4 (2016): 515.

27 "The Beijing Olympics: Focus on Chinese Diplomacy," *Strategic Comments* 14, no. 2 (2008): 1–2.

28 Christopher A. Ford, "Realpolitik with Chinese Characteristics: Chinese Strategic Culture and the Modern Communist Party-State," in *Strategic Asia 2016-17: Understanding Strategic Cultures in the Asia-Pacific*, eds. Ashley J. Tellis, Alison Szalwinski, and Michael Wills (Washington, D.C.: The National Bureau of Asian Research, 2016), 29–30.

loyal supporters.

However, after Mao's death, the CCP, although it could not fully discredit Mao's legacy, did alter its cultural policies to encourage diversity and the country's soft power image for the benefit of its political position. The Party altered its position regarding traditional Chinese culture to enhance political legitimacy to change perceptions regarding Chinese society and culture, within China and abroad. Therefore, the CCP's post-Mao culture policies are set not to deny its pre-modern and pre-socialist history and culture but to embrace and incorporate them into the identity of modern China, creating a new national cultural identity.

INTERVIEW

NATIONAL IDENTITY AND THE CROSS-STRAIT DILEMMA

Interview with Harry Harding and Shirley Lin

NATIONAL IDENTITY AND THE CROSS-STRAIT DILEMMA

Interview with Harry Harding and Shirley Lin

Professor Harry Harding is University Professor and Professor of Public Policy at the University of Virginia, where he was previously the dean of the Frank Batten School of Leadership and Public Policy. He also holds a concurrent appointment as a Visiting Professor of Social Science at the Hong Kong University of Science and Technology.

Professor Shirley Lin is a member of the founding faculty of the master's program in global political economy at the Chinese University of Hong Kong and teaches political science at the University of Virginia. Her book, Taiwan's China Dilemma: Contested Identities and Multiple Interests in Taiwan's Cross-Strait Economic Policy, was published by Stanford University Press in 2016. For more information on the book, please visit www.shirleylin.net.

The following interview was conducted by the Journal's staff editor, Gene Kim, after a joint presentation by Professor Lin and Professor Harding at Yonsei University's Graduate School of International Studies on April 24, 2017. This interview continues the discussion on national identities and cross-strait dilemmas.

Y: Professor Harding, could you tell us about your research?

HH: The main focus of my teaching and my research is US-China relations, and I am starting a new book that picks up the story from where my previous book left off: the impact of the Tiananmen Crisis. It is the story of how the two countries tried to get beyond that very strained period—a period that I characterized as a “fragile relationship”—and build a cooperative relationship, or even a “constructive strategic partnership,” as it was described at the time. My new book will describe and evaluate the various strategies they have used to build a cooperative relationship, and unfortunately, my conclusion is so far none of that has been fully successful. I think the two countries can avoid military confrontation, but I think overall their relationship is becoming more competitive and I want to tell the story of what went wrong with the

efforts to build a cooperative relationship.

Y: Could you give us a sense of your joint presentation with Professor Shirley Lin?

HH: Basically, it is a talk about how Taiwanese identity has changed, particularly since democratization began in the mid-1980s. Based on Shirley's research, we describe how Taiwan has increasingly become "Taiwanese" in two ways. First, in terms of self-identification, fewer people define themselves as "Chinese," or even "both Chinese and Taiwanese," but rather simply as "Taiwanese."

The second dimension is what is called preferred future national status. There was a time when a majority of Taiwanese preferred the eventual reunification of Taiwan with China, but now a very small number of people support unification *even if* the gap between Taiwan and the mainland in terms of wealth and political systems were to decline. Instead, they prefer continued autonomy, with some of course preferring outright independence.

Our argument is that this fact poses dilemmas for all three key parties in this dispute: mainland China, Taiwan, and the United States. How do you adjust policies that had once been based on the assumption that unification was going to be the eventual outcome? In the early 1990s, when Taiwan and the mainland began to expand their economic ties and engage in political dialogue, there was the perception that economic integration was going to have a very deep political spillover, namely unification. That does not seem to be happening. Instead, all three sides face dilemmas because this fundamental change gives no easy choices to any of them.

Y: Could you explain what you describe as the three choices facing the parties on the cross-strait issue?

HH: For China, we see three broad options. One, that we describe as "stay the course," assumes that what matters is money and blood. What will eventually bring the two sides of the Taiwan Strait together is the combination of a common ethnicity and the economic benefits that greater trade and investment relationships will bring. That is what China has been trying so far. So far, as I have said, it does not seem to be working, but maybe it just has not been given enough time. So that is the argument for staying the course.

The second group of options for Beijing is to increase the pressure on Taiwan. It could be military pressure, by demonstrating or threatening of force. It could be economic pressure, such as cutting back the number

of Chinese tourists going to Taiwan unless Taiwan recommits itself to unification. It could be discrimination against Taiwanese businesses, especially if their owners are believed to favor the now ruling party. And there could be diplomatic isolation as well, reducing the number of Taiwan's "diplomatic allies"—the countries that have diplomatic relations with Taiwan—or restricting its ability to even participate unofficially in international organizations. Those kinds of pressure constitute the second option.

And the third option, which is the one that Shirley and I think is the only one that has much of a chance of success, unless they actually want to escalate the use of force to the point of invading Taiwan, which would be a very, very tragic outcome, would be to narrow the gap and create a mainland China that is more committed to the same kinds of civic values and democratic political institutions that Taiwan has created and values so highly. That would basically mean going down the same path that Taiwan did. Do not forget that the Kuomintang in Taiwan was organized as a Leninist political party, as was the Communist Party. The two sides have very similar political heritages. But starting in the 1970s, you began to see gradual political reform in Taiwan that gradually evolved to full democratization. What would happen if China begins that process? Would that have some impact on Taiwan? That is the third option for Beijing, but it would obviously be very difficult for the present leadership in Beijing to adopt this option.

Y: Particularly with relation to that third choice, how does Taiwan figure in Chinese identity? Do you see any changes?

HH: You are talking about a third dimension of identity that Shirley and I are just beginning to think about. We have talked about self-identification; we have talked about preferred future national status. This third dimension would entail the national narratives, the stories about the past that both sides tell themselves. I think Shirley would say that Taiwan's national narrative is, "We are an island society that has been colonized twice: first by the Japanese (though actually there were Dutch, Portuguese, and others as well) and later by mainland China through the KMT. We have been struggling for independence or autonomy from those colonizers." That is Taiwan's national narrative.

For China, one prevalent national narrative is first the century of humiliation and now the Chinese Renaissance; the narrative that "we were one of the world's greatest civilizations that, when it began to decay in the nineteenth century, was carved up by the Western powers and

the Japanese, and that we need to overcome that humiliation.” An even longer-standing historical narrative is summarized in the opening passage of the *Romance of the Three Kingdoms*, “Empires wax and wane, states cleave asunder and coalesce.” According to this narrative, China has regularly alternated between unity and division, but eventually a strong dynasty emerges from disunity and produces unity. So, this would not be just the end of the civil war against the Nationalists, but the end of the period of territorial division that occurred as a result of the collapse of the Qing dynasty. So, China has two historical narratives—overcoming disunity and overcoming humiliation—and Taiwan is central to both of them.

Y: Do you see any reconciliation between the different narratives of the two parties?

HH: I think that as part of bridging the gap, maybe there is a sub-narrative that the Chinese might think about overcoming: that is that unification has to be under a strong, centralized government. The obvious alternative, not a perfect one and not an easy one, would be confederation or federation of some sort. The difference between those two possibilities would be in terms of how much power the central government has over the provinces. The interesting thing is that when the Communists came to power in 1949 and turned to the Soviet Union for advice on how to run their country, they copied almost everything except for one thing: a federal political system. Remember that the full name of the Soviet Union is the Union of Soviet Socialist Republics. It was at least nominally a federal system, though controlled by the Communist Party of the Soviet Union. But the Chinese never adopted that model because they believed federalism was contradictory to a strong, unified state. Federalism equals weakness, and therefore federalism is not a solution. That is a part of China’s narrative that may need to be reconsidered, especially as it relates to Taiwan.

Y: We are joined now by Professor Shirley Lin. Professors, what is it like to research when things are so unpredictable?

HH: There is a very simple answer, and that is to understand history. Although my degree is in political science—I basically do analytical political history—I believe that history is not, as someone once said, just “one damn thing after another.” I want to find patterns in how history has evolved.

Of course, I also write about the future, but these days I talk more about how to think about it rather than forecast what it is going to be. My

basic answer is that we do not know the future. It is too complicated to forecast. The only way to think about the future is in terms of possibilities, probabilities, contingencies, and conditionalities. That is the only way to think about the future. Too many of our political pundits believe that they know with certainty what is going to happen. And then, almost all of them, except for a very small number, predicted Hillary Clinton was going to win.

SL: When environments are unpredictable, research becomes even more relevant and meaningful. The situation on the Korean peninsula today is one of the most unpredictable in the world, and understanding history and patterns, as Harry said, is important. If you study only economics, or only politics, or only sociology, you cannot fully see the complexity of the situation. As I said to the students at Yonsei today, as scholars and analysts, you can really imagine a different future for your country, which you can participate in creating. The more unpredictable the situation is, the more likely you are part of the solution. This is certainly the case in terms of young people making a difference in cross-strait relations, inter-Korean relations, US-China relations, Korea-Japan relations. As a student of international affairs, you can see that nothing is pre-determined, and everyone can make a difference.

Y: Professor Lin, could you tell us about your book, and what your argument is?

SL: My book looks at the puzzle of why Taiwan's economic policy towards China has been so inconsistent and, at times, rather extreme after Taiwan democratized and deepened its economic interdependence with China. After years of research, my conclusion is that it is all linked to national identity. When national identity is polarized, which is what happened in Taiwan at the beginning of democratization—Taiwanese could not decide who they were as a people and what values were important to them—then it is very likely that extreme policies, extreme options, and extreme candidates become very appealing to a large number of voters. And as the community's sense of identity becomes less divided and more consolidated, voters start focusing on the economic impact of economic policy, for example, how many jobs are created, how much growth is created by specific preferential trade agreements, or how distribution in the gains of trade and investment are uneven. In 2010, Taiwan and China entered into a bilateral agreement, the Economic Cooperation Framework Agreement, which institutionalized trade and investment across the Strait. Prior to the signing of the agreement, the

Taiwanese went through a very emotional debate about what impact it might have on Taiwanese society, but people were concerned about the economic impact it might have on Taiwan, rather than how it might threaten Taiwanese identity. This is because Taiwanese identity had been consolidated, and many people thought that the agreement could make Taiwan stronger and more competitive. I think that is a very healthy, positive sign of the consolidation of Taiwan's democratic culture.

But identity can always become salient again, especially if it becomes under threat. The United States is one of the most successful multi-ethnic societies that has embraced civic values and consolidated its identity. But the recent election reminds us all that identity evolves. Americans started to ask the question of do we really know who we are as a people? In both Taiwan and the United States, economic liberalization had created economic problems which led to social tension. In the US, some believe that American identity is being threatened by immigrants. In Taiwan, young people embrace civic values such as democracy and freedom of speech and press, and they see cross-Strait trade and investment as potentially diluting those values. In all countries facing what I call the high-income trap, inequality has risen, wages have stagnated, and welfare entitlements are burdens on the younger generations. Everywhere in high-income countries, the haves and have-nots look at each other and realize they do not share the same destiny or values. The Taiwanese may have consolidated their national identity, but that sense of identity is fragile and can easily be threatened by the Chinese, who have become more militarily assertive and economically dominant. Young people in Taiwan see what is happening in Hong Kong, and they do not want to be under such pressure. They want to preserve their hard-fought democracy and values. Therefore, the students led the largest protest in Taiwanese history in 2014, protesting against the ratification of a service trade pact that would have allowed China to invest in many industries in Taiwan.

The essence of my book is that identity is important. Having a consensus on identity allows policies to be discussed rationally, and having a divided society will lead to extreme policies and leaders. Even when identity is consolidated, it is still hard to find a consensus among different national interests—whether people want their society to be equitable, or militarily secure, or environmentally sustainable. Prioritizing national interests is challenging even when identity is not polarized. Brexit is a good example of how economic policy discussions are linked to an underlying identity debate. Many of the older generations who felt marginalized wanted to leave the EU because they wanted to “feel British” again.

HH: Or English again.

SL: English, yes, especially because many Brits are reconsidering whether they want to be part of the United Kingdom. The generational divide is a theme in Europe, the US, and Asia, but there is a difference in that the younger generation in high-income countries in Asia is less satisfied with the results of economic globalization. Again, there are underlying economic reasons. For example, housing in Seoul, Taipei, Hong Kong, Tokyo, Beijing, and Shanghai has become unaffordable. An increasing number of graduates live at home and delay marriage or children. While I am asking students in Korea, mainland China, and Taiwan to care about the world and contribute to geo-political issues, young people are weighed down by the inability to find a good job, buy a home, or have a family. If they cannot have a promising future, how can we ask them to solve problems facing the world today? This is one of the implications of my research on cross-Straits relations. Economic polarization leads to identity polarization. The political consequences of economic problems have driven many leaders of free trade to become protectionist. Stewards of free trade—the US, the UK, and France—have seen the emergence of leaders such as Trump, Farage, and Le Pen. The rest of the world will suffer if these high-income countries do not solve their problems. In Asia, many older generations are opposed to students mobilizing to support the impeachment of President Park, for example, but they must realize such grievances have specific causes. Understanding the underlying socio-economic causes is what we scholars need to do, so that the future is better for the next generation.

Y: How do you think global education fits into this? Both of you have had extensive experience with this firsthand.

HH: This is an idea that I have seen emerge in my lifetime.

SL: Harry has been an educator, a teacher, and administrator for more than four decades.

HH: Basically, everybody now acknowledges that education has to be more global, so that the curriculum in both the high schools and colleges cannot just be the history of the West, as it was in the United States. In China, it cannot just be the history of China. You need to have a global outlook. Now, the issue is how to do it when resources and, above all, time are limited. So, what do you take out of your curriculum if you are going to put in a more

global dimension? To what extent do you try to build in global experience as well as global content in instruction? At the same time, the world is getting more complex, so that increases the problem. I would say it is very important, but it is not easy. Students today are more and more focused on how to find a job. If they believe that global education is going to distract them from learning the skills that they will need to find a job, they are not going to want to do it. So, that is another complication. In the United States, we find that fewer students are studying abroad, when globalists would want to see more students studying abroad. It is important to do, but there are a lot more choices and strategic decisions that have to be made that are quite difficult.

SL: Education has become more global in terms of content. However, education has also become more commoditized in that many universities are playing the same ranking game to compete for students. As part of this ranking game, education and research have become more narrowed and homogenized by discipline. There is a defined number of academic journals which are top-rated, and academics need to publish in those journals to get promoted or get tenure. Most of the respected journals are English-based, and professors in Korea, Japan, or China all need to publish in these journals to advance their careers. So, we have this top-down, standardized approach to research topics, with a strong tilt toward quantitative analysis at the expense of understanding the context. But the world is becoming so much more complex than ever before. With more economic interdependence and globalization, the more people realize how they are different from one another. As research becomes more centered around the academic disciplines, so has undergraduate education, and students are not benefitting from more inter-disciplinary or comprehensive approaches to understanding the real world. Just because we are all using iPhones and just because we are all speaking English do not mean that the world is becoming more homogeneous or closer. Therefore, we cannot use one theoretical framework and apply it to every situation. In terms of education in Asia, high-income countries like Taiwan, Japan, and Korea are moving from manufacturing to services, and students need more skills than the last generation to prepare for this knowledge economy.

REVIEW

THE FORGOTTEN ISLANDS

Okinawa and Jeju: Bases of Discontent

Scott Kaldas

THE FORGOTTEN ISLANDS

Scott Kardas
Yonsei University

Donald Kirk, *Okinawa and Jeju: Bases of Discontent* (New York, NY: Palgrave Macmillan, 2013); 148 pages; \$75.00 (hardback).

Okinawa and Jeju. Two islands with a military past, present, and future. They are often viewed in the broader geopolitical context of East Asia but never really compared for their shared identities. However, Donald Kirk has woven the stories of these islands together, illustrating the unique connection between the two in *Okinawa and Jeju: Bases of Discontent*. Neither purely touting the anti-military approach nor defending the necessity of the military bases, Kirk attempts to present a neutral stance regarding the bases. While the book somewhat sympathizes with the islanders' situation, the reader can navigate the presented information and formulate his or her own opinion on the subject. The topic of placement and effects of military bases, especially non-native ones, is only occasionally debated in national and international circles. As such, this book brings the issue to the forefront for these oft forgotten islands.

Rather than approaching the topic in a broad overview, Kirk focuses on the people. He brings the issue to a personal level, incorporating several interviews and anecdotal accounts. Kirk does not merely rely on a few interviews; instead, he seeks a diverse representation to present the issue from various angles. Similar to Barbara Tuchman's *The Guns of August*, this book employs a style of focusing on smaller actors in a large play to give a much deeper connection. While the theme of connection between Okinawa and Jeju resonates in each chapter, disconnect contrasts this atmosphere and builds upon the problems of distrust and misunderstanding. A cursory glance reveals the obvious connection theme of shared island mentality and the disconnect theme of distrust of the central government. Yet, Kirk unwittingly uncovers how these two issues feed into the greater theme of disconnect shared by both Okinawa and Jeju residents: failing to connect with the larger picture.

Jeju's and Okinawa's historical experiences have shaped the similar island mentalities. Both islands suffer from a painful war memory that they wish to supplant with peace rather than to ignore. Yet, residents on both

islands harbor conflicting viewpoints towards the military bases. On the one hand, residents disapprove the stationing of large groups of soldiers in their communities. Whether it is noise levels, crime, accidents, or environmental degradation, the bases ruin the preferred peaceful way of life. On the other hand, some residents understand the bases' contribution to their local economies. In one of the interviews in Okinawa, several bar owners resent the trouble caused by the soldiers but also appreciate the source of income from the soldiers. They vacillate between preferring the strict rules imposed on soldiers to resenting the rules since they drain their profits. Bringing in over 600 billion yen, the bases provide Okinawa with economic benefits, such as tourism, local employment, and land rentals. Furthermore, the Japanese government invests in infrastructure projects in anticipation for future bases.

While many locals appreciate the economic benefits, this has not stopped them from protesting. The style of protesting differs as well. The South Korean protests rely on direct but non-violent tactics by blocking ships and trucks and interfering with construction activity. While a constant presence, the Okinawan protests employ signs, petitions, and statements. This does not diminish the protests, but Kirk illustrates a striking contrast between the two groups. The differences may stem from the main targets: Jeju residents against their own government, and Okinawan residents against the US government. It also may be a result of the time frame. The Jeju base is a more recent issue, but the Okinawan bases have been there for decades. Regardless of protest forms, residents on both islands remain discontented.

Another similarity between the islands is the growing distance between the island and the mainland. Kirk illustrates this disconnect through historical references and current government policies. Accusing the government of ignoring their voices, the islanders often portray the government as a foreign entity who has encroached upon their lands. And the islanders have a valid argument. In addition to the Jeju 4/3 massacre's delayed acknowledgement by the South Korean government, the proposals for the military base were perfunctorily explained to the locals before resistance could be mustered. Furthermore, the protestors accuse the United States of pressuring the domestic government. The base construction protests ring similar to the current protests against THAAD deployment. Banners exclaiming "Yankee go home" are rather commonplace, and both protests cite media control and US interference. While this book was written in 2013, it is interesting to note the similarities.

The disconnect continues in Okinawa, often along racial lines. Not only did the Japanese government fail to protect Okinawa residents from American forces during the war, but it also reneged on its agreement to close the military base. The Japanese government ignores residents' demands for noise regulations and safety standards. In reference to the deadly military aircraft crash at an elementary school, many residents continue to fear for their safety. Thus, historical grievances seep into the present, solidifying future disconnect between the local people and the central government.

Even though many residents want the bases removed, they nobly do not wish to transfer the burden upon another territory. Moving beyond "not in my backyard" towards "not in anyone's backyard," these island residents understand the hardships of base life and do not want anyone else to experience them. Even if the bases are removed from their present location, they can easily be relocated to another region, which contradicts residents' pacifist outlook. The islanders' strong sense of moral responsibility persuades the reader to support their position.

These previous descriptions further humanize the narrative of security dilemma facing East Asian countries. Kirk aptly secures the readers' sympathy towards the innocent islanders who suffer the consequences of governments' power politics and thus are justified in protesting the bases. From the protestors' perspective, the bases are not needed since neighboring countries, such as China and North Korea, do not pose a threat. However, since they have a base, the islands will be the first target in case of an attack. So, does the presence of the base elicit a threat, or has the threat always been there? This chicken or the egg dilemma stems from the disconnect with the broader security picture that is overlooked in this book.

If the threat has always been present, then the protestors should not be challenging the government's argument for deterrence. Consequently, if the islanders truly do not wish the hardship of military base life on others, are they being selfish if they do not worry about the threat their country faces? While I do not wish to be cynical in suggesting the islanders should bear this burden, the protestors have, in a sense, created their own island of reality. As they distance themselves from the government, as they remember their personal historical grievances, and as they look at the inward consequences of military arrangements, they ignore the external dimensions of a complex security arrangement. While Kirk does not have an ulterior motive by focusing on the personal stories, the islanders' pacifist narrative only works when one ignores the broader security picture.

Although examination of security issues would strengthen Kirk's argument, it does not detract from the purpose of the book. Kirk focuses on the comparison between the two islands rather than an explanation for the military bases. A concentrated approach keeps the book concise and direct. Even though Kirk did not widen the scope of examination, the book points to foreign powers' interference in local matters as one of the main sources of the problem. Therefore, he maintains a succinct argument within the boundaries of his analysis.

Kirk's comparisons between Okinawa and Jeju are both original and relevant. The research depth and the style of using smaller situations to examine the bigger picture allow the reader to comprehend the situation easily and to form a personal connection. Furthermore, the resounding themes of connect and disconnect intertwined throughout each chapter present a cohesive story. This unique comparison is especially pertinent to the current global power shifts and political situation in East Asia.

GUIDELINES

FOR SUBMISSION

PEAR (Papers, Essays, and Reviews) welcomes submissions from all scholars, most notably graduate students, regarding the diverse field of International Studies, particularly those topics that challenge the conventional wisdom of any given issue. Each issue of the printed Journal will contain the following three sections:

PAPERS This section includes feature-length articles of original research and must include proper citations. This section showcases compelling and stimulating research that provides a collage of situations and cases. Submissions should range from 3,000 to 8,000 words.

ESSAYS Dedicated to editorials, recommendations, and reflections, this section includes essays that take stances on issues and develop sophisticated arguments. Though not limited to a particular theme, these essays can discuss past events, current situations, and future perspectives. Submissions should range from 1,500 to 3,000 words.

REVIEWS This section focuses on evaluations and reviews of existing arguments contained in essays, articles, and books, in addition to policy reviews or previously published material in the Journal. The pros and cons of each argument or policy reviewed should be provided for a broader and more comprehensive understanding of not only the argument, but the situation in a greater context. Submissions should be no longer than 2,000 words.

The following guidelines should be adhered to for all submissions to the Journal:

1. All submissions must be sent as a Microsoft Word file.
2. Citations should appear as endnotes as per the *Chicago Manual of Style, 16th Edition*.
3. Pages should not be numbered or marked with the author's name.
4. Papers should include an abstract of no longer than 250 words.
5. A short biography of the author should be included with each submission.
6. American spelling should be used in all submitted pieces.
7. Foreign words should be Romanized according to the following systems:
 Japanese: Revised Hepburn
 Korean: Revised Romanization
 Chinese: Pinyin

Submissions that neglect these guidelines will take longer to review and may be sent back to the author for revisions.

Each article submitted to the Journal is blind peer reviewed. All articles are judged on the basis of relevance to the theme (if applicable), originality, argumentation, and prose. The editor in chief holds final authority as to inclusions and rejections of articles for publication.

Editors reserve the right to make changes in accordance with the Journal's style stipulations during the editing and design process; we assume no obligation regarding publication. The copyrights of published articles remain with the Journal, and no article may be published in any form without written permission.

To submit your paper, essay, or review to the Journal or to regularly receive complimentary issues of the Journal, please contact us via email at editor@theyonseijournal.com. For further information about the Journal, please visit us at the website below.

THEYONSEIJOURNAL.COM