ABSTRACT

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This dissertation explores how South Koreans have creatively appropriated the meanings of democratic civility and national citizenship using Confucianism-originated familial affectionate sentiments (*chŏng*), while refusing their liberal individualistic counterparts through a cross-cultural and comparative theoretical approach. By investigating four recent civil-action cases in South Korea, it argues that the *chŏng*-induced politico-cultural practice of collective moral responsibility (*uri*-responsibility), which transcends the binary of individualism and collectivism and of liberalism and nationalism, represents the essence of Korean democratic civility. It theorizes the ethical quality that *uri*-responsibility generates, when practiced in the public sphere of a national civil society, in terms of "transcendental collectivism," and claims that unlike a liberal civil society aiming to empower the independent self's individual agency, the post-Confucian dialectic between agency and citizenship is focused on the interdependent selves' shard cultural-political identity, collective

freedom, and democratic citizenship. This dissertation generalizes the liberal yet non-individualistic political practices that transcendental collectivism promotes in terms of "liberal collectivism" as opposed to liberal individualism, and argues that liberal collectivism has great potential to contribute to both liberal nationalism and participatory democracy in post-Confucian Korea.

A POST-CONFUCIAN CIVIL SOCIETY:
LIBERAL COLLECTIVISM AND PARTICIPATORY POLITICS
IN SOUTH KOREA

By

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Dedication

To my parents, Kim Jung-seop (김중섭) and Woo Gyung-ja (우경자) for their

endless love and sacrifice

Acknowledgements

Comparative political theory is still a nascent discipline in the field of political theory and, due to its multi-disciplinary and cross-cultural nature, it would be almost impossible to write an intelligible thesis on it without guidance from scholars versed in Western or East Asian political theories, or ideally both. In this respect, I am very fortunate to have worked with C. Fred Alford, my dissertation advisor and academic mentor. Since my first day at College Park, Professor Alford has been a great mentor, not only by virtue of his insights into both the Western and East Asian political traditions, but, more importantly, due to his unique way of "doing" political theory—always striving to make it relevant to everyday life. Although my dissertation does not begin to reach the level of subtlety and sophistication that Professor Alford's works embody, my effort to weave political theory and empirical reality is inspired by his philosophical commitments and greatly enhanced by his academic guidance.

If Professor Alford was my fountainhead, other members of my dissertation committee helped me navigate all different and difficult terrains of political theory and political science. Professor Benjamin Barber was my savior, who read every line of my work and provided both constructive criticism and friendly encouragement. Without him, I would not have been able to connect my interest in Confucianism and Korean culture to the discourse of democratic theory. Professor James Glass taught me various theories of individual and group psychology as powerful lenses through which to shed completely new light on both classical cannons and human reality, and constantly reminded me of the importance of "audience" to which my thesis should be addressed. Professors Margaret Pearson and Seung-kyung Kim were invaluable in

holding my otherwise abstract and generally normative claims empirically grounded. Even if I couldn't fully live up to their political scientific rigor, Chapter 6, where I engage a critical dialogue with comparative political science, is largely indebted to their comments and criticisms.

I am also thankful to other faculty at the Department of Government and Politics for their instruction, mentorship, and example. In particular, I deeply appreciate Professor Miranda Schreurs' kindness and care, which was as important as academic direction and advice to an international student like me. Soo Yeon Kim, Scott Kastner, Ernest Wilson, Karol Soltan, and Steve Elkin all played their part in making my graduate experience a very delightful one. I also thank peer graduate students Ciqi Mei, Samir Fayazz, Edi Frajman, Sung-Wook Paik, Yukyung Yeo, Susan Lee, and Jenny Wüstenberg, not only for their comments on my dissertation but also their general intellectual challenges and consistent friendships during my graduate life. Special thanks are due to Mike Evans, who read the entire dissertation manuscript at least twice and provided extensive comments.

Most of all, I am thankful to my family. My parents Kim Jung-seop and Woo Gyung-ja, who sacrificed everything for their children's education and well-being (as most "*chŏng*ish" Korean parents do), have been an everlasting emotional and spiritual bulwark for me. Without their love and sacrifice, I would be a "nobody." To them I dedicate this dissertation. And finally, I wish to thank my wife Sejin, whose companionship alone is the single greatest source of happiness in my life.

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CHAPTER 1: INTRODUCTION

The Conditions of Civil Society and Democratic Consolidation

In *Social Origins of Dictatorship and Democracy*, Barrington Moore Jr. submitted a now famous formula: "No bourgeois, no democracy."[1] However, what propelled the "third wave" of democratic transitions in Central and Eastern Europe and East Asia was far from bourgeois interests, which, as Moore demonstrated, paved the way to the first wave of democratization in Western Europe. The third wave followed a different logic, which has been aphorically characterized as: "No civil society, no democracy."[2] As numerous empirical cases demonstrate, however, democratic transitions initiated by broad social movements proved to be much harder to consolidate.[3]

Larry Diamond attempts to explain the consolidation dilemma seemingly endemic to incipient democracies in which transition was initiated from "below." Successfully consolidated democracy occurs, according to Diamond, when there is a condition of "democratic governability," in which "citizen withdrawal" is necessary because "effective government requires some restraint in the number and intensity of

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[1] Barrington Moore Jr., *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World* (Boston: Beacon, 1966), p. 418.

[2] This phrase is from Yun Fan, "Taiwan: No Civil Society, No Democracy," Muthiah Alagappa (ed.), *Civil Society and Political Change in Asia: Expanding and Contracting Democratic Space* (Stanford: Stanford University Press, 2004). Jang-jip Choi, *Minjuhwa ihu-ui minjujuui* [Democracy after Democratization] (Seoul: Humanitas, 2002) submits a similar evaluation of the democratization of South Korea.

[3] See Marc M. Howard, *The Weakness of Civil Society in Post-communist Europe* (Cambridge: Cambridge University Press, 2003); David M. Jones, "Democratization, Civil Society, and Illiberal Middle Class Culture in Pacific Asia," *Comparative Politics* 30:2 (1998), pp. 147-169.

demands upon the state and in the intensity with which conflicting parties and organizations press incompatible public policy agendas."[4] In short, too much participation jeopardizes democratic consolidation.

"Citizen withdrawal," however, did not contribute to the successful consolidation of eighteenth-century England or North America. For, in those early democracies, the process of democratization involved the transformation of atomized, mutually isolated, interest-seeking private individuals into mutually caring and politically invigorated public citizens. As Alexis de Tocqueville revealed, for instance, it was America's burgeoning civil society that made democracy possible there, a democracy understood as citizen-building.[5] Certainly, the Western citizens, then mostly Protestant "saints," were dually committed to capital accumulation. Nevertheless, as Max Weber was convinced, it was not directly the commercial impulse, but the ethico-religious and civic enthusiasm that empowered their social beings and vitalized democratic institutions. Civil Society—that was to Weber an essentially "sect society"—was one of them.[6] Indeed, in the modern West, civil

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[4] Larry Diamond, *Developing Democracy: Toward Consolidation* (Baltimore, MD: Johns Hopkins University Press, 1999), p. 224.

[5] Alexis de Tocqueville, *Democracy in America*, trans. Harvey C. Mansfield and Delba Winthrop (Chicago: University of Chicago Press, 2000).

[6] Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, trans. Talcott Parsons (New York: Scribner's, 1958) has rarely been interpreted in relation to his general social and political theory, especially, his theory of civil society. Since mid 1980s when Weber's unknown studies of American sect and civil society came to be translated into English, however, his social and political theory of modernity has been vigorously recast. See Max Weber, " "Churches" and "Sects" in North America: An Ecclesiastical Social-Political Sketch," trans. Colin Loader, *Sociological Theory* 3:1 (1985), pp. 7-13; Stephen Kalberg, "Tocqueville and Weber on the Sociological Origins of Citizenship: The Political Culture of American Democracy," *Citizenship Studies* 1:2 (1997), pp. 199-222; Stephen Kalberg, "The Modern World as a Monolithic Iron Cage?: Utilizing Max Weber to Define the Internal Dynamics of

society and the market were (and still are) profoundly entwined. In this regard, Hegel's classic definition of civil society as "*bürgerliche Gesellschaft*" is at best partially correct because despite his acute understanding of civil society being "a realm of mutuality and reciprocal recognition" (mainly by means of money),[7] this utterly secular definition fails to appreciate its indispensable religious underpinning that inculcates self-discipline in an otherwise greedy commercial "narcissist." At the heart of the first wave of democratization, therefore, was the Protestant saint-citizens' ethico-religious and civic zeal to engage in economic and political affairs. So grew mature the early modern democracies—although partisan competitions and religious zeal amongst Protestant sects, when too much intensified, became detrimental to democratic development and liberal civility.[8] While reckoning the politico-economic and moral dynamic of modern civil society, Hegel, unlike Tocqueville and Weber—

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the American Political Culture Today," *Max Weber Studies* 1:2 (2001), pp. 178-195; Sung Ho Kim, *Max Weber's Politics of Civil Society* (Cambridge: Cambridge University Press, 2004); Adam B. Seligman, *Innerworldly Individualism: Charismatic Community and Its Institutionalization* (New Brunswick and London: Transaction Publishers, 1994). For Weber's view on (the pathology of) German civil society, Max Weber, "Voluntary Associational Life (*Vereinswessen*)," trans. Sung Ho Kim, *Max Weber Studies* 2:2 (2002), pp. 199-209. Also see Sung Ho Kim, "Max Weber and Civil Society: An Introduction to Max Weber's Voluntary Associational Life (*Vereinswessen*)," *Max Weber Studies* 2.2 (2002), pp. 186-198.

[7] Adam B. Seligman, *The Idea of Civil Society* (Princeton: Princeton University Press, 1992), pp. 44-47.

[8] According to Richard Boyd, *Uncivil Society: The Perils of Pluralism and the Making of Modern Liberalism* (Lanham, MD: Lexington Books, 2004), Tocqueville also feared the untrammeled religious antagonisms and rivalries amongst the (otherwise liberal-democratic) sect communities.

and David Hume and Adam Smith—largely dismissed what Ernest Gellner calls "the conditions" of liberty.[9]

This inextricable intertwinement of public and private and of citizenship and self-interest that constitutes the core matrix of Western civil societies, however, is absent in non-Western contexts. Rather than functioning as a regime-sustaining liberal-pluralist medium between the private sphere and the state, civil society there generally refers to large-scale social movements propelled by an active citizenry making demands on the state. In Vaclav Venda's famous words, they provided a "parallel polis" opposed to the ossified formal political regime. The absence of the "conditions" of (liberal) civil society, however, presents a critical stumbling block for the once resurrected or (re)invented non-Western "mass-ascendant" civil societies to consolidate.

What is happening is a—however implicitly—forced appropriation of those conditions. That is, third wave democracies are now under immense pressure to develop (break?) their ethically and nationally motivated civil societies into various sets of organized interests in order to serve "post-Hegelian" market-oriented liberal democracy.[10] For the most part, East Asian civil societies seem to have been successful in this "cultural adjustment." For example, Taiwan's confrontational social movement or advocacy NGOs that contributed greatly to its transition to

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[9] Ernest Gellner, *Conditions of Liberty: Civil Society and Its Rivals* (London: Penguin Books, 1994), pp. 40-41, 44-47.

[10] See Wlodzimierz Wesolowski, "The Nature of Social Ties and the Future of Postcommunist Society: Poland after Solidarity," John A. Hall (ed.), *Civil Society: Theory, History, Comparison* (Cambridge: Polity Press, 1995); Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore, MD: Johns Hopkins University Press, 1996), pp. 271-272.

democracy—by mobilizing political resistance, constructing counternarratives and ideologies, and marshaling international support for alternative elites—have mainly transformed into non-political service providing NGOs.[11]

Even though it did not directly unfold in terms of "civil society," the "Asian value" debate amongst the South Korean social scientists during the late 1990s was in the main focused on whether—yet more often "how"—East Asian Confucian values had indeed facilitated, rather than hampered, the region's economic development, thus contributing to the entrenchment of a liberal civil society.[12] What is ironic, though, is that the advocates of "Asian values" see them only instrumentally by treating them as a means by which to advance to modern capitalism and by extension a market-oriented liberal civil society. Underlying this entire debate are the key assumptions of a naïve, now almost outdated, modernization theory: once advanced to a high stage of capitalism, democracy will survive or hopefully consolidate. The problem is that in this scheme, culture is presented merely as an intermediary variable, deprived of its own intrinsic value and viability.[13] In other words, South

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[11] Fan, "Taiwan," p. 165. Also see H. M. Hsiao, "NGOs and Democratization in Taiwan: Their Interactive Roles in Building a Viable Civil Society," in D. C. Schak and W. Hudson (eds.), *Civil Society in Asia* (Burlington, VT: Ashgate, 2003).

[12] It is beyond this research's scope to document the huge literature on the "Asian Value Debate" in Korea. To introduce only a few: Seung Hwan Lee et al, *Asiajeok Gachi* [Asian Values] (Seoul: Jeontong-gwa Hyeondae, 1999); Seong Hwan Cha, "Myth and Reality in the Discourse of Confucian Capitalism in Korea," *Asian Survey* 43:3 (2003), pp. 485-506; Chaibong Hahm, "Why Asian Values?," *Korea Journal* 41:2 (2001), pp. 265-274.

[13] The most famous champion of this instrumental advocacy of Confucianism is Francis Fukuyama. See Francis Fukuyama, "Confucianism and Democracy," *Journal of Democracy* 6:2 (1995), pp. 20-33 and his "The Illusion of Exceptionalism," *Journal of Democracy* 8:3 (1997), pp. 146-149. A tendency to view culture as an intermediary variable between economy (independent variable) and democracy (dependent variable) is a key feature of modernization theory. See Larry Diamond, "Economic

Korean (and other East Asian) social scientists did not go farther to create a new political and democratic vision out of their revitalized investigations of Confucian cultural values. At large, they failed to envision, not to mention construct, a culturally-rooted modern civil society that could undergird their new democracy.

Equally problematic is an entrenched "social scientific" tendency to see civil society in purely "functional" terms as "a mediating conduit between the private sphere and the state." For this institutional and functional definition of civil society does not give full justice, or is even insensitive, to civil society's normative dimension: specifically, the importance of an ethically minded and an active citizenry. Indeed, civil society is *a public sphere that interlocks individual agency to citizenship*. At least, it was the classic ideal of modern civil society,[14] even if how to define concepts like "individuality" and "citizenship" and how to interconnect there two key normative concepts should be contextually articulated. After all, post-communist civil societies in Central and Eastern Europe were invigorated when the demands of the post-totalitarian system (citizenship/statecraft) conflicted with the real aims of life (agency/soulcraft). There, as Vaclav Havel famously noted, "living within

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Development and Democracy Reconsidered," in G. Marks and L. Diamond (eds.), *Reexamining Democracy: Essays in Honor of Seymour Martin Lipset* (Newbury Park: Sage Publications, 1992); Ronald Inglehart and Marita Carballo, "Does Latin America Exist? (And Is There a Confucian Culture?)," in Lane Crothers and Charles Lockhart (eds.), *Culture and Politics: A Reader* (New York: St. Martin's Press, 2000).

[14] See John Ehrenberg, *Civil Society: The Critical History of an Idea* (New York and London: New York University Press, 1999); Krishan Kumar, "Civil Society: An Inquiry into the Usefulness of a Historical Term," *The British Journal of Sociology* 44:3 (1993), pp. 375-395; Seligman, *The Idea of Civil Society*.

a lie" (citizenship/statecraft) confronted "living within the truth" (agency/soulcraft).[15]

The conventional, functional-institutional, definition of civil society should be recast against this normative backdrop.[16] To repeat, the best way to integrate social science of civil society into its normative vision (and vice versa) in a consolidating democracy is to take seriously the "conditions" of civil society.

Korean Democracy after Democratization: A Challenging Case

General Introduction

Korean civil society after democratization offers a very interesting case, for wherein we can see how a Western institution (and vision) of civil society is, far from being enervated after constant confrontations and clashes with her indigenous culture, creatively appropriated and reinvented in a typically post-Confucian context. First of all, Korean civil society is empirically challenging. Unlike other civil societies of the third wave of democratization, Korea's nation-wide ethical/political civil society has never waned. Quite the contrary: since 1988 Korean civil society, primarily composed of "citizens' movement groups," has persistently pressured Korean governments to make various democratic changes.[17] Apparently, Diamond's theory of

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[15] Vaclav Havel, "The Power of the Powerless," in John Keane (ed.), *The Power of the Powerless* (New York: M. E. Sharpe, 1985).

[16] Benjamin R. Barber, *A Place for Us: How to Make Society Civil and Democracy Strong* (New York: Hill and Wang, 1998), p. 12 submits a similar claim.

[17] For the active role of "citizens movement groups" in consolidating Korean democracy, see Jang-jip Choi, "Democratization, Civil Society, and the Civil Social Movement in Korea: The Significance of the Citizens' Alliance for the 2000 General Elections," *Korea Journal* 40:3 (2000), pp. 26-57; Eui Hang Shin, "The Role of NGOs in Political Elections in South Korea: The Case of the Citizens' Alliance for the 2000 General Election," *Asian Survey* 43:4 (2003), pp. 697-716; Sunhyuk Kim, "South Korea: Confrontational Legacy and Democratic Contributions," in Alagappa, *Civil Society and*

civil society's post-transition demobilization and depoliticization for democratic consolidation (or "democratic governability")[18] cannot explain the contribution Korea's actively ethical and political civil society has made to democratic consolidation.[19] Why then such puzzling vibrancy in Korean civil society even after democratization? This is in stark contradistinction to the question Marc Howard recently posed with regard to post-communist civil countries in Central and Eastern Europe: "Why such a sudden disappearance of civic energy in post-communist Europe?"

Most often, as far as post-communist Europe is concerned, the inertial lifestyle that the previous rigid party-state had engendered over the last half-century has been singled out as the source of the problem. That is, blame is placed on the citizenry's fundamental dependence on the party-state for virtually everything concerning their life: jobs, income, consumer goods, education, housing, health care, and social and geographic mobility.[20] Howard's research builds on this initial insight, when he submits that a lack of desire to participate in voluntary associations in the post-communist people follows from their past life experience under the ossified bureaucratic authoritarian regime that had widened the gap between authentic private

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Political Change, pp. 138-163 Dong-choon Kim, "Growth and Crisis of the Korean Citizens' Movement," *Korea Journal* 46:2 (2006), pp. 99-128; Kwang-yeong Shin, "The Citizens' Movement in Korea," *Korea Journal* 46:2 (2006), pp. 5-34.

[18] Also see M. Steven Fish, "Rethinking Civil Society: Russia's Fourth Transition," *Journal of Democracy* 5:3 (1994), p. 34.

[19] Many empirical (survey) data confirm the successful consolidation of Korean democracy. See, for example, Doh C. Shin and J. Wells, "Is Democracy the Only Game in Town?," *Journal of Democracy* 16:2 (2005), pp. 88-101.

[20] Valerie Bunce, *Subversive Institutions: The Design and the Destruction of Socialism and the State* (Cambridge: Cambridge University Press, 1999), p. 24.

and hypocritical public lives, deepened the mistrust of formal political organizations, and fostered friendship networks in the private sphere.[21] The question we must ask then is: Can the "neo-institutionalist" reasoning of the kind Howard (and Bunce) adopts adequately explain the current viability of Korean ethical civil society? That Korea's less rigid authoritarianism of the past has anything to do with the current vitality of Korean civil society seems only absurd. This turns us to unique characteristics of Korea's ethical civil society: "What kind of ethical energy still galvanizes Korean civil society?"

What confronts us here is both an empirical and normative question. It is an empirical question leading us to wonder about what kind of culture-induced ethical mechanism is operating behind the scene, which gives Korean civil society its unique character, distinguishing it not only from its post-communist counterparts but also from other East Asian civil societies.[22] But the idea that Korea's civil society is energized on its own ethico-cultural bearing largely independent of its formal and West-imported political system has far-reaching, and normative, implications. For if there indeed exists such a cultural mechanism or an ethical resource conducive to Korea's democratic consolidation, it opens a possibility of a uniquely Korean model of ethical civil society. Combining these two, empirical and normative, dimensions together, this research submits that in the consolidating period, Korean ethical civil society is functioning as an indispensable vehicle for the citizenry's political

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[21] Howard, *The Weakness of Civil Society*, pp. 26-29.

[22] Robert Pekkanen, for example, contrasts Japanese civil society and Korean civil society on cultural terms. See his "Civil Society and Political Change in Japan and Korea," paper presented at the International Political Science Association Congress, Durban, South Africa (June 2003).

participation and has an enormous potential to become a crucial mechanism for new citizen-formation. Especially, it investigates whether such new modes of Korean civil society and citizenship can provide a normative ideal appropriate to the ordinary Korean citizenry's cultural-political sensibility as opposed to a market-oriented, interest-based *Gesellschaft*-ish civil society whose global force is threatening the prospect of indigenous civil society and democratic practice. In short, by exploring the conditions (or cultural context) of civil society in democratic Korea, this research searches for new, post-Confucian, visions of democracy and democratic citizenship.

Main Thesis

What then is the ethico-cultural condition that enlivens Korean civil society? This research finds it in Korea's *chŏng* culture where *chŏng* refers to Koreans' traditional familial affectionate sentiments.[23] It argues, in Korea, *chŏng* functions as a vital

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[23] One of the classical studies of *chŏng* in Korean scholarship is found in Pyong-choon Hahm, *Korean Jurisprudence, Politics and Culture* (Seoul: Yonsei University Press, 1986 [This volume is composed of the essays that Hahm wrote in the 1960s and 1970s]). Recently, Sang-Chin Choi and his colleagues have produced a great deal of researches on *chŏng*-centered Korean social psychology although without referring to Hahm's pioneering work. See Sang-Chin Choi, "The Third-Person-Psychology and the First-Person-Psychology: Two Perspectives on Human Relations," *Korean Social Science Journal* 25:1 (1998), pp. 239-264; Sang-Chin Choi, *Hangugin simnihak* [The Korean Psychology] (Seoul: ChungAng University Press, 2000); Sang-Chin Choi et al., "Jeong (miun jeong goun jeong)-ui simnijeok gujo, heangwi mit gineunggan-ui gujojeok gwangye bunseok" [An Analysis of the Structural Relations between the Psychological Structure, Behaviors and Functions of *Chŏng* (*miun chŏng goun chŏng*)]*, Hanguksimnihakhoeji-sahoe mit seonggyeok* [The Korean Journal of Social and Personality Psychology] 14:1 (2000), pp. 203-222; Sang-Chin Choi and Gyu-Seog Han, "Gyoryu haengwi-reul tonghae bon hangugin-ui sahoe simni" [The Social Psychology of the Korean People from the Perspective of Interpersonal Relations], in Gukjehangukhakhoe [The Association of International Korean Studies] (ed.), *Hangukmunhwa-wa hangugin* [Korean Culture and the Korean People] (Seoul: Sagyejeol, 1998); Sang-Chin Choi and Gi-beom Kim, "Hangugin selp-ui teukseong: seogu-ui selp gaenyeom-gwa daebi-reul jungsim-euro" [The Characteristics of the Korean Self: In

ethical force invigorating a national ethical civil society and empowering citizens. At a glance, the relevance of *chŏng* as a conceptual key to understanding (and using to normatively justify) the viability of Korean civil society is suspect considering an immensely individualized, rationalized, or, say, Westernized contemporary Korean society, into which traditional family-oriented social affect seems to be hardly permeable. In effect, as far as Koreans' ordinary personal interactions are concerned, *chŏng* has been almost sapped in their "appartmentalized" everyday life. But once we turn to the Korean citizenry's vibrant collective public actions, it is far from closed nationalism (of the kind that currently predicates many "(un)civil" societies in new democracies in Eurasia) or civic humanism (of the kind that once invigorated the post-communist civil societies). It is rather a special type of social affect—which I conceptualize in terms of *chŏng*[24]—that is neither strictly parochial sentiments nor

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Comparison with the Western Concept of the Self], *Hanguksimnihakhoeji-sahoe mit seonggyeok* [The Korean Journal of Social and Personality Psychology] 12:2 (1999), pp. 79-96; Sang-Chin Choi and Jangju Lee, "Chŏng-ui simni-jeok gujo-wa sahoe-munhwa-jeok gineung bunseok" [An Analysis of the Psychological Structure of *Chŏng* and Its Cultural Function], *Hanguksimnihakhoeji-sahoe mit seonggyeok* [Korean Journal of Social and Personality Psychology] 13:1 (1999), pp. 219-234; Yeong-ryong Kim, "Janjanhan jeong-ui nara hanguk" [Korea, A Country of *Chŏng*], in Tae-seop Im (ed.), *Jeong, chemyeon, yeongjul geurigo hangugin-ui ingan gwangye* [*Chŏng*, *Chemyeon*, Network, and the Interpersonal Relationships of the Korean People] (Seoul: Hannarae, 1995). C. Fred Alford, *Think No Evil: Korean Values in the Age of Globalization* (Ithaca and London: Cornell University Press, 1999) offers a fresh perspective of a non-Western observer on Korean *chŏng* culture. But none of these existing studies has approached *chŏng* in the civil and political context. I conduct my own detailed discussion of *chŏng* in Chapter 3.

[24] In drawing a normative political vision (*chŏng*ish civil society and citizenship) from an empirical reality (*chŏng* culture) and/or by using the same term "*chŏng*" to refer to both a specific type of culture and a certain type of political good, there is always a possibility of the conflation of two different categories, that is, of "what-it-is" and "what-it–ought-to-be." Since my prime concern is not so much to conserve the traditional *chŏng* culture (to fend off, say, Western cultural influences) as to explore

universal humanism, but as a complex mediating factor that activates contemporary

Korean civil society. Surprisingly, *chŏng*, originally interpersonal affective quality in

the private realm (*chŏng* as a social-psychological quality), is not only preserved but,

more importantly, politically reinvented and thus exercised in the Korean citizenry's

public and civil actions (*chŏng* as a civil and political practice).

That Koreans are socially and politically mobilized in and through *chŏng*,

however, does not necessarily mean that Korean ethical civil society is collectivistic

in nature, nor that it is totalitarian and suffocating the value of individuality. In a

social psychological study of Korean people, Sang-Chin Choi has discovered that

Korea's *chŏng*-based group-self (or *uri*-self where *uri* means "we") is not so much

generating an individuality-collapsing hierarchical collectivism, but, rather, that it is

closely associated with semi-familial, horizontal relationality among the individual

participants.[25] According to Pyong-choon Hahm, *chŏng* refers to the "overlapping of

egos," rather than a "merger or fusion of egos" susceptible to collective fanaticism or

expansionist nationalism.[26] As Alford has rightly noted, *chŏng* serves as a

"transitional space" between self and other.[27] Rather than being collectivistic,

therefore, *chŏng* mediates collectivism and individualism. With Markus and

Kitayama, we can call such a(n) (*chŏng*-mediated) intersubjectively constituted self

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(and create) a viable political practice by utilizing it, whenever I associate "*chŏng*" with its normative
dimensions, it must be understood as a political concept. The difference between *chŏng* as a social
psychology and *chŏng* as a political practice is the key focus of Chapter 3, where I also attempt a full
explanation of *chŏng* itself.

[25] Choi, *Hagugin simnihak*, pp. 152-159.

[26] Hahm, *Korean Jurisprudence*, p. 323.

[27] Alford, *Think No Evil*, p. 49.

an "interdependent self"[28] to distinguish it from an "independent self," a city-like, self-contained and self-sufficient self idealized in Western political and psychological tradition.[29] Thus understood, the goal of Korea's *chŏng*-induced ethical civil society is not just the empowerment of individual agency, which is the goal of Western (and Eastern European) civil societies, but the invigoration of interdependent self's shared (political) identity, collective freedom, and eventually citizenship.

Two points must be clarified however. First, that the Korean self is an interdependent self does not imply that it is merely a "partial self" (as opposed to a complete self), lacking in its own coherent individuality and agency. The contrast between interdependent self and independent self is only about the different "mode" of selfhood. That is to say, interdependent self denotes a special type of the individual self. Both independent self and interdependent self are in the Weberian sense an ideal type. Second, to argue that Korean ethical civil society is predicated on the cultural practice of *chŏng* is not to support that Koreans' civil and political actions in the public sphere can be unmediatedly reduced to a social-cultural psychology of (semi-primordial) *chŏng*. Notwithstanding the social-cultural psychological *chŏng* being the background nutrition of the politically-exercised *chŏng* in civil society, "*chŏng* foundationalism" or "*chŏng* reductionism" is a far cry from this study's central

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[28] Hazel R. Markus and Shinobu Kitayama, "Culture and the Self: Implications for Cognition, Emotion, and Motivation," *Psychological Review* 98 (1991), pp. 299-337.

[29] This tradition begins with Plato when he, in *The Republic*, makes the city a model of the self or, to use a psychoanalytical terminology, a "selfobject." See C. Fred Alford, *The Self in Social Theory: A Psychoanalytic Account of Its Construction in Plato, Hobbes, Locke, Rawls, and Rousseau* (New Haven: Yale University Press, 1991), pp. 64-65.

claim.[30] To clarify: despite inextricable intertwinement between the *chŏng* as a social-psychological quality and the *chŏng* as a civil and political practice in reality, my focus is rather—but not exclusively—on the latter.

At the heart of *chŏng*-induced civil/political action is the Korean citizens' collectively shared sense of moral responsibility, which I call "*uri*-responsibility." What is surprising and peculiarly Korean about this collective moral responsibility[31] is that it mediates Kant's two types of responsibility (moral/criminal responsibility, on the one hand, and collective/political responsibility, on the other), which are the predominant conceptions of responsibility in the West. On the other hand, despite some apparent similarities, Korea's *uri*-responsibility as a culture-originated political practice is qualitatively different from what Karl Jaspers calls "metaphysical responsibility," that is essentially universalistic in nature. It is by virtue of the collective practice of this special, particularist, (rather than universalist) civil ethos that Korean ethical civil society is "politically" empowered. Through the political exercise of *uri*-responsibility, I argue, is Korean democracy made *civil*.

The ethical quality (or energy) that *uri*-responsibility when practiced in the public sphere of a civil society (mainly, yet not exclusively, national civil society) generates, I conceptualize in terms of "transcendental collectivism." The concept transcendental collectivism is of my own contrivance to serve two mutually related purposes. First, transcendental collectivism is the Korean *and* post-Confucian

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[30] For the danger of "foundationalism" in political philosophy, see Benjamin R. Barber, "Foundationalism and Democracy," in Seyla Benhabib (ed.), *Democracy and Difference: Contesting the Boundaries of the Political* (Princeton: Princeton University Press, 1996), pp. 348-359.

[31] Chapter 3 discusses in great detail on what "collective moral responsibility" is.

counterpart of the Weberian concept of "transcendental individualism," the ethical quality that Weber believed had vitalized the early modern Western liberal civil societies (originally, confessional sect communities), on the one hand, and the ethical force that I believe (and argue in Chapter 3) galvanized the radical Confucian civil societies in Korea during her agonistic democratic transition in the 1980s, on the other. Allegedly, the modern West's moral individualism (the kind of individualism advanced by early liberals such as Locke, Kant, Hegel, and Mill) is a secularized and rationalized version of transcendental individualism, and equally well known is what Tocqueville abhorred in terms of democratic individualism (or "anomism," or "atomism" in Charles Taylor's word) is indeed transcendental individualism's most deteriorated version in which a sense of dialectics between individual and society has been lost (hence no vision of civil society). Keeping in mind that the recent resurgence of civil society in Western liberal scholarship is with a view to revivification of transcendental or moral individualism to rescue both individual (agency) and community (citizenship), for the exact same purpose, I—as with most ordinary Koreans—rather turn to transcendental *collectivism* (instead of transcendental *individualism*) that is believed to offer a post-Confucian dialectic between agency and citizenship, a dialectic that starts with (but not ends) in collective identity.[32]

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[32] My understanding of "political theory" is consistent with Sheldon Wolin's when he writes: "Political theory might be defined in general terms as a tradition of discourse concerned about the present being and well-being of collectivities. It is primarily a civic and secondarily an academic activity." Sheldon S. Wolin, *The Presence of the Past: Essays on the State and the Constitution* (Baltimore, MD: Johns Hopkins University Press, 1990), p. 1.

My second purpose is for conceptual clarification. That is, with this concept, I can distinguish a form of collectivism that is morally justifiable (in that it does promote its own individual agency, if not liberal individualistic agency) and democratically committed (in that it greatly contributes to collective self-government and citizen-empowerment) from any pejorative types of collectivism (whatever they are: mob rule, democratic tyranny, or pathological nationalism) that suppresses the value of individuality. Moreover, the concept transcendental collectivism belies a conventional dichotomous understanding of the relation between collectivism and individualism and reveals that it suffers a fundamental confusion between ontological and advocacy questions. In "Cross-Purposes: The Liberal-Communitarian Debate," Charles Taylor charges political theorists with insensitivity to the fact that choice of an ontological position (the choice between atomism and holism) does not directly and necessarily lead to an advocacy of a certain moral norm or public policy. That is, argues Taylor, the relation between ontology (atomism or holism) and advocacy (individualism or communitarianism) is dialectical, entailing four practical possibilities: atomist individualism (Nozick), holist collectivism (Marx), holist individualism (Humboldt), and, albeit very rarely, atomist collectivism (B. F. Skinner).[33] Since transcendental collectivism is not so much an ontological claim as a political vision, its connection with Humboldtian holist individualism is quite obvious.

In short, just as Weber's transcendental individualism denotes a special form of individualism that undergirds a civil society (co-originality of agency and citizenship), with the concept of transcendental collectivism I attempt to demonstrate

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[33] Charles Taylor, "Cross-Purposes: The Liberal-Communitarian Debate," in Nancy L. Rosenblum (ed.), *Liberalism and Moral Life* (Cambridge, MA: Harvard University Press, 1989), p. 163.

that there can be a type of collectivism in post-Confucian Korea that can bolster, rather than suffocate, individual moral and political agency. One example of political practice grounded in transcendental collectivism, which I grapple with in Chapter 5, is liberal nationalism that is predicated on and predicates what Yael Tamir calls "contextual individuality."[34] In this study, I generalize the forms of ethico-political practice nourished on transcendental collectivism in terms of "liberal collectivism" (as opposed to liberal individualism).

Thus understood, my central arguments in this study can be summarized:

(1) The viability of Korea's post-democratic and post-Confucian (ethical) civil society is predicated on the cultural practice of *chŏng*;

(2) The *chŏng*-induced "transcendental collectivism" that underlies liberal collectivism is qualitatively different than the modern West's "transcendental individualism" that predicates rights-centered liberal individualism;

(3) Liberal collectivism is collectively practiced by individual participants in the public sphere of (national) civil society in terms of *uri*-responsibility, a uniquely Korean ethos of collective moral responsibility (Therefore, liberal collectivism as political practice does not endorse "*chŏng* foundationalism.");

(4) Therefore, liberal collectivism has a great potential to contribute to both liberal nationalism and participatory democracy in post-Confucian Korea.

Approach

Cross-Cultural Comparative Political Theory

The primary approach of this study is a "cross-cultural comparative political theory." The main comparison is between South Korea's liberal collectivism pivoted on *chŏng*-induced transcendental collectivism and the West's liberal individualism

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[34] Yael Tamir, *Liberal Nationalism* (Princeton: Princeton University Press, 1993).

underpinned by Protestantism-originated transcendental individualism and liberalism's moral individualism, transcendental individualism's secularized yet not vulgarly deteriorated version. **TABLE 1.1** illustrates the detailed points of comparison between Korea and modern West (and Eastern Europe).

TABLE 1.1. The Points of Comparison between Korea and Modern West (and Eastern Europe)

	Korea	Modern West	Eastern Europe
Ethico-Cultural Background	(neo-)Confucianism	Protestantism	Catholicism/Marxism
Mode of the Self	Interdependent Self	Independent Self	Independent Self
Medium of Human Relation	*Chŏng*	Civility	Ethnicity
Socio-Ethical Medium	Transcendental Collectivism	Transcendental Individualism/ Moral Individualism	Ethnic Nationalism
Mode of Consensus	Collective Consciousness/ Cultural Cohesion	(Overlapping) Consensus	Social Conformism/ Forced Assimilation
Political Expression	Liberal Collectivism	Liberal Individualism	Ethnic Nationalism
Mode of Collectivity	National Citizenship	Associational Membership/Individualist -ic Citizenship	Ethnic Citizenship

To clarify: By saying that "liberal individualism" is a predominant mode of political practice of the modern West, I do not mean what Michael Sandel chastises as "unencumbered" individualism.[35] Nor does it refer to the kinds of "possessive individualism" found in Thomas Hobbes and John Locke (as author of *The Second Treatise*)[36] or in Milton Friedman and Robert Nozick.[37] By "liberal individualism" I

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[35] Michael J. Sandel, *Liberalism and the Limits of Justice*, 2nd edition (Cambridge: Cambridge University Press, 1998).

[36] C. B. Macpherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (Oxford and New York: Oxford University Press, 1962).

[37] Milton Friedman, *Capitalism and Freedom* (Chicago and London: University of Chicago Press, 1982); Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974).

rather mean (1) the "transcendental individualism" that a self-reliant yet self-disciplined Protestant saint-citizen once held, and (2) "moral individualism" of the kind developed in Locke (as author of *A Letter Concerning Toleration*, *Reasonableness of Christianity*, and *Some Thoughts Concerning Education*), Smith (as author of *The Theory of Moral Sentiment*), Kant, and J. S. Mill. Among contemporary political theorists, I particularly have in mind such liberal pluralists or political liberals like Michael Oakeshott, John Rawls, Nancy Rosenblum, and George Kateb.[38] Of course, this list in no way exhausts such rich and complex traditions of modern civil society and contemporary social and political theories of civil society to which I will soon turn.[39] Suffice it to say that, in this study, I employ the concept "civil society" primarily as a modern-liberal realm of "civility"—which is, according to Seligman, qualitatively different from ancient and Rousseauian civic virtue[40]—or what Oakeshott calls "*societas*" (as opposed to "*universitas*").[41] Put differently, I

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[38] Michael Oakeshott, *On Human Conduct* (Oxford: Clarendon, 1975); John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993); Nancy L. Rosenblum, *Membership and Morals: The Personal Uses of Pluralism in America* (Princeton: Princeton University Press, 1998); George Kateb, *The Inner Ocean: Individualism and Democratic Culture* (Ithaca and London: Cornell University Press, 1992).

[39] Dana Villa, for example, includes in the list of moral individualists Hegel and Tocqueville. See Dana Villa, "Hegel, Tocqueville, and 'Individualism'," *The Review of Politics* 67:4 (2005), pp. 659-686.

[40] Adam B. Seligman, "Public and Private in Political Thought: Rousseau, Smith, and Some Contemporaries," in *The Problem of Trust* (Princeton: Princeton University Press, 1997), pp. 103-123. Also see Daniel A. Bell, "Civil Society versus Civic Virtue," in Amy Gutmann (ed.), *Freedom of Association* (Princeton: Princeton University Press, 1998), pp. 239-272.

[41] That is to say, I understand the concept "civil society" as the historians of ideas understand it *solely for the purpose of the convenience of a cross-cultural comparison*. From a "normative" perspective, I fully agree with Barber's discontentment with the historicist fixation of this otherwise viable concept when he writes that "when we use an inescapably political term like civil society, its ideal normative

understand civil society particularly in the peculiarly modern Western context of liberal pluralism, a modern tradition that emerged to cope with the "perils of pluralism" unleashed after the Reformation.[42] Generally speaking, the civil society tradition (and liberal pluralism) is committed to the advocacy of freedom of (voluntary) association, although some theorists in this tradition sometimes include non-contractual, non-voluntary associations in their repertoire, yet with apparent reservations.[43] At any rate, though, all in civil society tradition are committed to moral individualism.

Therefore, the main comparisons of this study revolve around "national civil society versus voluntary association," "national citizenship versus associational membership," and, eventually, "*chŏng* versus (liberal) civility."

Intra-Cultural Comparative Political Theory

Thus far, I have deliberately shunned employing the term "Confucian" to avoid a fallacy of confounding "Korean" with "Confucian," even though I believe the social origin of *chŏng* has a great deal to do with the Confucian family tradition. The reason I do not use this more plausible (given the level of analysis) dyadic of "Confucian versus modern Western" is twofold. First, as has been discussed, the contemporary massively Westernized Korean society is hardly "Confucian" at least from a

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meaning as given by certain democratic and civic ideals is inextricably bound up with various civic attitudes and practices that surround it in our lives." Barber, *A Place for Us*, p. 13.

[42] See Boyd, *Uncivil Society*; Rawls, *Political Liberalism*, pp. xxiv-xxviii.

[43] See George Kateb, "The Value of Association," in Gutmann, *Freedom of Association*, pp. 35-63. Mark E. Warren, *Democracy and Association* (Princeton: Princeton University Press, 2001) offers one of the most advanced discussions about the democratic effect of both voluntary and involuntary associations.

standpoint of cultural anthropology, even if political practices in Korea are still grounded in the main in the Confucian semiotic code (as I show in Chapter 3). But, more importantly, to identify the ethical resource invigorating Korea's post-democratic civil society in terms of Confucianism may occlude an appreciable difference between Korea's democratizing (ethical) civil society in the 1980s and its consolidating counterpart(s) in the post-democratic stage. The differences include: While one is elites-led, the other is ordinary citizens-initiated; one is militantly radical and episodic whereas the other is deradicalized and largely quotidian. Of course, these differences are of secondary importance when contrasted against their compelling similarities: in nature (ethical), size (grandly national), and scope (comprehensive). Nevertheless, the contrast is both culturally and politically meaningful because it, as I argue, reveals an intra-cultural dynamic in Korea's Confucian culture. **TABLE 1.2** illustrates the major contrasts between pre- and post-democratic civil societies in Korea.

TABLE 1.2. Two Stages of Korean Ethical Civil Society

Democratizing Civil Society	Consolidating Civil Society
Elites-led	Citizens-centered
Militant and Radical	Quotidian and Deradicalized
Ren	*Chŏng*
(Confucian) Transcendental Individualism	Transcendental Collectivism

In Chapter 3 of this study, I argue that "Confucian transcendental individualism," predicated on the cultural institutions of *ren*, helped vitalize Korea's ethical civil society during the period of democratic transition—of which experience is also shared (albeit in a greatly varying degree) by other Confucian societies like

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Taiwan. But, in order to explicate a unique cultural dynamic of Korean ethical civil society after democratization, I present the cultural practice of *chŏng* as a key mechanism of enhancement of democratic citizenship and collective self-empowerment. Here I reinterpret *chŏng* as a collectivized or popularized (or "routinized" to borrow Weber's much famous sociological concept) version of *ren* in contemporary Korean interpersonal relations. My central claim is that in the course of democratic consolidation, *chŏng*-induced transcendental collectivism that is less individualistic and less heroic has replaced *ren*-originated Confucian transcendental individualism.

Cases and Methodology

Cases

In order to substantiate my cross-cultural and intra-cultural comparative approaches to civil society in post-democratic and post-Confucian Korea, I investigate four recent civil action cases:

> CASE 1: The citizens' alliance for the 2000 general election for the National Congress (2000);
>
> CASE 2: The public reaction to the teenage girl Lee's patricide (2005);
>
> CASE 3: The civil upheavals around dual citizen military dodgers (2005); and
>
> CASE 4: The candlelight vigil demonstrations for two Korean teenage girls struck by the US military vehicle (2002-2003).

These four cases are mutually independent—that is, they are not only topically unrelated but also thematically discrete (see **TABLE 1.3**).

TABLE 1.3. Core Cases

	Topic	Theme
CASE 1	Anti-corruption and anti-regionalism campaign	National civil consciousness
CASE 2	Family violence	Collective moral responsibility
CASE 3	(Baffled) revisions of the law on the status of overseas Koreans	Liberal nationalism and democratic citizenship
CASE 4	Revision on the SOFA (Status of Forces Agreement)	Participatory politics and collective self-determination

These cases are to show how, ostensible topical and thematic discrepancies notwithstanding, citizens' movements in consolidating Korea have become amazingly invigorated through the cultural practice of *chŏng* and the political exercise of *uri*-responsibility, engendering a new mode of democratic ethical civil society. So, the focus will be not necessarily be on what these cases self-consciously and/or officially set out to espouse, but, rather, on the cultural mechanisms through which Korean citizens are activated in the public sphere of civil society and the political effect that their public actions produced. Otherwise stated, with these cases I throw reflective light on how traditional elements in Korean society, although originally neither liberal nor democratic, have greatly helped (and can continue to help) to galvanize a democratic, modern, yet hardly liberal individualistic civil ethos, thus contributing to a uniquely post-Confucian mode of civil society in democratic Korea.

Methodology: "Explanatory Evaluation"

The primary methodology that this empirically-oriented normative theory of civil society employs is a philosophical interpretation. More specifically, I draw on what Stephen Salkever calls "explanatory evaluation," an Aristotelian methodology that

aims to integrate theory into practice and facts into values.[44] Salkever's following

statement best captures this study's pronounced spirit of linking a social science of

civil society (empiricality) to a political theory of civil society (normativity):

> The separation between political philosophy and political science, or between normative and
> empirical political theory, carries with it or implies a number of important assertions about the
> character of things known and the way they are knowable. Chief among these is the
> distinction between facts and values or goods, and the claim that facts are known empirically
> while values are either not objectively knowable or knowable in some *a priori* way … I have
> in mind primarily the way in which the distinction between political philosophy and political
> science (as well as the more general distinction between moral philosophy or ethics and social
> science) works to separate the processes of evaluation and explanation, of critique and
> understanding, against the intentions of many within the discipline to practice a political
> science that is both evaluative and explanatory.[45]

The methodology of "evaluative explanation" embraces the central features of

the Platonic psychology of *sōphrosunē* that does not sever subjectivity from

objectivity (thus succumbing one to the other), a separation that was initiated

(ironically) by Plato himself with his philosophy of form and later valorized by the

modern epistemologists, most famously Descartes and, albeit arguably, Kant. In

Plato, explanation and evaluation were linked within the account of the human soul.[46]

Sōphrosunē was the moral virtue par excellence, not because it sought the attainment

of a Cartesian clear and distinct knowledge of the form (*eidos*) of the good but

because it strived to bring back universality into particularity—that is, into the

individual soul (therefore a moral and political agent was not thought to be isolated

from the world, namely, *polis*). The theoretical aim of universalization was directed

to explaining particular things. This implies that the Platonic soul was not so much a

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[44] Stephen G. Salkever, *Finding the Mean: Theory and Practice in Aristotelian Political Philosophy* (Princeton: Princeton University, 1990).

[45] *Ibid*., p. 14.

[46] *Ibid*., p. 18.

"mirror of nature" as is the mind (*tabular rasa*) in the modern epistemology,[47] but an active agent of "living," to whom the world was the field of self-realization that was thought to be achieved only by means of interacting with others.

Modern epistemology epitomized by Descartes's famous dualism between subject (*res cogitans*) and object (*res extensa*) destroyed such an honorific Platonic harmony of the soul and the world (which created a congruence of agency (soulcraft) and citizenship (statecraft) on the other hand). What ensured was the fixation of the thusly dissociated external world, the process of which, according to Guignon, Martin Heidegger was most acutely aware:

> With the epoch-making transition that culminated in the rise of modern science and the Enlightenment, a constellation of ideas and ways of thinking became firmly impressed in the West. Ever since, Heidegger says, this framework has provided us with "a universal way of thinking along certain basic lines" which "holds us captive and makes us unfree in the experience and determination of things." When a world-view becomes rigid and calcified, it becomes necessary to distance ourselves from it and re-evaluate it.[48]

The calcification of the external world, however, is only one aspect of the issue. On the other side of the same coin is characterized by skepticism and, more crucially, the valorization of the subject—a creation of "subjective individualism" criticized most vehemently by, among others, Charles Taylor and Michael Sandel.[49] Now, the self sees itself—however wrongly—absolutely free and unencumbered by any historical, social, political, and cultural "yokes." The ethos that this liberating

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[47] Richard Rorty, *Philosophy and the Mirror of Nature* (Princeton: Princeton University Press, 1979).

[48] Charles B. Guignon, *Heidegger and the Problem of Knowledge* (Indianapolis: Hackett, 1983), p. 16.

[49] Charles Taylor, "Overcoming Epistemology," in *Philosophical Arguments* (Cambridge, MA: Harvard University Press, 1995), pp. 1-19; Michael J. Sandel, *Democracy's Discontent: America in Search of Public Philosophy* (Cambridge, MA: The Belknap Press of the Harvard University Press, 1996); Sandel, *Liberalism*.

experience is accompanying is something like this: "So I am self-defining and autonomous, my family, religion, occupation, and national origins are appendages or decorations that may be cast off in my search for integration. My ethical and social relations are contrived, conventional devices superimposed over me through the demands of expedience."[50] Ironically and erroneously, though, the objectification of the world entailed a modern agentic notion of freedom. Hence Taylor writes, "The liberation through objectification wrought by the cosmological revolution of the seventeenth century has become for many the model of the agent's relation to the world, and hence sets the very definition of what is to be an agent."[51] Or upon this fixation of the world, freedom has been transvaluated: the term used to label the isolation into which man were accidentally or punitively thrown – by rebellion, ostracism, uprooting, exile, noble hubris, or other cataclysms – takes on the aspect of liberation.[52]

Paradoxically, this "transvaluation" has paved the foundation of contemporary social science. Thus Barber observes, "The obsession of recent social-science empiricists with methodology has … led them to place epistemology before ontology."[53] The political and methodological implications of the objectification of the world and the radical uprooting of the subject are now well known: The agent that is (and ought to be) unencumbered, unbiased, and free is driven to find a "clear and

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[50] Guignon, *Heidegger*, p. 18.

[51] Charles Taylor, *Philosophy and the Human Sciences: Philosophical Papers 2* (Cambridge: Cambridge University Press, 1985), p. 5.

[52] Benjamin R. Barber, *Strong Democracy: Participatory Politics for a New Age*, 20th anniversary edition (Berkeley, CA: University of California Press, 2003), p. 70.

[53] *Ibid*., p. 47.

distinct" knowledge of the otherwise unknowable world. Put differently, "certainty" becomes this free agent's most brilliant and most urgent fascination. This quest for certainty, according to Barber

> appears to draw the theorist's attention away from the need to render political life intelligible and political practice just and to divert it instead toward the need to render intelligibility absolute and justice incorrigible – even at the high cost of distorting or abandoning the subject matter under study.[54]

Arguably, such a schizophrenic separation of "subject and object," "agent and world," "values and facts," "ontology and epistemology," and finally "normative theory and political science" constitutes the core problem the Aristotelian method of explanatory evaluation aims to overcome. [55] Aristotle inherited from Plato the complex balance between subjectivity and objectivity (and between universality and particularity) while rejecting his mentor's metaphysics of universal and separate forms and ideas—which was to be recast in the modern Cartesian (and Kantian) epistemology—that in his view could not serve as an explanation for the existence of particulars. About this Aristotelian notion of "science," Salkever writes,

> The form (*eidos*) and end (*telos*) or actuality (*energeia*) of a thing is the primary means of explaining what each natural thing is (*Physics* 2, 193b6-18), and this explanation is at the same time evaluative or critical, since in giving an account of any given human being or

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[54] *Ibid*., p. 49.

[55] Leo Strauss, "Natural Right and the Distinction between Facts and Values" in *Natural Right and History* (Chicago: University of Chicago Press, 1965), pp. 35-80 offers a critique from an ancient standpoint, although his criticism of Max Weber as a value-free social scientist is problematic. He seems to confound Weber's "genetic" social science and his real target, for instance, Emile Durkheim's more rigorous social science that paved the way to quantitative methodologies by failing to fully understand the nature of "ideal type" as a middle ground between value and fact. On this point, see Charles Ragin and David Zaret, "Theory and Method in Comparative Research: Two Strategies," *Social Forces* 61:3 (1983), pp. 731-754.

human culture we must characterize its goals or practices in terms of and relative to the goals that define human being as a certain kind of entity.[56]

The point is that there cannot be any pre-political Archimedean foundation of politics and political evaluation independent of the goals or practices of a certain kind of human culture. Political practice that is simultaneously cultural is both factual and evaluative. The task of the political "scientist" (in the Aristotelian sense) is to clarify such complexity in the particular context. Ultimately, to see clearly the living politico-cultural practice is itself evaluative. Any normative ideal of a certain political entity, therefore, must be drawn from such a critical evaluation of the empirical reality.

In this regard, a study of civil society provides an invaluable vantage point because civil society is where agent and world, facts and norms, and ontology and epistemology constantly interact, articulating and rearticulating their dialectic relations. Practically, it has been one of the rare social scientific themes, in which empirical studies have enlisted a help for theoretical articulations from normative theories and normative theories for empirical vindications from empirical studies, thereby better coming to terms with the complex dynamics of human conduct in a political life. Moreover, the rejuvenated attention to civil society has led both strains of scholars to acknowledge the centrality of culture to the flourishing of human (political) life. By unraveling the cultural mechanisms underlying the four civil action cases introduced above, this study aims not only to show how Korean civil society operates but also to suggest how it ought to operate given the empirical—cultural and political—conditions of Korean post-Confucian society.

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[56] Salkever, *Finding the Mean*, p. 19.

Outline of the Argument

This dissertation consists of seven chapters including this introductory chapter. In Chapter 2, I attempt a critical examination of the contemporary discussion of civil society both in social sciences and political theory in order to clarify a rather plastic concept of civil society. Here I challenge the social scientist "institutional-functional" operationalization of the concept of civil society on the grounds of, first, its misinterpretation of the Tocquevillian ideal of associational life as meaning that the mere presence of intermediary organizations would contribute to democratic consolidation, thus dismissing the possibility of "uncivil society" or "bad civil society" and, second, its negligence of the "morality of pluralism" an individual member experiences in multiple and shifting memberships. After identifying the essence of Western liberal civil society in terms of "moral individualism" that historically originated from Protestant transcendental individualism and showing its inherent connection to the univeralist conception of citizenship, however, I raise cultural-politically significant questions: whether it can be possible to construct a liberal civil society in the non-Western society like South Korea without necessarily embracing individualism and whether a national ethical civil society (vis-à-vis a Tocquevillian liberal pluralist association life) can be practically and theoretically justified as conducive to democratic consolidation. Chapters 3 to 6 take up these questions specifically in regard to Korea's post-Confucian context.

Although this dissertation is mainly devoted to a cross-cultural comparative study, Chapter 3 conducts an intra-cultural comparative investigation of Korean civil society in order to highlight the unique characteristics of the Korean post-Confucian

civil society in the stage of democratic consolidation. Here I examine why Korean civil society since the late 1990s has become markedly deradicalized and more citizen-led than the radical and elites-led democratizing civil society in the 1980s. I contend that whereas the democratizing civil society was propelled by *ren*-induced Confucian transcendental individualism which was aimed at the drastic moral transformation of the world, the consolidating civil society is in the main activated upon *chŏng*-originated transcendental collectivism that aims at more practical moral and political issues. While reinterpreting *chŏng* as a collectivized, popularized form of *ren*, I offer a thorough social-psychological analysis of the concept of *chŏng* and discuss how amongst Koreans a *chŏng*ish relation constitutes a uniquely Korean group ("we") identity in terms of "*uri*." Both *chŏng* and *uri*, I argue, impart a defining characteristic of transcendental collectivism in Korea. After the conceptual analysis of the key cultural concepts, I draw special attention to the "political" dimension of *chŏng*ish transcendental collectivism, exercised in terms of "*uri*-responsibility." By liking *uri*-responsibility as a uniquely Korean ethos of collective moral responsibility to Rousseau's general will, I show the democratic political implications of a collective practice of *uri*-responsibility in the public sphere of civil society—for example, a creation of democratic national civil ethos that overcomes the pathological regionalism that has long characterized the Korean politics before and during its democratization.

In Chapter 4, I show the (Confucianism-originated) cultural characteristics of *uri*-responsibility by contrasting it to the Kantian-liberal account of responsibility— moral, political, and metaphysical, and present a "*chŏng*ish civil society" predicated

on *uri*-responsibility as the most appropriate form of civil society in democratic, post-Confucian, Korea, as opposed to a juridical civil society grounded in the Kantian concepts of responsibility. By utilizing a recent case of family violence—a patricide by a young girl of her violent father, I argue that Koreans' enthusiastic (i.e. *chŏng*ish) response to this incident through the collective practice of *uri*-responsibility—which is non-liberal, non-rational, non-moral, non-political, and thus non-civil action from the Kantian liberal rationalist moral and political perspective—is indeed greatly conducive to the moral and political development of Korean "post-Confucian" democratic consolidation, because it is activated upon the uniquely Korean cultural—Confucian—dynamics. Whereas in Kant civility composed of legality and liberal virtue is premised on the particular liberal-rational ideal of person as both an autonomously thinking and acting moral (and by implication political) agent, in the Confucian culture individual agency is defined in familial relational terms. This contrast, I argue, explains two completely different modes of the concept of "the political": the Western concept of "the political as the contractual" and the Confucian concept of "the political as the familial." My key claim is that the clash of these two concepts and practices of the political—namely, *chŏng*ish society versus juridical society—is the central feature of Korean society after its democratization and "*chŏng*ish civil society" as a creative third way can be invented by further developing the moral sensibility of *uri*-responsibility.

Chapter 5 then discusses how the *chŏng*ish civil society predicated on uri-responsibility and as distinct from the juridical civil society of liberal individualism can be supportive of liberal nationalism. By interpreting the Korean upheaval

surrounding the recent attempt to revise the nationality law as an expression of liberal nationalism rather than of ethnic nationalism, I argue that *chŏng*ish civil society is committed to and predicates a responsible national citizenship as opposed to liberal civil society that promotes the individualistic and universalist idea of citizenship. After discussing the basic tenets of liberal nationalism such as contextual individuality and embedded citizenship drawing on some contemporary liberal-national theorists (especially Yael Tamir) and yet before evaluating the Korean public action on the nationality law in liberal-nationalist terms, I first investigate the uniquely Confucian origin of the modern Korean nation-state. Here I demonstrate that the modern Korean nation-state is indeed a modern reinvention of the traditional Confucian state—the "state-as-family" or *kukka* and argue that the democratization of Korean society has unexpectedly entailed the crisis of *kukka* that had traditionally functioned as a national reservoir of *chŏng*, thus disseminating throughout the Korean society the idea of liberal individualistic citizenship as an only valid form of democratic citizenship. My central claim is that Koreans have started to take the real democratic implications of citizenship seriously by disclaiming its liberal individualistic justifications while reclaiming their long-forgotten democratic and national-cultural citizenship. In short, whereas liberal nationalism is an attempt to contextualize the universalism of liberalism in the particularism of nationalism, this chapter seeks to contextualize a theory of liberal nationalism in the particularism of post-Confucianism.

Although all substantial chapters of this dissertation hold the participatory political implications of Korean ethical civil society in the consolidating period,

Chapter 6 specifically focuses on re-evaluating the quality of democratic consolidation in South Korea from a participatory democracy perspective. In order to do so, I first redefine democratic consolidation in terms of the citizenry's self-education of citizenship and collective self-determination by challenging its political scientist definition in terms of stability because it overly prefers a liberal-pluralist civil society that is essentially market-oriented, regime-legitimizing, and hence more conservative than a more active, vibrant, and thus sometimes intractable form of civil society. With reference to Tocqueville's and Barber's idea of democracy—democracy as citizen-empowerment—I then recast a process of democratic consolidation as an open-ended, non-teleological, and perennial struggle for citizenship that neither unitary democracy, the kind that Korea's grand national, yet elite-led, civil society has upheld during and after democratization, nor representative democracy, pivoted on liberal individualism, can fully come to terms with. Finally, by examining a recent upheaval of Korean civil society after the deaths of two teenage girls struck by a US military vehicle, I demonstrate how Koreans empower both reflective individual agency and collective identity and thus invigorate civil society by the collective practice of *uri*-responsibility.

Chapter 7, which is the concluding chapter of this dissertation, revisits some philosophical issues that this study might raise like the tensions between cultural relativism and cultural anti-Occidental universalism and the problem of objectivity and the possibility of social criticism within a cultural political entity like Korea.

CHAPTER 2: CIVIL SOCIETY AND DEMOCRATIC LIFE

The State of Civil Society Studies

"Civil society" is so often invoked in so many different contexts that it has acquired a staggeringly plastic political valence. On the one hand, it is presented as a revolutionary force that liquidated and later broke down the ossified bureaucratic authoritarian regimes of post-communist countries.[1] But soon it is *required* to go back to "normality" for what Larry Diamond has called "democratic governability" so that it can function as a regime-sustaining intermediary between the private sphere and the state.[2] Whereas for many Central and East European dissidents civil society was inherently *anti-political*, for Western liberal-pluralists who are largely inspired by Alexis de Tocqueville, it is quintessentially *political* in that it supplements, if not substitutes, the enfeebled state.[3] In one place, civil society is featured as grandly

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[1] Paul Hirst, "The State, Civil Society, and the Collapse of Soviet Communism," *Economy and Society* 20:2 (1991), pp. 217-242; John Keane (ed.), *Civil Society and the State* (New York and London: Verso, 1988); Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory* (Cambridge, MA: The MIT Press, 1992); Vladimir Tismaneanu, *Reinventing Politics: Eastern Europe from Stalin to Havel* (New York: Free Press, 1992).

[2] Diamond, *Developing Democracy*, p. 224. See also Howard, *The Weakness of Civil Society*; Seymour M. Lipset, "The Social Requisites of Democracy Revisited: 1993 Presidential Address," *American Sociological Review* 59:1 (1994), pp. 1-12.

[3] Tamás' following statement best captures the salient contrast as to the meaning of civil society between East and West: "[Thus,] the East European notion of civil society was pitched against the state, whereas the Whig idea was to complement the enfeebled state, to find new reasons for obedience and conformity after the wane of divinely anointed authority. The Whig idea was that voluntary, self-governing entities help to build a relatively non-coercive order, while the East European dissidents' idea was that they might help to destroy an overly coercive order. In a work, the Burkean-Hegelian-Tocquevillian, or Whig idea was a political one; the East European dissident idea was anti-political."

"national" (in size), immensely "ethical"[4] (in nature), and topically "comprehensive" (in scope), but in the other it is deemed to be primarily local, interest-based, and more or less segmental (issue-oriented).

Notwithstanding different, even contrasting, conceptions of civil society, social scientists of civil society of both left and right agree on the three points. First, for both, civil society is the answer to the governance and legitimacy crisis of the massively bureaucratized and overbearing states—both the West's Keynsian regimes and the East's post-communist regimes. Both the East's *antipolitical* and the West's *political* strategies of civil society were committed to rejuvenating the long-enervated "lifeworld" (*Lebenswelt*), by making the state less intrusive and more responsive to the individual citizens' real aims of life. And, second, this expectation is reinforced by a formal-judicial understanding of civil society as embodying a set of determinate institutions that stand independent of, or even in opposition to, the state. Most often civil society was conceptualized in "spatial" terms, namely as a "realm of organizations, groups, and associations that are formally established, legally protected, autonomously run, and voluntarily joined by ordinary citizens."[5] This social scientific fascination of "relative autonomy of the state," however, drove the social scientists of both strains to concentrate their research agenda on the relation between the state and civil society: squarely oppositional or reciprocal (or even

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G. M. Tamás, "The Legacy of Dissent," Vladimir Tismaneanu (ed.), *The Revolution of 1989* (London and New York, Routledge, 1999), pp. 189-190.

[4] "Ethical civil society" is a particular characterization originally referred to the Polish civil society. Linz and Stepan, *Problems*, p. 271.

[5] Howard, *The Weakness of Civil Society*, pp. 34-35.

symbiotic).[6] In extreme, the "fuzziness" of the line between the two has made some social scientists question the usefulness of "civil society" as a social scientific concept.[7]

What social scientific studies of civil society have glossed over is the dimension of civil society as a home of individual autonomy and citizenship, the central theme of the ethical civil societies in the third wave of democratization.[8] Without an explicit allusion to "civil society," the contemporary democrats and liberal theorists have grappled with this issue more directly.[9] One thing that they almost unequivocally share is that a mere presence of organized intermediary

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[6] Hagen Koo (ed.), *State and Society in Contemporary Korea* (Ithaca: Cornell University Press, 1993); Charles K. Armstrong (ed.), *Korean Society: Civil Society, Democracy, and the State* (London: Routledge, 2002); Sunhyuk Kim, *The Politics of Democratization in Korea: The Role of Civil Society* (Pittsburgh: University of Pittsburgh Press, 2000); Suisheng Zhao (ed.), *China and Democracy: Reconsidering the Prospects for a Democratic China* (New York and London: Routledge, 2000); Timothy Brook and B. Michael Frolic (eds.), *Civil Society in China* (London: M. E. Sharpe, 1997); Frank J. Schwartz and Susan J. Pharr (eds.), *The State of Civil Society in Japan* (Cambridge: Cambridge University Press, 2003); Jonah D. Levy, *Tocqueville's Revenge: State, Society, and Economy in Contemporary France* (Cambridge, MA: Harvard University Press, 1999).

[7] Joel S. Migdal, *State in Society: Studying How States and Societies Transform and Constitute One Another* (Cambridge: Cambridge University Press, 2001); Timothy Mitchell, "Society, Economy, and the State Effect," in George Steinmetz (ed.), *State/Culture: State-Formation after the Cultural Turn* (Ithaca and London: Cornell University Press, 1999), pp.76-97.

[8] One of notable exceptions is Heath B. Chamberlain, "Civil Society with Chinese Characteristics?," *China Journal* 39 (1998), pp. 69-81, in which he submits: "The point here is that the essential concern of modern civil society is not the group per se but the individual within the group … With individual autonomy now the target, we must ask how a given group relates not simply to the state but to *society* as well" (emphasis in original). A similar concern is found in Theda Skocpol, "Advocates Without Members: The Recent Transformation of American Civic Life," in Theda Skocpol and Morris P. Fiorina (eds.), *Civic Engagement in American Democracy* (Washington, DC: Brookings Institution, 1999); Robert Pekkanen, *Japanese Dual Civil Society* (Stanford: Stanford University Press, 2006).

[9] For example, see Rosenblum, *Liberalism and Moral Life*.

associations does not necessarily promote individual agency and empower democratic citizenship. Put differently, a naïve Tocquevillian ideal of associational life as an indispensable vehicle for vibrant democratic citizenship is seen to need to be revamped.

Three points can be made. First, some social organizations are largely detrimental to, or even diametrically opposed to, a robust liberal democratic citizenship, only engendering what some students of civil society call the problem of "uncivil society" or "bad civil society."[10] Second, the predominant libertarian account of civil society, which refashions civil society in the image of the competitive market that extols individual liberty (in terms of a right to private property) has only exacerbated the existing economic inequality and threatened sociopolitical citizenship. Besides these empirically proven problems, this market-model of civil society turns out to also be theoretically flawed, as it is premised on the absurd idea that "all normative claims about political arrangements can be derived from a single principle [individual liberty], which need not be compromised or balanced with any

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[10] John Keane, *Civil Society: Old Images, New Visions* (Stanford: Stanford University Press, 1998), pp. 114-156; Simone Chambers and Jeffery Kopstein, "Bad Civil Society," *Political Theory* 29:6 (2001), pp. 837-865; Michael W. Foley and Bob Edwards, "The Paradox of Civil Society," *Journal of Democracy* 7:3 (1996), pp. 38-52; Neera Chandhoke, "The 'Civil' and the 'Political' in Civil Society," *Democratization* 8:2 (2001), pp. 1-24; Sheri Berman, "Civil Society and the Collapse of the Weimar Republic," *World Politics* 49:3 (1997), pp. 401-429. Richard Boyd's (aforementioned) *Uncivil Society* well documents how the problem of "uncivil society" propelled the early modern political theorists to come up with more sophisticated ideas of civility and civil society. Also see James M. Glass, "Civil Society: The Unanswered Question of Where Power Resides," *The Good Society* 12:1 (2003), pp. 17-24, which provides an important politico-psychological insight into inherently volatile group-dynamics.

other concerns."[11] Arguably, this exclusive emphasis on individual rights seems to reinforce a nonpolitical and foundational view of politics, thereby curtailing civil qualities of civil society.[12] Despite its limited civil implications,[13] the market relations that the libertarian civil society champions are hardly civil. At worst, it is anti-civil,[14] which means there is no room for a "commons."[15] Nor is there any meaning of

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[11] Lawrence E. Cahoone, *Civil Society: The Conservative Meaning of Liberal Politics* (New York: Basic Books, 2002), p. 26.

[12] Notably, Nozick writes: "To explain fundamentally the political in terms of the nonpolitical, one might start either with a nonpolitical situation, showing how and why a political one later would arise out of it, or with a political situation that is described nonpolitically, deriving its political features from its nonpolitical description." Nozick, *Anarchy, State, and Utopia*, pp. 6-7. For one of the most poignant criticisms of Nozick's foundational politics, see Benjamin R. Barber, "Deconstituting Politics: Robert Nozick and Philosophical Reductionism," in *The Conquest of Politics: Liberal Philosophy in Democratic Times* (Princeton: Princeton University Press, 1988), pp. 91-119.

[13] Exchange of money necessitates, however minimal, mutual recognition between the participants of the competitive market even if underneath this apparent "civility" is hidden their narcissistic desire of the domination of others. See Alford, *The Self in Social Theory*, pp. 126-132. Ironically, it is where Hegel saw a great ethical potential in *bűrgerliche Gesellschaft*. Contrast Hegel's optimistic view of bourgeois civil society to Marx's pessimism (see note 14).

[14] In fact, it is Marx's core claim: "He lives in the *political community*, where he regards himself as a communal being, and in *civil society* where he acts simply as a *private individual*, treats other men as means, degrades himself to the role of a mere means, and becomes the plaything of alien powers." Karl Marx, "On the Jewish Question," in Robert C. Tucker (ed.), *The Marx-Engels Reader*, 2nd edition (New York and London: Norton, 1978), p. 4. In p. 43, Marx continues, "None of the supposed rights of man, therefore, go beyond the egoistic man, man as he is, as a member of civil society; that is, an individual separated from the community, withdrawn into himself, wholly preoccupied with his private interest and acting in accordance with his private caprice." For Marx, therefore, "political revolution is a revolution of civil society" (p. 44).

[15] Quite the contrary, exchange facilitates "depersonalization" by abstracting away all features of the transactors. One way it can contribute to the common good of society is that it can supply equal opportunity regardless of one's gender, racial, religious, or ethnic background. Loren E. Lomasky, "Classical Liberalism and Civil Society," in Simone Chambers and Will Kymlicka (eds.), *Alternative Conceptions of Civil Society* (Princeton: Princeton University Press, 2002), p. 63. But this "negative"

citizenship as a collective politico-cultural identity that in turn buttresses individual agency. It is for this reason that some democratic theorists grew convinced that a robust liberal democratic regime requires certain kinds of virtues and characters in its citizens that capacitate and motivate their active civic engagement.[16]

Third, and all the more problematic (as far as democratic theory of civil society is concerned), the democratic effect of associational life is found in great variance not only with the associational purpose but, more important, with the possibility of free exit and the constitutive media of association (social, economic, political).[17] In this view, the art of association is singularly drawn to the enrichment of the individual member's personal moral life.[18] Whether it has democratic effects that the liberal democratic regime aims to produce in its citizens can be assessed only *ex post facto*. That is to say, membership holds its own intrinsic moral value—which Nancy Rosenblum calls the "experience of pluralism"—distinct from the public standing of citizenship. Accordingly, soulcraft is not to be understood as subject to statecraft. The republican-liberal request of civic virtue is then seen to be too

conception of common good is far from offering a place to express the citizens' commonality in any active ways. For a similar view, see Friedman, *Capitalism and Freedom*, p. 21.

[16] Barber, *A Place for Us*; Peter Berkowitz, *Virtues and the Making of Modern Liberalism* (Princeton: Princeton University Press, 1999); Richard Dagger, *Civic Virtues: Rights, Citizenship, and Republican Liberalism* (Oxford: Oxford University Press, 1997); William A. Galston, *Liberal Purposes: Goods, Virtues, and Diversity in the Liberal State* (Cambridge: Cambridge University Press, 1991); Stephen Macedo, *Liberal Virtues: Citizenship Virtue, and Community in Liberal Constitutionalism* (Oxford: Oxford University Press, 1990).

[17] Warren, *Democracy and Association*.

[18] Kateb, "The Value of Association"; Nancy L. Rosenblum, "Compelled Association: Public Standing, Self-Respect, and the Dynamic of Exclusion," in Gutmann, *Freedom of Association*, pp. 75-108.

demanding because it pursues the congruence between soulcraft and statecraft without a due respect of a personal moral experience in his or her private life in various associational ties.[19] Hence Rosenblum states,

> The meaning and value of associations is not coextensive with the stability or well-being of liberal democracy, with justice, or with cultivating civic virtue. It is as extensive as human flourishing, self-development, and self-affirmation … My subject … is the effects of associational life on the moral disposition of members personally and individually, and the often indirect and unintended consequences for liberal democracy.[20]

What worries Rosenblum most is not the Tocquevillian atomism that the equality of democratic conditions would engender. The real danger, according to her, is "the undisciplined multiplication of associations that amplify self-interest, encourage arrant interest group politics, and exaggerate cultural egocentrism."[21] She then continues: "The prescription that flows from this diagnosis is not "connection" but disassociation: loosening the hold of gripping affiliations so that members have the psychological latitude to look beyond the group and identity themselves as citizens. What is needed is a stronger assertion of liberal democratic values in both public and private life."[22] Which means, at the center should be the individual as a person capable of the use of morality rather than as a citizen. The Tocquevillian-Deweyan vision of democracy that rests on the assumption that dispositions and practices shaped in one association spill over to other contexts, cultivating democratic

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[19] "Nothing provokes anxiety like the proposition that in American democracy "statecraft is soulcraft."" Rosenblum, *Membership and Morals*, p. 13.

[20] *Ibid*., pp. 3-4.

[21] *Ibid*., p. 32.

[22] *Ibid*., p. 33.

mores and habits in the otherwise atomized individual's hearts, is, argues she, empirically questionable.

> Social scientists have had more success demonstrating the moral (typically ill-) effects of incongruence between associational life and liberal democracy in particular instances than the logic of congruence. If we cannot show conclusively where or how "participation begets participation," there are a host of good reasons, moral but also practical and organizational, why an absence of participatory experience can make collective action harder.[23]

This uniquely Americanized Millian valorization of a person's soulcraft *within* associational life,[24] however, seems to be ill-equipped to coherently address Tocqueville's real fear: the democratic tyranny of the majority and the centralized power of government.[25] In Rosenblum, everything becomes downsized: citizenship to membership, (public) civil society to private association, citizen to private person, and public-spiritedness to self-respect, in the course of which the traditional ideas of

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[23] *Ibid*., p. 39.

[24] But, again, Rosenblum is constantly vigilant of the self-constituting force of the group: "No matter how emotionally identified we are (or imagine we could be) with a particular group, associations do not "constitute" us. Nor for that matter does public standing as citizens, no matter how fulsome official rituals of recognition." *Ibid*., p. 183.

[25] However ironic, for Robert Putnam, of whom some think as the contemporary incarnation of Tocqueville, the central Tocquevillian theme of power is almost absence as well. While for Tocqueville association is an alternative locus of power, for Putnam it is deemed as a release or relief from private life. It is evident when he says, "Social capital appears to be a complement, if not a substitute, for Prozac, sleeping pills, antacids, vitamin C, and other drugs we buy at the corner pharmacy. 'Call me [or indeed almost anyone] in the morning' might actually be better medical advice than "Take two aspirin" as a cure for what ails us." Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Touchstone, 2000), p. 289. My criticism of Putnam is indebted to C. Fred Alford, "Civil Society and Its Discontent," *The Good Society* 12:1 (2003), pp. 11-16.

self-government and citizenship (political liberty) have severely dwindled.[26] Despite her Millian nobleness that regards every individual as a respectable person privately capable of the use of morality, Rosenblum seems to downplay the fact that the private space can become vulnerable to the formal power of the state unless it is bolstered by active civic engagement, a public demand on "living in truth." Perhaps, just like Mill, a post-Lockean political theorist, Rosenblum as a post-Rawlsian, could presuppose the presence of a basic structure of justice in the state level (i.e. a legitimate liberal government). But this condition is not easily available to new democracies in which people have yet to consolidate their own legitimate citizenship.

What implications can we draw from these three points regarding the contemporary discussion of civil society? How can we situate contemporary political theories of civil society that we have just explored in the political-scientific discourse of democratic consolidation? It seems that political scientists regard as a critical mark of consolidated democracy the transformation of the grandly national ethical civil society in the period of transition into a various (fragmented) forms of self-aggrandized associational life. That is, without concerning with the personal moral life (or individual agency) within the associations, they tend to see organized interests (i.e. the libertarian or market-model civil society) as tantamount to "liberal pluralism" predicated on liberal individualism. Or, at least they are often confused between libertarianism and liberal pluralism. Apart from this confusion in the political science

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[26] "[I]t is a failure of moral imagination to think that public standing is the sole, chief, guaranteed, or necessary condition of *self-respect*. After all, the dynamic frequently works in reverse. Self-respect bolsters us against slights and prejudice, social exclusion, second-class membership, and even second-class citizenship." Rosenblum, *Membership and Morals*, p. 181.

literature (which is due in part to its exclusive focus on the relative autonomy of civil society vis-à-vis the state), a sudden demand of liberal pluralism (associational life) as a single criterion of democratic consolidation is simply daunting for those who had long lived in a forced incongruence between statecraft ("living in a lie") and soulcraft ("living in truth") under the authoritarian political environment. In fact, their political ideal is hardly a liberal incongruence, but a democratic congruence between individual agency and citizenship.[27]

More important, individual-centered liberal pluralism[28] is by no means culturally neutral.[29] Quite the contrary is often the case. According to Chris Hann, civil society has a fundamental and historical Western ethnocentric bias that is poorly transferred to non-Western parts of the world. His central claim is that "civil society debates hitherto have been too narrowly circumscribed by modern western models of liberal-individualism" and that "the exploration of civil society requires that careful attention be paid to a range of informal interpersonal practices overlooked by other disciplines."[30] Even though Marc Howard expresses deep worry that infelicitous

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[27] According to Timothy Ash, the revolution of 1989 was "a springtime of nations, but not necessarily nationalism; of societies, aspiring to be civil; and above all, of citizens." T. G. Ash, "The Year of Truth," in Tismaneanu, *The Revolutions of 1989*, p. 119.

[28] In practice, liberal pluralism does not have to be grounded in liberal individualism. In fact, the understanding of liberal pluralism itself is plural in contemporary democratic theory. See William A. Galston, "Two Concepts of Liberalism," *Ethics* 105:3 (1995), pp. 516-534.

[29] For the (modern) Western-origin of civil society, see John A. Hall, "In Search of Civil Society," Hall, *Civil Society*, pp. 1-31; John Duncan, "The Problematic Modernity of Confucianism: The Question of "Civil Society" in Chosŏn Dynasty Korea," in Armstrong, *Korean Society*, pp. 36-55. Also see Seligman, *The Idea of Civil Society*.

[30] Chris Hann, "Introduction: Political Society and Civil Anthropology," in Chris Hann and Elizabeth Dunn (eds.), *Civil Society: Challenging Western Models* (London and New York: Routledge, 1996), p.

"conceptual stretching"[31] of the concept "civil society" by including qualitatively different social patterns might cost its social-scientific studies not only conceptual clarity but also theoretical usefulness,[32] I generally agree with Hann's characterization of civil society in terms of a (cultural) practice rather than a historically fixed cultural entity crystallized in the modern West. Nevertheless, I strongly believe that the concept "civil society" as a cultural product of the modern West, which laid the foundation of contemporary liberal pluralism, needs to be more rigorously delineated so that we can conduct a meaningful comparison between the West and the non-West.

More specifically, instead of drawing on the conventional (social-scientific) definition of civil society as a set of formal-judiciary institutions between the private sphere (including the family) and the state, I employ the concept "civil society" as a public sphere that interconnects individual agency to citizenship (even though liberal pluralism loosens this connection and redirects individual agency primarily to membership) as it did in the West's early modernity. While holding this conceptualization of civil society to be cross-culturally applicable as a point of comparison, I suggest that the practical connotations of the terms "individual" and

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3. For a similar argument, see Wayne Hudson, "Problematizing European Theories of Civil Society," in Schak and Hudson, *Civil Society in Asia*, pp. 9-19.

[31] The problem of "conceptual stretching" in comparative political science (especially in regard to a scientific measurement of the concept) was first raised by Giovanni Sartori, "Concept Misinformation in Comparative Politics," *American Political Science Review* 87:4 (1970), pp. 1033-1055. See also David Collier and James Mahon, Jr., "Conceptual 'Stretching' Revisited: Adapting Categories in Comparative Analysis," *American Political Science Review* 87:4 (1993), pp. 845-855; David Collier and Steven Levisky, "Democracy with Adjective: Conceptual Innovation in Comparative Research," *World Politics* 49:3 (1997), pp. 430-451.

[32] Howard, *The Weakness of Civil Society*, p. 49.

"citizenship" and their cultural and political mode of connection, namely "civility," can vary across culture. In other words, investigating the West's modern imaginations of the individual, civility, and citizenship that constituted the core of civil society provides an invaluable vantage point in illuminating: first, why individualistic liberal pluralism has become a predominant mode of contemporary civil society, making republican or civic virtue traditions somewhat outdated; and second, how unique Korea's non-individualistic ethical civil society predicated on the practice of *chŏng* is.

Civil Society and Liberal-Individualistic Citizenship

What then is *civil* society as opposed to civil *society*? By the most authentic definition, civil society is a place where civility is in need and resides.[33] **TABLE 2.1** shows the location of civil society in the Western political tradition.

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[33] It is almost strange that "civility" has not been given sufficient attention in civil society studies. Some important exceptions include: Stephen L. Carter, *Civility: Manners, Morals, and the Etiquette of Democracy* (New York: Basic Books, 1998); Robert W. Hefner (ed.), *Democratic Civility: The History and Cross-Cultural Possibility of a Modern Political Ideal* (New Brunswick: Transaction Publishers, 1998); Eiko Ikegami, *Bonds of Civility: Aesthetic Networks and the Political Origins of Japanese Culture* (Cambridge: Cambridge University Press, 2005); Leory Rouner (ed.), *Civility* (Notre Dame: University of Notre Dame Press, 2000); Edward Shils, *The Virtue of Civility: Selected Essays on Liberalism, Tradition, and Civil Society*, ed. Steven Grosby (Indianapolis: Liberty Fund, 1997); Robert P. Weller, *Alternate Civilities: Democracy and Culture in China and Taiwan* (Boulder, CO: Westview Press, 1999).

Table 2.1. THE LOCATION OF CIVIL SOCIETY IN THE WESTERN TRADITION

		Soulcraft	Statecraft
Private	Political Expression	Liberal Pluralism Liberal Republicanism (?)	Liberal Realism (e.g. Hobbes) Libertarianism
	Medium	**Civil Society (Civility)** (Moral Individualism)	Negative Freedom (Possessive Individualism)
Public	Political Expression	Classical Republicanism Communitarianism	Bureaucratic Authoritarianism
	Medium	Civic Virtue (Self-Government)	"Living in a Lie" (Individualism Repressed)

I place civil society only where "soulcraft" intersects "private," that is, in the realm of liberal pluralism (and liberal moral individualism). What seems to be odd in this way of locating it is that civil society is not presented as a public space.[34] However ironic, this is the point. Civil society is a private space that exerts profound public implications, instead of being schizophrenically severed from the public. Likewise, civility, rather than being directly a civic virtue, is an individual's moral quality that yields public effects in broader social relations. How can we come to terms with this ironical and convoluted dimension of civil society? What is civility as a defining constituent of civil society?

First, civility is not negative freedom. In Hobbesian liberal realism or libertarianism *a la* Nozick and Friedman, a powerfully protective, if not intrusive,

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[34] Notably, the idea that civil society is a public sphere is Jürgen Habermas's central theme in his *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger (Cambridge, MA: The MIT Press, 1991).

state goes hand in hand with possessive individualism. Here civil society has no coherent place of its own; oftentimes it is envisioned in terms of the competitive market or at worst a league of bourgeois. In this system, negative freedom is the operative principle *par excellence*. According to Adam Smith, one of the important originators of modern civil society, negative freedom is closely associated with justice as a system of punishment.

> Mere justice is, upon most occasions, but a negative virtue, and only hinders us from hurting our neighbour. The man who barely abstains from violating either the person or the estate, or the reputation, of his neighbours, has surely very little positive merit … We may often fulfill all the rules of justice by sitting still and doing nothing.[35]

By the way of contrast, civility is a certain moral-psychological mechanism by which to associate otherwise mutually disinterested or even hostile individual strangers in the market. It "stuffs" a profound lacuna that mere lawfulness can hardly fill in.

Second, since civil society is diametrically opposed to any forms of the authoritarian regime—be it communist totalitarianism, military dictatorship, bureaucratic authoritarianism or absolutist monarchy, civility simply does not (and cannot) germinate there. People "living in a lie" tend to be entangled in the regime-induced "neo-traditionalism" or "institutionalized clientelism." [36] By contrasting "real" political activities based on groups (or associations) that share common interests to a highly institutionalized network of patron-client relations the party-

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[35] Adam Smith, *The Theory of Moral Sentiments*, ed. Knud Haakonssen (Cambridge: Cambridge University Press, 2002), II.ii.2.9 (p. 95, hereafter *TMS*).

[36] Andrew Walder, *Communist Neo-Traditionalism* (Berkeley: University of California Press, 1986).

regime structurally encourages in Communist China, Andrew Walder insightfully captures its psycho-cultural implications.

> [I]nstead of social atomization and the destruction of social ties not subordinated to the party's aims, the neo-traditional image posits a rich subculture of instrumental-personal ties … In sum, instead of the totalitarian image of impersonal mobilization and social atomization, the neo-traditional image stresses a formally organized particularism in the distribution of goods, income, and career opportunities, a network of patron-client relations maintained by the party, and a rich subculture of instrumental-personal ties independent of the party's control.[37]

Civility presupposes a uniquely modern type of individual agency that Ernest Gellner called a "modal self." Originally, Gellner had in mind the "tyranny of cousins and of ritual" that suppresses individual moral autonomy as an antipode of the "conditions of liberty," namely, civil society.[38] But Walder qualifies this "tradition-modernity binary," for neo-traditionalism is a uniquely modern kind of the "tyranny of cousins." Civility is clearly distinguished from this modern institution-originated socio-cultural tyranny as well.

Thus far, I have not directly grappled with the positive definition, or attributes, of civility except that it is closely related with a modern type of moral agency. Finally, by way of contrasting civility with civic virtue we can have a better understanding of what is civility and what is not. Despite their common interest, that is, "the communal locus of individual life," civility is qualitatively different from civic virtue, the central political value in classical republicanism and contemporary

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[37] *Ibid*., pp. 6-7.

[38] "Traditional man can sometimes escape the tyranny of kings, but only at the cost of falling under the tyranny of cousins, and of ritual. The kin-defined, ritually orchestrated, severely demanding and life-pervading systems the 'ancient city' in Fustel de Coulanges's sense, may indeed succeed at least for a time in avoiding tyrannical centralization, but only at the cost of a most demanding culture, one which modern man would find intolerably stifling." Gellner, *Conditions of Liberty*, pp. 7-8.

communitarianism.[39] The major dividing line between the two is while civic virtue is self-government (soulcraft) toward the public, civility is inner-directed soulcraft, which produces what Adam Seligman calls "innerworldly individualism."[40] Whereas in civic virtue tradition what is moral is the community, in civility tradition that culminated in the Scottish moral psychology in the eighteenth-century (particularly in Adam Smith), morality denotes a private commercial man's "sociability" (trust, reciprocity, mutual recognition, etc.), which constitutes the essence of civility. With the advent of civil society, "sociability" replaces "virtue" as the foundation of moral community. In the former conscience is rooted in the individual self; in the latter it is in a social being. In Benjamin Constant's words, the civil society tradition embraces (if not being directly analogous to) the "liberty of the moderns," while civic virtue tradition is predicated on the "liberty of the ancients."[41] Seligman's following statement is highly instructive on this point:

> This concept of man as the "complete citizen" or what can be alternatively rendered as the "totalization" of man as citizen was far from that tradition of social thought that we associate with the idea of civil society, at least as it developed in the eighteenth century among the

[39] I conceptually distinguish classical republicanism and liberal republicanism advanced by Barber, Galston, Macedo, Berkowitz, and Dagger (see note 16 in this chapter) in that the latter does not attempt to restore a moral community of a kind that some contemporary communitarians support, even if I admit that the line sometimes gets fuzzy. See Robert Bellah et al., *Habits of the Heart: Individualism and Commitment in American Life* (Berkeley: University of California Press, 1996); Amitai Etzioni, *The New Golden Rule: Community and Morality in a Democratic Society* (New York: Basic Books, 1996); Mary A. Glendon and David Blankenhorn (eds.), *Seedbeds of Virtue: Sources of Competence, Character, and Citizenship in American Society* (Lanham, MD: Madison Books, 1995); Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (Notre Dame: University of Notre Dame Press, 1981); Sandel, *Democracy's Discontent*.

[40] Seligman, *Innerworldly Individualism*.

[41] Benjamin Constant, "The Liberty of the Ancients Compared with That of the Moderns," in *Political Writings*, ed. Biancamaria Fontana (Cambridge: Cambridge University Press, 1988).

Scottish moralists. While recognizing the virtue of ancient republican government, these thinkers were more sensitive to the irremediable nature of historical change, and their thought was, consequently, more attuned to posting a new foundation for reciprocity, mutuality, and cooperation (and so, ultimately for virtue) and less to a return to a form of social organization whose efficacy in the support of virtue in eighteenth-century commercial society was increasingly in doubt.[42]

Stated briefly, civility is *a civic virtue adapted to the modern commercial social condition*. Attributing Rousseau and Smith to each tradition (that is, Rousseau's general will to civic virtue and Smith to civil society), Seligman writes:

> For while subjection to the *volontē gēnērale* is a rational act that guarantees (public) virtue by the suppression of all partial (private) interest (through, we may add, the creation of a new *corps collectif*), the idea of the impartial observer is but an individual (psychological) mechanism through which, for Smith, the workings of mutual sympathy progressed.[43]

Whether as Seligman assumes, Rousseau's "general will" (*volontē gēnērale*) suppresses individual wills and interests remains controversial in the contemporary reinterpretations of Rousseau among political theorists.[44] At issue at the moment is the ethical ideal of civil society is "a private one, realized within the hearts, minds, and acts of exchange of individual social actors."[45] In the end, the idea of civil society, as we learn very well from Kant and Hegel, "comes to rest on the idea of autonomous, moral, and agentic individual as standing at the foundation of the social

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[42] Seligman, "Public and Private," p. 108.

[43] *Ibid*., p. 112.

[44] Benjamin R. Barber, "Political Judgment: Philosophy as Practice," in *The Conquest of Politics*, pp. 203-211 overtly parts company with the (*a la* Seligman) conventional view of Rousseau as an advocate of romantic republicanism. See also his *Strong Democracy*, pp. 200-202. Charles Taylor in "Politics of Recognition," in Amy Gutmann (ed.), *Multiculturalism* (Princeton: Princeton University Press, 1994), albeit on a different reason, supports the modern aspect of Rousseau.

[45] *Ibid*., p. 114.

order," which paved the way to liberal-democratic politics.[46] Therefore, it is "moral individualism"—as opposed to "atomism" that Tocqueville feared most—that was the springwell of civil society.[47] This is to say that this uniquely modern type of individualism predicated civil society rather than was the other way around. At the heart of modern moral individualism was civility understood in terms of sociability. Therefore for the early modern moral agent, the soul of civility consisted in its "inwardness."[48] Good manners and etiquette, its externalization, was indeed of secondary significance.

Ultimately, what we get is a new "universal" and increasingly "individualistically" defined basis for the construction of communal life and therewith the basis of liberal-individualistic principles of citizenship. So with civil society the social meaning of citizenship has altered. Previously citizenship was the citizens' common fate in the *polis* to which thick and vehement affection was central. In contrast, the citizenship in modern civil society embraces the irrevocable reality, namely, "a fatherless world" that entailed from the disintegration of the great chain of being as a departing point of social imagination. Hence, modern citizenship is premised on what Adam Smith calls "strangership," an imagined civil tie amongst

[46] *Ibid.*, p. 119.

[47] Tocqueville, *Democracy*, pp. 479-485. On "moral individualism," see Villa, "Individualism." Also see Kateb, *The Inner Ocean*. On an "atomistic" interpretation of modern individualism, see Charles Taylor, "Atomism," in *Philosophy*, pp. 187-210.

[48] John Locke, *Some Thoughts Concerning Education*, in Ruth W. Grant and Nathan Tarcov (eds.), *Some Thoughts Concerning Education and Of the Conduct of the Understanding* (Indianapolis: Hackett, 1999), pp. 43-44. Also see Nathan Tarcov, *Locke's Education for Liberty* (Lanham, MD: Lexington Books, 1998), 137-141. For some deliberative democrats like Mark Warren, inward civility in terms of reciprocity, trust, and recognition is one of the important developmental effects of associational life on individuals. Warren, *Democracy and Association*, pp. 72-75.

mutually disinterested or even mutually hostile individuals. [49] Again, liberal individualism, instead of thick social affect, is the moral and social buttress of strangership.

To summarize: First, civility is more than negative freedom but less than positive freedom. Second, civility does not abdicate possessive individualism, but still has in it a longing for civic virtue. Third, civil society endorses the market (*Gesellschaft*), but still has in it a vision of communal life (*Gemeinschaft*).[50] Fourth, civil society is private, but has profound implications on the public. Fifth, civil society (civility), in effect, mediates those dichotomous qualities: between negative freedom and positive freedom, between possessive individualism and civic virtue, between market and community, and between private (individuality) and public (citizenship). Sixth, the key that makes possible such alchemy lies in a uniquely modern type of individualism—that is, "moral individualism." And seventh, in civil society, citizenship is redefined in terms of "strangership."

The Transcendental Basis of Civil Society: A Weberian Thesis

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[49] On Smith's idea of "strangership," see Lisa Hill and Peter McCarthy, "On Friendship and Necessitudo in Adam Smith," *History of the Human Science* 17:4 (2004), pp. 1-16; Allan Silver, ""Two Different Sorts of Commerce"—Friendship and Strangership in Civil Society," in Jeff Weintraub and Krishan Kumar (eds.), *Public and Private in Thought and Practice: Perspectives on a Grand Dichotomy* (Chicago: University of Chicago Press, 1997).

[50] Ferdinand Tőnnies's classic *Gemeinschaft und Gesellschaft* has long been misinterpreted that *Gemeinschaft* and *Gesellschaft* are mutually exclusive and civil society is a contractual *Gesellschaft* that has superseded a traditional *Gemeinschaft*. In Tőnnies, however, the two are empirically (if not conceptually) inseparable from each other. That is, in a modern civil society, both *Gesellschaft* and *Gemeinschaft* are profoundly interwoven. See his *Community and Civil Society*, ed. Jose Harris and trans. Jose Harris and Margaret Hollis (Cambridge: Cambridge University, 2001), pp. 64-65.

Finally, it is to be added, civil society is beyond secular and sacred. Or, civil society's modern and secular nature is deeply rooted in its sacred origin. It is worth special attention because without it the other seven aspects of civil society that I have just enumerated cannot be materialized. In fact, Ernest Gellner's *Conditions of Liberty* revolves around this very theme, in which he points out the Protestant citizen-saints' religious enthusiasm as the source of self-discipline and, however ironic, as the condition of liberty.

> …enthusiasm is a friend to liberty after all! Individualist, doctrine-centred, serious faith, which abolishes priesthood by turning every man into his own priest, and lays upon him the burden of his own surveillance and the perpetual and intense anxiety this brings in its train—strangely but indubitably, all this is the ally of freedom![51]

Undoubtedly, Gellner makes a Weberian point. The Protestant citizen-saints' enthusiasm was propelled by their onto-epistemological anxiety ("Am I among the saved?") that resulted from the collapse of the medieval Christendom, the traditional basis of onto-epistemology. What was occasioned in the course of resolving this critical onto-epistemological, ethico-religious crisis was the reorientation of the man's onto-epistemological basis, from the external to the internal, which gave rise to the highly subjective self. Gellner writes: "Unable to ensure that the will of God be done on earth as it is in heaven, they turn inward, impose it on themselves, and in the outer world turn towards productive activity as much as to religious zeal."[52] What Gellner implies is the strong subjectivism, instead of leading to the conclusion of unsociability and/or nihilism, turned into, what Kalberg calls, "world mastery

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[51] Gellner, *Conditions of Liberty*, p. 46.

[52] *Ibid*., p. 48.

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individualism."[53] Its economic implication is well-known: The religious anxiety propelled capital-accumulating asceticism as self-assurance of the *predestined* salvation. Gellner makes just this point, associating (free) economic activity to political liberty. But its far-reaching "political" implications are hardly revealed—that is, a strong, activity-oriented individualism required that the devout hold others responsible for their conduct, which further justified his or her right to political resistance in terms of a "religious obligation." Kalberg submits,

> *All*, in the new 'City on the Hill', must now demonstrate allegiance to God and uphold His Commandments, for in His community 'weakness and 'worldly evil' must be mastered. A passive acceptance of evil was prohibited: the faithful must 'be strong' and act *against* evil. Moreover, with Reform Calvinism, believers now stood under a *religious* obligation, should rulers violate God's decrees, to protest against and overthrow such 'illegitimate' authority.[54]

This is to say that the subjective self accompanied a unique and peculiar principle of association that guaranteed mutual surveillance and self-discipline. Weber called such a newly empowered self "*Berufsmensch*," who is "strong, goal-oriented, confident, controlled, methodical, ethical, and yet free from debilitating angsts."[55] What is important is, as Kim has recently argued, that "this type of self was cultivated in a society predicated on recalcitrant individuality that does not necessarily negate, and in fact actively promotes, social bonding."[56] This special form

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[53] Kalberg, "Tocqueville and Weber," pp. 205-208.

[54] *Ibid.*, p. 207.

[55] Kim, *Max Weber's Politics of Civil Society*, p. 48.

[56] *Ibid.*, p. 59. Even though Tocqueville was right in his fear about the tyranny of the majority that stems from atomistic individualism in the democratic conditions of equality, his view of the individual as fundamentally passive and timid should be reconsidered. This is because it was rather the self-disciplined and religiously enthusiastic "citizen-saints" that constructed and enlivened associational life in New England, the aspect Tocqueville admired. As an aristocrat, Tocqueville failed to see the

of individualism can be called "transcendental individualism," central to which is the fact that individual and society are mutually enhancing. It was indeed the transcendental tenets of individualism such as self-discipline, mutual recognition and respect (originally in the way of mutual surveillance), and trust (originally on the basis of sectarian ties) that pave the way to "moral individualism" in the more secularized modern West. Put differently, sect society was the modal form of modern civil society and civility as private and individual quality was profoundly grounded in religious soulcraft. Seligman well captures the Protestant origin of moral individualism that underlies a modern civil society when he says,

> The doctrine would undergo radical changes during the Protestant Reformation. Indeed … our notion of the ethically autonomous individual—upon which the idea of civil society rested— is predicated on the introjection within the individual of a particular dimension of grace which had previously been in otherworldly terms.[57]

The fact that civil society was originally a "charismatic community" where the Protestant saints' pure charisma was institutionalized in society[58] and that moral individualism is rooted in transcendental individualism provides an important insight into the nature of the modern Western civil society. Both the atomism that horrified Tocqueville a century-and-a-half ago and the "unencumbered," "right-centered" individualism that worries many today's social and political theorists result from the evaporation of the transcendental quality of individualism. And it is this special type of individualism that the most non-Western parts of the world cannot readily avail

moral capacity of burgeoning individualism, thus mistaking the result (associational life) for the cause (individual-empowerment). See Kalberg, "Tocqueville and Weber," pp. 208-209.

[57] Seligman, *The Idea of Civil Society*, p. 67.

[58] Seligman, *Innerworldly Individualism*, p. 6.

themselves of. Understandably, for the social theorists in the neo-Weberian strain, the single most important moral task is how to reinvigorate such transcendental individual agency that is in accordance with a drastically altered social order. Likewise, for the contemporary advocates of Weberian-Millian (or Kantian-Hegelian) moral individualism, the revivification of the transcendental forces of modern individualism is critical in overcoming the "liberal versus communitarian" schizophrenia.

But what options do non-Westerners have, to whom the discourse of individualism and civil society is in its entirety so new? Without complicating the issue by asking whether non-Western societies *had* its own indigenous form of civil societies, the question I want to ask is, Can we construct a liberal civil society without necessarily embracing individualism? Or, how can we achieve individual agency and citizenship without positing transcendental (or moral) *individualism*? My search for liberal collectivism or a transcendental collectivistic civil society in post-Confucian Korea aims to answer these theoretically and culturally challenging questions.

CHAPTER 3: TRANSCENDENTAL COLLECTIVISM AND CONSOLIDATING DEMOCRACY

Introduction

In the mid 1980s, university students supported by various intellectuals including professors, teachers, pastors, and journalists have played a crucial role in leading pro-democracy movements against the authoritarian regime in Korea.[1] Even Korea's vehement labor movement of that period could not have garnered such a strong popular support without their alliance with the student movement.[2] On the surface, it appears to have been revolutionary socialism and anti-imperialism inspired by Marxist theories that drove the students to the street—two pillars of the Korean student activism, Proletarian-Democratic (PD) and National-Liberation (NL) movements. Certainly, both the PD's unflagging demands of social justice upon the late capitalistic bureaucratic authoritarian regime and the NL's adamant espousal of (substantial) national independence from the imperialistic power (i.e. U.S.) in part helped to erode the legitimacy of the authoritarian governments practically backed by the US, whose foreign policy was then concentrated on winning in the Cold War, sometimes at the expense of siding with pseudo liberal-democratic regimes.

Therefore, the year 1987 is for many Koreans marked by a puzzle. It is because Marxist activism is seen to have contributed not only to the breakdown of the

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[1] Kim, *The Politics of Democratization in Korea*; Namhee Lee, "The South Korean Student Movement: 'Undongkwŏn' as a Counter-public Space," Armstrong, *Korean Society*, pp. 132-164; Park Mi, "Organizing Dissent against Authoritarianism: The South Korean Student Movement in the 1980s," *Korea Journal* 45:3 (2005), pp. 261-289.

[2] See Namhee Lee, "Representing the Worker: The Worker-Intellectual Alliance of the 1980s in South Korea," *Journal of Asian Studies* 64:4 (2005), pp. 911-937.

authoritarian regime, but, ironically, to the transition to a liberal democracy, which they (even including student activists) believe to be the pillar opposite of Marxism. It is for this reason that Korean political scientists have rather stressed the significance of the role played by a series of labor movements that followed students-led national demonstrations in actualizing democratic transition. In this view, while radical student movements precipitated the regime erosion, it was the collisions of class interest that in effect made the democratic transition real.[3] But can't we explain the contribution of the student activism to the democratic transition more directly without implicating it in the controversy of ideology, i.e., the incompatibility of Marxist socialism and liberal democracy?

What has been largely dismissed in the existing explanations, however, is the role of "ideal interests" in the dissenting activists' social and political action. According to Max Weber, "Not ideas, but material and ideal interests, directly govern men's conduct." "Yet," continues Weber, "very frequently the 'world images' that have been created by 'ideas' have, like switchmen, determined the tracks along which action has been pushed by the dynamic of interest."[4] But what is "ideal interests" as—at least conceptually—opposed to material interests? In unraveling this enigmatic concept, Ann Swidler has offered a helpful guideline when she submits: "Ideal interests, such as the desire to be saved from the torments of hell, are also ends-

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[3] For a theoretical support, see Dietrich Rueschemeyer, Evelyne Stephens and John Stephens, *Capitalist Development and Democracy* (Chicago: University of Chicago Press, 1992). Also see Hagen Koo, "Middle Classes, Democratization, and Class Formation: The Case of South Korea," *Theory and Society* 20:2 (1991), pp. 485-509.

[4] Max Weber, *From Max Weber: Essays in Sociology*, trans. & ed. Hans H. Gerth and C. Wright Mills (New York: Oxford University Press, 1958), p. 280.

oriented, except that these ends are derived from symbolic realities."[5] Here Swidler reinterprets what Weber calls "the dynamic of interest" in terms of "symbolic realities." Upon this insight, she suggests conceiving of culture as a "tool kit" of skills and habits, a repertoire from which "strategies of action" can be derived.[6]

Swidler's understanding of culture as a repertoire of strategies of action provides a profound insight into the symbolic (hence more than ideological) dynamics played in the democratic transition in Korea. For what indeed imparted "legitimacy" to the students' political demands derived from the moral and ethical discourse embedded in Korea's Confucian culture.[7] What is distinctive in Korea's democratizing student activism, however, is that in the course of action the students grew to embody proactively the cultural meaning of their political action and, furthermore, became equipped with a particularly Confucian set of ethico-political conviction, namely, "anti-autocracism." Put differently, Confucian ethic, if not Confucian ideology, was reinstated in their heart, empowering their individual agency. So the puzzle mentioned above needs recast: it is not so much students' Marxist doctrines and platforms (i.e. anti-capitalism or anti-imperialism) but their Confucian conviction (i.e. anti-autocracism) that ignited the students' heroic democratizing actions.

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[5] Ann Swidler, "Culture in Action: Symbols and Strategies," *American Sociological Review* 51:2 (1986), p. 274.

[6] *Ibid.*, pp. 276-277.

[7] Without alluding to civil society, Helgesen brilliantly demonstrates how Confucianism has been a crucial cultural undercurrent of contemporary Korean democratic politics, furnishing all varieties of culturally articulated political languages and practices. Geir Helgesen, *Democracy and Authority in Korea: The Cultural Dimension in Korean Politics* (London: RoutledgeCurzon, 1998).

Interestingly, since 1988, Korea's nation-wide ethical/political civil society has never waned. Is "Confucian activism" still in operation? Can we call Korean ethical civil society a "Confucian civil society"? Notwithstanding the salient similarity between the democratizing ethical civil society and the consolidating civil society,[8] though, there are two appreciable differences between them in terms of initiative and character. First, while Korea's democratizing civil society was organized and led by social elites (i.e. intellectuals composed of university students, professors, pastors, and journalists), its consolidating counterpart is in the main organized and activated in terms of "citizens' movement" (*simin undong*). The initiative has shifted from the elites to the citizens. Second, the militant radicalism that characterized Korea's democratizing civil society has been at large subdued. Instead, Korea's consolidating civil society is remarkably deradicalized and is more quotidian, although it is still far from the West's much more quotidian, localized, and membership-oriented associational life. What makes Korea's consolidating civil society distinct from its democratizing counterpart? If a consolidating civil society is qualitatively different from its "Confucian" predecessor, how, and in what sense, does this contribute to distinctively Korean citizenship?

In this chapter, I argue that the "Confucian transcendental individualism," predicated on the cultural institution of *ren*, helped to vitalize Korean ethical civil society during the period of democratic transition.[9] But to explain and illuminate a unique cultural

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[8] Kim, "South Korea."

[9] Taiwan, another important Confucian country, is also reported to have had a similar Confucian influence in its makeup of an ethical civil society during the democratic transition. See Thomas B. Gold, "Civil Society in Taiwan: The Confucian Dimension," in Tu Wei-ming (ed.), *Confucian*

dynamic in Korean ethical civil society after democratization, I present a cultural practice of *chŏng*—"familial affectionate sentiments"—as a key mechanism of enhancement of democratic citizenship and self-empowerment. By reinterpreting *chŏng* as a collectivized or popularized (or in a Weber's language "routinzed") version of *ren* in contemporary Korean social condition, I maintain that *chŏng*-induced transcendentalism, which I call "transcendental collectivism," is less individualistic and less heroic than *ren*-induced transcendental individualism. My central claim is that it is *chŏng*-induced transcendental collectivism that has greatly contributed to democratic consolidation in Korea. The chapter is divided into two main parts. In the first part, I investigate what is Confucian transcendental individualism and how it facilitated Korea's democratic transition, while in the second I examine how *chŏng*-induced transcendental collectivism contributed to citizen-empowerment in democratized Korea. Therefore, this chapter embarks upon an intra-cultural comparative political analysis and theorization.

Confucian Transcendental Individualism and Democratizing Civil Society

"This Culture" and Democratic Martyrdom: Korean Civil Society in 1987

Traditionally, Korean intellectuals regarded the role of an intellectual as "the conscience of society" or as "a watchman in the darkness."[10] In fact, this image of the pure embodiment of morality (as opposed to corrupted political power) is typically Confucian. According to *Lunyu*, (The *Analects* of Confucius), a wise man who

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Traditions in East Asian Modernity: Moral Education and Economic Culture in Japan and the Four Mini-Dragons (Cambridge, MA: Harvard University Press, 1996), pp. 244-258.

[10] Namhee Lee, "Making Minjung Subjectivity: Crisis of Subjectivity and Re-writing History, 1960-1988." Ph.D. Dissertation, University of Chicago, 2001, pp. 18, 45.

interviewed Confucius is alleged to have said to Confucius' distressed disciples, "Why worry over the loss of office, my friends? All under *tian* 天 [Heaven] have long been since lost their way (*dao* 道), and *tian* is going to use your Master [Confucius] as a wooden bell-clapper."[11] One of the most famous stories about the hardships that Confucius endured as a "wooden bell-clapper" to the world is as follows:

> When the Master was surrounded in Kuang, he said, "With King Wen 文 long dead, does not our cultural heritage (*wen* 文) reside here in us? If *tian* 天 were going to destroy this legacy, we latecomers would not have had access to it. If *tian* is not going to destroy this culture, what can the people of Kuang do to me![12]

Of course, this Confucian defense of moral culture ("This Culture"[13] or *si wen* 斯文), to which political criticism is central, is hardly a feature unique to Korean Confucianism. But, as Lucian Pye observes, among the four post-Confucian countries (China, Korea, Vietnam, and Japan), in Korea under the Joseon dynasty (1392-1910)—where neo-Confucianism, a revivified Confucianism in Song China (960-1279) that was more orthodox in its scholarly interpretation of the Confucian canons and more rigorous in its moral stance, was fully-blown—"the tension between morality and force [political power] was most extreme."[14] According to Pye, in

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[11] *Analects* 3:24.

[12] *Analects* 9:5.

[13] For the cultural implications of the concept "This Culture" in the Confucian intellectual history, see Peter K. Bol, *"This Culture of Ours": Intellectual Transitions in T'ang and Sung China* (Stanford: Stanford University Press, 1992).

[14] Lucian W. Pye, *Asian Power and Politics: The Cultural Dimensions of Authority* (Cambridge, MA: The Belknap Press of the Harvard University Press, 1985), p. 83.

Korea, "Confucianism contributed to a concept of power which accentuated the purposefulness of the Japanese approach and the elitist sense of virtue of the Chinese, a combination which has produced a bold, risk-taking style of action."[15] Nothing can more clearly illustrate "a bold, risk taking style of action" in Korean Confucianism than the four-time literati purge in fifteenth- and sixteenth-century Joseon Korea in which young, more ideologically committed, neo-Confucian scholar-bureaucrats, backed by rural Confucian scholars, were brutally persecuted by the autocrats.[16] In my judgment, despite multiple factors that contributed to the pulling-down of Korea's military authoritarian regime in 1987, the proximate cause that "triggered" the ordinary Koreans' grand collective action was the recurrent cultural (Confucian) image of the struggle between the ruthless autocrat and the righteous young intellectuals.

In this regard, two events were singularly instrumental in bolstering the power of the democracy coalition between the opposition New Korean Democratic Party and social groups in civil society and maintaining the high level of mass mobilization. First, on January 14, 1987, Bak Jong-cheol, a Seoul National University student, was tortured to death during a police interrogation. Initially, the police announced that Bak had died of a heart attack. On May 18, however, the National Catholic Priests' Corps for the Realization of Justice disclosed that Bak had died under torture and the

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[15] *Ibid.*, p. 58.

[16] On the literati purges in the Joseon dynasty, see Edward W. Wagner, *The Literati Purges: Political Conflict in Early Yi Korea* (Cambridge, MA: Harvard University Press, 1974) and Sungmoon Kim, "Between Confucian Ideology and the State: A New Approach to Understanding the Literati Purge of 1519," *The Review of Korean Studies* 5:2 (2002), pp. 233-260.

police and the Chun Doo-hwan regime had attempted to conceal the fact.[17] Bak's innocent murder and the revelation of the regime's conspiracy to cover up the crime outraged Korean citizens, giving colossal impetus to civil society groups to establish the National Movement Headquarters for a Democratic Constitution. The most impending purpose of this grand civil coalition was to protest against Chun Doo-hwan's abrupt announcement on April 13, 1987, that he would cancel negotiating for constitutional revision, which was to disband a competitive presidential election and sustain the authoritarianism of the ruling party.

Civil outrage hit its zenith when Yi Han-yeol, a junior at Yonsei University, was hit by tear gas bomb fragments on June 9 and injured critically (Yi died on July 5 due to brain damage.). As university students were brutally attacked and killed by police, it became crystal-clear to the entire Korean nation that Chun's regime was not essentially differentiated from the autocracy of the kind against which their Confucian ancestors unflaggingly protested, even jeopardizing their own lives. On June 18, the National Movement Headquarters declared "A Day to Expel Tear Gas," upon which thousands of Korean mothers took to the street, holding the pickets that read, "Don't Shoot Tear Gas [and] Please Save Our Children" or "Bring Back Our Beloved Han-yeol!" On June 26, it held a "peace parade" in which one million people participated nationwide; this eventually elicited from the regime the "June 29 Declaration" to hold a direct presidential election.

Certainly, Bak Jong-cheol's murder and Yi Han-yeol's injury (and subsequent death) brought to the minds of ordinary Korean citizens vividly the cultural (as well

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[17] Kim, "South Korea," p. 146.

as political) implications of the "war" they were drawn into. On the surface, it was a battle between illegitimate, violent, and repressive dictatorship, on the one side, and legitimate, peaceful, and democratic citizenship, on the other. But, underneath, it was a familiar image of the martyrdom of moral heroes who sacrificed their innocent lives to protect "This Culture" (*si wen* 斯文), a civil culture opposed to the military authoritarian ruling. Put differently, under the slogan "Down with the Military Authoritarian Regime and up with a Civil Government" (*Gunjeong Jongsik Munmin Jeongbu*), a recurrent theme of moral martyrdom was reproduced in terms of "democratic martyrdom."[18]

Where did such remarkable moral and cultural heroism come from? Thus far, I have only hinted at its Confucian origin. But, does Confucianism really furnish such an intense ethical tension? Moreover, does Confucianism truly underpin such strong moral individualism to the extent that it can even transform the political world? But isn't the idea "radical Confucianism" an oxymoron as much as is the concept "Confucian democracy"? Notably, Samuel Huntington best summarizes the received wisdom of Confucianism: "Confucian heritage, with its emphasis on authority, order, hierarchy, and supremacy of the collectivity over the individual, creates obstacles democratization."[19] As will be shown shortly, Huntington's view of Confucianism is not only superficial but, more problematic, misrepresenting its essence, that is, its "thisworldly transcendental" quality. Huntington is simply silent about this aspect of Confucianism.

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[18] *Ibid*., p. 147.

[19] Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon & Schuster, 1996), p. 238.

<u>Ren, Transcendental Individualism, and Moral Heroism in Confucian Moralpolitik</u>

The conventional authoritarian image of Confucianism was provided by, among others, Max Weber.[20] Famously, Weber defined Confucianism in terms of a religion of "worldly adjustment," and saw in it no ethical momentum of transcendental tension between worldly and sacred, which in his view offered a powerful locomotive to modernity in the West.[21] According to Weber, modernity as a special ethico-religious, sociopolitical and economic arrangement can be made possible only if transcendence (or God) has been *internalized* within the self. Of course, for him its

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[20] For the classic presentation of the "authoritarian" image of Confucianism, see Etinne Balazs, *Chinese Civilization and Bureaucracy* (New Haven: Yale University Press, 1964) and Karl Wittfogel, *Oriental Despotism: A Comparative Study of Total Power* (New Haven: Yale University Press, 1957). But these earlier studies of Chinese civilization tend to mistakenly confuse Confucianism and Legalism, although after the Qin and especially Han dynasties, so-called "Legalistic Confucianism" held a position of state ideology. Even though some contemporary social scientists occasionally mistake "Legalistic Confucianism" for the authentic representative of Confucianism, Tu Wei-ming argues that "Legalistic Confucianism" is merely a "politicized Confucianism," that is, a certain degeneration from its original form, not a type of Confucianism. See Tu Wei-ming, "Probing the "Three Bonds" and "Five Relationships" in Confucian Humanism," in Walter H. Slote and George A. DeVos (eds.), *Confucianism and the Family* (Albany: State University of New York Press, 1998), pp. 122-124. According to Levenson, the perennial tension between Confucianism and Legalism was the defining characteristic of China's traditional politics. Joseph R. Levenson, *Confucian China and Its Modern Fate: A Trilogy* (Berkeley: University of California Press, 1968), especially, vol. 2. For the concept of "Legalistic Confucianism," see Chaibong Hahm and Wooyeal Paik, "Legalistic Confucianism and Economic Development in East Asia," *Journal of East Asian Studies* 3:3 (2003), pp. 461-491.

[21] Weber famously writes: "Confucianism, like Buddhism, consisted only of ethics and in this Tao corresponds to the Indian *dharma*. However, in sharp contrast to Buddhism, Confucianism exclusively represented an innerworldly morality of laymen. Confucianism meant adjustment to the world, to its orders and conventions. Ultimately it represented just tremendous codes of political maxims and rules of social propriety for cultured men of the world." Max Weber, *The Religion of China: Confucianism and Taoism*, trans. & ed. Hans H. Gerth (New York: Free Press, 1968), p. 152.

model case was the Protestant "saint" in seventeenth-century New England.[22]

Moreover, for Weber, a civil society that was to him actually "sect society" was typically a *modern* phenomenon that intersects the secular and sacred.[23] Accordingly, since he believed Confucian ethic shows only an "elective affinity" with modern transcendental ethic (as it lacks the agonizing onto-epistemological crisis that occasions the internalization of transcendence—hence calling it "an innerworldly morality of laymen"), Weber thought Confucianism could never breed modernity from within. Whether modernity or civil society, in Weber's complex ethico-religious and sociopolitical framework, the point is always concentrated on this enigmatic theme, the "internalization of transcendence," which produces a special and uniquely modern type of individualism, namely, "transcendental individualism."[24]

However, some contemporary students of Confucianism, who are, for their sociological perspectives on religion, greatly indebted to Weber himself, roundly reject this Weberian thesis. Finding in Confucianism a special mode of transcendental tension, these scholars characterize Confucianism as faith of "thisworldly transcendentalism."[25] S. N. Eisenstadt presents its most classic statement:

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[22] Weber, *The Protestant Ethic*.

[23] Weber, ""Churches" and "Sects""; Kim, *Max Weber's Politics of Civil Society*; Seligman, *Innerworldly Individualism*.

[24] Seligman, *Innerworldly Individualism*. Also see Kalberg, "Tocqueville and Weber"; Seligman, *The Ideal of Civil Society*, pp. 59-99.

[25] S. N. Eisenstadt, "This Worldly Transcendentalism and the Structuring of the World: Weber's 'Religion of China' and the Format of Chinese History and Civilization," *Journal of Developing Societies* 1 (1985), pp. 168-186; SangJun Kim, "The Genealogy of Confucian *Moralpolitik* and Its Implications for Modern Civil Society," in Armstrong, *Korean Society*, pp. 57-91; Benjamin I. Schwartz, "The Age of Transcendence," in *China and Other Matters* (Cambridge, MA: Harvard University Press, 1996); Rodney Taylor, *Religious Dimensions of Confucianism* (Albany: State

> There did, however, develop in China a special mode of definition of this tension, as well as a special conception of its resolution. In the classical Chinese belief system this tension between the transcendental and mundane order was couched in relatively secular terms, i.e., in terms of a metaphysical and/or ethical—not a religious—distinction between these two orders. … This "secular" definition of such tension and the rationalizing tendencies involved became here connected with a tendency to an almost wholly this-worldly conception of the resolution of such tension.[26]

The central point is this: the internalization of transcendence of the sort that was occasioned in the modern West took place—of course in a culturally nuanced way—in "the classical Chinese belief system," namely, in Confucianism. And, according to Benjamin Schwartz, it happened when Confucius "turned inward to the source of *ren*."[27]

Although *ren* casually refers to humane sentiments like pity, compassion, and/or commiseration in a phenomenological level,[28] in the Mencian Confucianism that had comprised the mainstream of the Confucian tradition, it is understood to be more basic, forming a deep moral presence that pervades and informs the fundamental nature of human beings.[29] That is to say, *ren* takes on universal ethical

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University of New York Press, 1990); Tu Wei-ming, *Humanity and Self-Cultivation: Essays in Confucian Thought* (Berkeley: Asian Humanities Press, 1979).

[26] Eisenstadt, "This Worldly Transcendentalism," p. 171.

[27] Schwartz, "The Age of Transcendence," p. 67.

[28] D. C. Lau (trans.) *Mencius* (New York: Penguin, 1970), 2A:6: "The heart of commiseration is the phenomenological clue of *ren*" (my translation). Put differently, Mencius informs that moral sentiments like compassion, pity, and commiseration are not *ren* itself, but only its phenomenological manifestations.

[29] On the bifurcation of Confucian philosophy into two competing schools—the school of *ren* (inner morality) led by Zengzi, Zi Si, and above all, Mencius, on the one hand, and the school of *li* 禮 (ritual propriety) spearheaded by Xunzi, on the other—after the demise of Confucius, see Hsiao Kung-chuan, *The History of Chinese Political Thought 1*, trans. Frederick Mote (Princeton: Princeton University Press, 1979).

significance and moves beyond the confines of humane feelings.[30] According to Mencius, *ren* engraved *a priori* in human nature is originally endowed by *tian*, or Heaven understood as a totality of cosmic and moral order, thus making human nature inherently good and moral.

> 'As far as what is genuinely in him is concerned, a man is capable of becoming good,' said Mencius. 'That is what I mean by good. As for his becoming bad, that is not the fault of his native endowment. The heart of compassion is possessed by all men alike … Benevolence, dutifulness, observance of the rites, and wisdom do not give me a luster from the outside; they are in me originally …The *Odes* say: "Heaven produces the teeming masses/And where is a thing there is a norm./If the people held on to their constant nature,/They would be drawn to superior virtue." …'[31]

Famously, Mencius conceptualized morality that is innate in human beings in terms of four categories: *ren* made manifest as compassion and/or commiseration (*ce yin zhi xin* 惻隱之心), *i* 義 as righteousness or dutifulness (*xiu wu zhi xin* 羞惡之心), *li* 禮 as observance of the rites/rituals (*ci rang zhi xin* 辭讓之心), and *zhi* 智 as right-wrong judgment or wisdom (*shi fei zhi xin* 是非之心). But, *ren* is not to be understood as merely one of the cardinal moral virtues in Confucian philosophy. In fact, as Wing-tsit Chan has noted, in Mencius (and Confucius for that matter) *ren*, while being one of them, encompasses all other categories of morality.[32] Put differently, *ren* is not only a particular moral virtue that is made manifest in particular

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[30] For this pre-phenomenological, metaphysical, nature of *ren*, see Alan K. L. Chan, "Does *xiao* come before *ren*?," in Alan K. L. Chan and Sor-hoon Tan (eds.), *Filial Piety in Chinese Thought and History* (London and New York: RoutledgeCurzon, 2004), p. 154.

[31] *Mencius*, 6A:6.

[32] Wing-tsit Chan, "The Evolution of the Confucian Concept *Jen*," *Philosophy East and West* 4:4 (1955), pp. 295-319.

modes of sentiments such as pity, compassion, love, etc. but, more important, it is what makes other moral virtues (i.e. *i*, *li*, *zhi*) possible. All other moral virtues are in turn to fulfill the ethical mission of *ren* in each moral action. Therefore, in the Mencian Confucianism, *ren* is considered a comprehensive system of morality. Or, *ren* is simply equated with morality.

For Mencius, that *ren* (or morality) that is Heaven-given is innate in human nature has a far-reaching, "political," implication beyond the philosophical justification that human nature is originally good.[33] It was what took place in all "Axial Age" civilizations, "a far-reaching restructuring of the conception of the relation between the political and the higher, transcendental order." About this general pattern of *moralpolitik*, Schwartz writes:

> The political order—as the central locus or framework of the mundane order—in these civilizations has usually been conceived of as lower than the transcendental one and accordingly had to be restructured according to the premises of the latter … Accordingly, there appeared the possibility of calling a ruler to judgment in the name of higher order to which the rulers are accountable.[34]

In the Confucian tradition, the cosmic moral order of Heaven and the philosophy of *ren* that is predicated on it formed a uniquely Confucian mode of the reconstruction of the order between the sacred (or the transcendental) and the secular (or the political). Thus understood, the Confucian secular order is simultaneously and inherently sacred. Following Herbert Fingarette's famous characterization, it can be

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[33] Recently, Ackerly has proposed to revivify the political dimension of *ren* to (re)invent a Confucian-style democracy. See Brooke A. Ackerly, "Is Liberalism the Only Way toward Democracy?: Confucianism and Democracy," *Political Theory* 33:4 (2005), pp. 547-576.

[34] Eisenstadt, "This Worldly Transcendentalism," p. 173.

called "secular as sacred."[35] What is acquired is a very strong individual agency, a new type of carriers of the cultural and social order, namely, of "This Culture."

> For a man to give full realization to his heart is for him to understand his own nature, and a man who knows his own nature will know Heaven. By retaining his heart and nurturing his nature he is serving Heaven. Whether he is going to die young or live to a ripe old age makes no difference to his steadfastness of purpose. It is through awaiting whatever is to befall him with a perfected character that he stands firm on his proper destiny.[36]

The Confucian transcendental individualism seems to be even more intense than is the Protestant transcendental individualism, when Mencius says:

> Life is what I want; righteousness is also what I want. If I cannot have both, I would choose righteousness rather than life. On the one hand, though life is what I want, there is something I want more than life. That is why I do not cling to life at all costs. On the other hand, though death is what I loathe, there is something I loathe more than death. That is why there are troubles I do not avoid … In other words, there are things a man wants more than

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[35] See Herbert Fingarette, *Confucius: The Secular as Sacred* (New York: Harper and Row, 1972). Despite his insightful characterization of Confucius' thisworldly transcendental teaching, however, with Schwartz, I find Fingarette's idea problematic that Confucius was completely indifferent to the self's inner-world and that *ren* (morality) is merely derivative from *li* (ritual performance). That is, Fingarette—albeit consciously because of his strong opposition to the Western analytical philosophical tradition's reductionism—dismisses the transcendental dimension of *ren* (and of the self) in the ancient Confucianism. For Schwartz's criticism of Fingarette, see Benjamin I. Schwartz, *The World of Thought in Ancient China* (Cambridge, MA: The Belknap Press of the Harvard University Press, 1985), pp. 78-85. Certainly, having in mind Fingarette's powerful interpretation of the relation between *ren* and *li*, Tu Wei-ming most clearly defends the inherent value of *ren* (that is, at least philosophically, independent of *li*) and its thisworldly transcendental quality. Tu writes: "The Confucianists, especially in the Neo-Confucian tradition, therefore, refuse to accept the relevance of a personal God in the transcendental sense but add a transcendental and religious dimension to the "subjectivity" of *jen* [*ren*] that is both functional and substantial in the self-decision-making process … Accordingly, *jen* is not primarily a concept of human relations, although they are extremely crucial to it. It is a rather a principle of inwardness. By "inwardness," it is meant that *jen* is not a quality acquired from outside … Hence, *jen* as an inner morality is not caused by the mechanism of *li* from outside." Tu, *Humanity and Self-Cultivation*, p. 9.

[36] *Mencius*, 7A:1.

life and there are also things he loathes more than death. This is an attitude not confined to the moral man but common to all men. The moral man simply never loses it.[37]

Ultimately, a strong commitment to "This Culture" enables an otherwise powerless man of *ren* (mostly a Confucian intellectual) to transform himself into a vehement critic of the existing political order. Hence, Schwartz writes: "The non-political elites tended to view themselves as being on a par with and even superior to the political authorities as potentially accountable to themselves."[38] Julia Ching's following statement is more detailed although her focus is particularly on neo-Confucian intellectuals:

> The authority to which they gave adherence was higher than the state, which saw itself as guardian of classical exegesis, higher even than the classics. They relied primarily on their own authority, as self-appointed interpreters of the sacred message. Their claim was to solid classical learning, but particularly to their own insights into the spiritual meaning of the texts. For this reason, in the political realm, they acted as moral judges of their sovereign rather than as dutiful ministers.[39]

But nothing is more striking than Mencius' own words, when he said to King Xuan of Qi: "If a prince treats his subjects as his hands and feet, they will treat him as their belly and heart. If he treats them as his horses and hounds, they will treat him as a mere fellow-countryman. If he treats them as mud and weeks, they will treat him as an enemy."[40]

Admittedly, the transcendental tensions between the political and the moral became far intensified as the philosophy of *ren* grew full-fledged in the neo-

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[37] *Mencius*, 6A:10.

[38] Schwartz, "This Worldly Transcendentalism," p. 175.

[39] Julia Ching, "The Goose Lake Monastery Debate," *Journal of Chinese Philosophy* 1:2 (1974), p. 175.

[40] *Mencius*, 4B:3.

Confucianism, the reformed Confucianism that emerged in the eleventh-century in

Song China (960-1279) and fully-blown in Joseon Korea (1392-1910) since the

sixteenth-century, which—by drawing and creatively developing upon the Mencian

metaphysical Confucianism—transformed classical Confucianism into a

comprehensive metaphysical system that constructs within it a seamless continuum

from human nature (*xing* 性), to cosmic/moral principle (*li* 理), and to Heaven (*tian*

天) or the Heavenly Way (*tian-dao* 天道).[41] In neo-Confucian political reality, the

inherent tension between the cosmic/moral order and the mundane/political order

unfolded in terms of an "institutionalized" rivalry between the monarchical power

(based on the Princely-Line or *wang-tung* 王統) and the Confucian scholarly

authority (underpinned by the Sagely-Line or *dao-tung* 道統).[42] Zhu Xi (1130-

[41] For a very good summary of the system of neo-Confucian philosophy, see Masao Maruyama, *Studies in the Intellectual History of Tokugawa Japan*, trans. Mikiso Hane (Tokyo: University of Tokyo Press, 1974), pp. 19-68. Also see Wm. Theodore de Bary, *Neo-Confucian Orthodoxy and the Learning of the Mind-and-Heart* (New York: Columbia University Press, 1981), pp. 67-185. For the (neo-)Confucian transformation of Korea, see Martina Deuchler, *The Confucian Transformation of Korea: A Study of Society and Ideology* (Cambridge, MA: The Council on East Asian Studies of the Harvard University, 1992) and Wm. Theodore de Bary and JaHyun Kim Haboush (eds.), *The Rise of Neo-Confucianism in Korea* (New York: Columbia University Press, 1985).

[42] For a political theoretical investigation of this rivalry, see Sungmoon Kim, "Too Rational To Be Modernized?: Confucian Rationality and political Modernity in Traditional Korea," *The Review of Korea Studies* 9:4 (2006), pp.135-168. For an intellectual historical discussion of the tensions between the rulership and the ministership, see, for China, John W. Dardess, *Confucianism and Autocracy: Professional Elites in the Founding of the Ming Dynasty* (Berkeley: University of California Press, 1983) and Alan Wood, *Limits to Autocracy: From Sung Neo-Confucianism to a Doctrine of Political Rights* (Honolulu: University of Hawaii Press, 1995); for Korea, see Kim Don, *Joseonjeongi gunshingwollyeokgwangye yeongu* [A Study on the Power-Relation between the Rulership and the

1200)'s preface to his famous Commentary to *Zhongyong* 中庸 (The Doctrine of the

Mean) most vividly demonstrates this tension, the part of which can be recapitulated:

> The legendary Sage King Yao transmitted to his Sagely heir Shun four esoteric characters which implied the core meaning of the Way. Shun added twelve characters to it and transmitted them to the next Sagely heir Yu. The meaning of the now sixteen characters was too deep and subtle for any plain minds to understand. The transmission of the Sagely Way continued, albeit intermittently, to Confucius and Mencius. After Mencius, the transmission was discontinued until the mysterious emergence of Neo-Confucian founders.[43]

The Sagely-Line—unlike the Princely-Line which merely represents the hereditary lineage of the throne—symbolizes the authentic lineage of orthodox Dao. While the Princely-Line is associated with political power, the Sagely-Line is the source of the moral power.[44] In antiquity the sage-king represented the embodiment of both these powers. However, at some historical point (probably after the emergence of autocracy), the Sagely-Line, and the moral authority that it came to represent, left the political realm to become more closely associated with the scholarly line. Hereafter, the Confucian moral agent is not the political ruler, but the Confucian scholar; who, in their quest for Dao, can rediscover his unspoiled Heaven-endowed nature. Only a man of *ren*, who has repossessed Dao in himself, is entitled

Minstership in Early Joseon Korea] (Seoul: Seoul National University Press, 1997); Jongryn Mo, "The Challenge of Accountability: Implications of the Censorate," in Daniel A. Bell and Hahm Chaibong (eds.), *Confucianism for the Modern World* (Cambridge: Cambridge University Press, 2003), pp. 54-68.

[43] Kim, "The Genealogy," p. 66. For a lengthier, albeit not full, English translation of it, see Wm. Theodore de Bary, *The Liberal Tradition in China* (New York: Columbia University Press, 1983), p. 13.

[44] This separation between political power and moral authority is reminiscent of the medieval Western theory of the "two swords"—the Emperor's *potestas* versus the Pope's *auctoritas*. For a medieval theory of the two swords, see Otto Gierke, *Political Theories of the Middle Age* (Cambridge: Cambridge University Press, 1990).

to sagehood, thus achieving a cosmic and moral harmony between his inner-self and Heaven.[45]

In their commitment to a civil and moral culture ("This Culture") and alienation from the centers of power, the Confucians emerged as radical critics of autocratic power.[46] And they carried their ethico-political and cultural "mission" in multifaceted capacities: as teachers, advisors, censors, ministers, or as bureaucrats. Thus, Tu Wei-ming submits:

> The Confucian intellectual was an activist. His practical reasoning urged him to confront the world of *realpolitik* and to transform it from within. His faith in the perfectibility of human nature through self-effort, the intrinsic goodness of the human community, and the possibility of the unity of man and heaven enabled him to maintain a critical posture toward those who were powerful and influential.[47]

As Confucius himself admits, however, a Confucian commitment to "This Culture" would turn out to be a lonely and agonizing personal pilgrimage.[48] His voice could easily be brushed away as a "voice in the wilderness." Yet, as a "wooden bell-clapper" to the corrupt world, this seemingly powerless voice, nonetheless, functions

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[45] On the "Chinese" (including Confucian) ideal of sagehood, see Julia Ching, *Mysticism and Kingship in China: The Hearts of Chinese Wisdom* (Cambridge: Cambridge University Press, 1997).

[46] The most famous and radical anti-autocracy statement was presented by the Ming scholar-official Huang Zongxi (Huang Tsung-Hsi). See Wm. Theodore de Bary (trans.), *Waiting for the Dawn: Huang Tsung-Hsi's* Ming-I Tai-Fang Lu (New York: Columbia University Press, 1993).

[47] Tu Weiming, *Way, Learning, and Politics: Essays on the Confucian Intellectual* (Albany: State University of New York Press, 1993), p. 11.

[48] See Chaibong Hahm, "The Ironies of Confucianism," *Journal of Democracy* 15:3 (2004), pp. 102-104. Again, Mencius offers a very instructive statement for this, when he says: "That is why Heaven, when it is about to place a great burden on a man, always first tests his resolution, exhausts his frame and makes him suffer starvation and hardship, and frustrates his efforts so as to shake his deficiencies. As a rule, a man can mend his ways only after he has made mistakes. It is only when a man is frustrated in mind and in his deliberations that he is able to innovate." *Mencius*, 6B:15.

as a "prophetic voice" that anticipates a new world.[49] Mencius calls such a prophetic person a "heroic scholar" (*hao jie zhi shi* 豪傑之士).[50] In my view, the honorific individualism that this ethico-political hero represents indeed offers a uniquely Confucian form of transcendental individualism.

May we conceptualize Bak Jong-cheol and Yi Han-yeol and other intellectual dissidents during the democratic transition in contemporary Korea as Confucian heroes? Surely not, if we understand "Confucianism" as a historically fixed and culturally reified substance. However, the political discourses of "morality versus power" and "purity versus corruption" in which these dissidents defined their confrontation with the state, and the strategies deployed in confronting the state, were most certainly *Confucian*. In other words, their unabated moral criticism towards the military authoritarian regime was grounded in the culture of "radical Confucianism," which was the defining characteristic of Korean neo-Confucianism during the Joseon period.

Democratic Civility and Consolidating Civil Society

Korea's Dual Civil Society and Its Cultural Background

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[49] See de Bary, *Liberal Tradition*, pp. 14-15.

[50] For the Mencian ideal of "heroic scholar," see Sungmoon Kim, "Confucian Charisma and the True Way of the Moral Politician: Interpreting the Tension between Toegye and Nammyeong in Late Sixteenth Century Joseon," *The Review of Korean Studies* 7:3 (2004), pp. 205-209.

Robert Pekkanen characterizes Japanese civil society as "dual civil society" due to its contrasting feature of "membership without advocacy."[51] Albeit on different grounds, the same characterization can be applied to post-democratic Korean civil society. On the one hand, as a direct offspring of the civil uprisings in 1987, Korean civil society in a consolidating state is still immensely "ethical" (in nature), grandly "national" (in size), and topically "comprehensive" (in scope). The goals and the tactics of the Citizens' Coalition for Economic Justice (CCEJ) and the People's Solidarity for Participatory Democracy (PSPD), two key civil organizations of the social movement, are illustrative of contemporary Korean civil society. Though they started as specific-agenda-focused voluntary associations (one economic justice and the other ordinary people's political participation), over the 1990s, both organizations evolved into what Jang-jip Choi calls "catch-all movement associations" that deal with national problems, mostly those related to legal justice and moral-political corruption in politics.[52] Yet, on the other hand, Korea's post-democratic civil society is marked by its far less contentious, more quotidian character than its predecessors in the 1980s. According to Dong-choon Kim, the Korean citizen's movement differs from the previous anti-regime democratization movement in that it "pursues institutional reform instead of pursuing the radical transformation of the institutional."[53]

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[51] More specifically, Pekkanen is puzzled over the marked contrast between the plethora of viable neighborhood civil societies and the virtual absence of advocacy NGOs in Japan. See Pekkanen, *Japanese Dual Civil Society*.

[52] Jang-jip Choi, "Democratization, Civil Society, and the Civil Social Movement in Korea: The Significance of the Citizens' Alliance for the 2000 General Elections," *Korea Journal* 40:3 (2000), p. 38.

[53] Kim, "Growth and Crisis," p. 107.

To be sure, the changed domestic and international environments (i.e. democratic transition and the collapse of real socialism) greatly facilitated this shift in movement goals. However, political scientists often gloss over that during the period of democratic consolidation, a remarkable rearrangement in the relation between the individual and the political world (including civil society) took place. Put differently, the *empirical* question of the autonomy of civil society as a political "institution" located between the private sphere and the state has obviated its *normative* dimension, the *telos* of civil society: the empowerment of individual agency and the enhancement of citizenship. From a normative perspective, civil society is not merely a mediating institution, but a public space that dialectically interconnects individual agency to citizenship; the autonomy of civil society is valuable *only* if it is guided by this normative vision.

What happened in the course of democratic consolidation was an ardent search for a new "democratic" citizenship alongside self-empowerment in the given context of (post)Confucian culture. Under democracy, militant radicalism predicated on cultural ("Confucian") heroism had to be replaced or, at least, supplemented by a less heroic and more moderate participatory cultural mechanism that pertained to "everyone." As will be shown shortly, it was *chŏng* (Koreans' traditional familial affectionate sentiments) that operated as that cultural-political mechanism, creating a new, democratic, civility. Even though (Korean) social scientists rarely take the question of "civility" (and normative questions in general) seriously, Hagen Koo, a sociologist, makes a very important point regarding the quality of Korean civil society.

> Civil society means more than autonomous organizations or group activities but implies a certain set of norms and value orientations including pluralism, individualism, relativism, or more generally, civility. Civility is a core normative element of a civil society, and the main reason why civil society is presumed to play such an important role in promoting democracy and a good society is because of this cultural aspect of civil society.[54]

My argument, however, challenges Koo's skepticism, because he says:

> To what extent, does civility or pluralism characterize the attitudes of most civic organizations in Korea today? Although hard evidence is unavailable, enough soft evidence suggests that civility is not only lacking in many civic group activities but also is not a widely shared goal of value commitment among their participants. Rather than demonstrating tolerance, pluralism, or compromise, South Korea's civic organizations often engage in an exclusive, uncompromising, and maximalist pursuit of their goals. It might be due to the Confucian cultural tradition, or due to their germination under harsh authoritarian rule.[55]

Koo draws his definition of "civility" from Edward Shils, understanding it solely in terms of Western liberal values like pluralism, individualism, and relativism.[56] Ironically, though, Shils himself is open to the possibility of non-Western, non-liberal/Confucian modes of civility.[57]

Chŏng is far from liberal-individualistic values, however. Nor does it directly stem from Confucian transcendental individualism or cultural heroism, either, for it is essentially intersubjective and collective (if not collecti*vistic*) in its characteristics. Nevertheless, it generates its own transcendental ethic, or what I call "*uri*-responsibility"[58]: that is, "transcendental collectivism" as opposed to transcendental individualism. **FIGURE 3.1** illustrates how transcendental collectivism in

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[54] Hagen Koo, "Civil Society and Democracy in South Korea," *The Good Society* 11:2 (2002), p. 45.

[55] *Ibid*.

[56] Shils, "The Virtue of Civil Society," in *The Virtue of Civility*.

[57] Edward Shils, "Reflections on Civil Society and Civility in the Chinese Intellectual Tradition," in Tu, *Confucian Traditions*, pp. 38-71.

[58] In English, "*uri*" translates into "we."

contemporary Korea is distinguished from (both Confucian and modern Western/Weberian) transcendental individualism.

FIGURE 3.1. The Shifts in Transcendental Ethics in the Modern West and Contemporary Korea

Modern West: Otherworldly Transcendentalism → Transcendental Individualism
(Internalization)

Contemporary Korea: (Confucian) Transcendental Individualism → Transcendental Collectivism
(Routinization/Popularization)
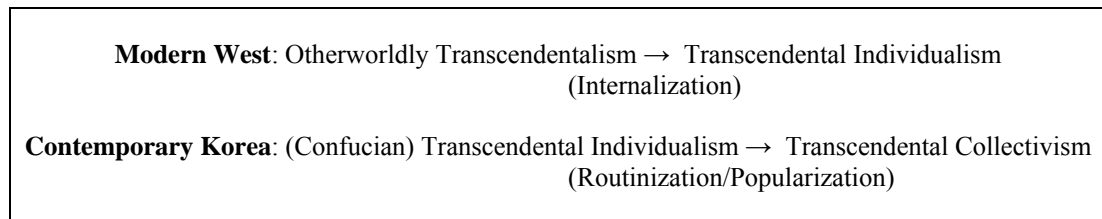
Before further investigating *chŏng* and transcendental collectivism predicated on *uri*-responsibility, I will briefly showcase one recent civil movement episode to show how these concepts operate in actual Korean civil society.

The Citizens' Alliance for the 2000 General Election (CAGE): A Case

On January 12, 2000, nearly three months before South Korea's 16th general election for the National Assembly, about 400 (later joined by an additional 100) small and large citizens' movement organizations nation-wide formed the Citizens' Alliance for the 2000 General Election (CAGE). CAGE was formed to prevent the political parties from nominating "unqualified" candidates (rejection campaign), and then, ultimately, to defeat those who were nonetheless nominated to run in the election (defeat campaign). More generally, however, CAGE was formed to reform "political society" which, over a decade after democratization, was still rife with factionalism and nepotism based on chronic regionalism, a lack of democracy *within* political parties, money-involved corruption, and an insufficiency of accountability.[59] Indeed, from the

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[59] For the concept of "political society," see Linz and Stepan, *Problems*, pp. 8-10.

viewpoint of ordinary citizens, the period of democratic consolidation turned out to be a period of failure for political parties and elected representatives.[60]

On January 24, as part of a plan to pressure political parties to withhold nomination of particular candidates CAGE unveiled on its internet homepage (*www.ngokorea.org*) a list of 67 unqualified candidates.[61] In a nation-wide opinion poll taken right after this revelation, over 80% of Korean citizens supported the CAGE's rejection campaign, while more than 60% said that they would not vote for those "unfit" candidates.[62] On January 30, despite the current election law (i.e. items 58, 87, 254) that banned all citizens' organizations except labor unions from election campaigning activities, with support from thousands of unaffiliated citizens, CAGE took to the street for national support to assert their constitutional right of freedom of association and assembly, which they claimed should trump the outdated election laws.[63]

On February 2, 2000, CAGE revealed a second list of 47 unqualified candidates, and began to pressure political parties to revise the election law so that it could better correspond to the democratic state of Korean civil society. Notwithstanding, however, lawmakers of both the ruling and opposition parties

[60] Choi, "Democratization," p. 42. Also see Byung-Kuk Kim, "Korea's Crisis of Success," in Larry Diamond and Marc F. Platter (eds.), *Democracy in East Asia* (Baltimore, MD: Johns Hopkins University Press, 1998).

[61] The criteria were destruction of the democratic constitutional order through anti-humanity activities (specifically, collaboration with the past authoritarian regimes), corruption, election law violation, instigation of regionalist sentiments, tax evasion, and conscription irregularities.

[62] *OhMyNews*, 1/25/2000.

[63] The election law at issue was made in 1989 in order to prohibit from political activities such anti-democratic uncivil parapolitical organizations as those that propped up the previous authoritarian governments.

collaborated across party lines to protect their vested interests by revising the law only minimally, rendering the issue items almost intact (February 8, 2000). Those who were uneasy with the grass-roots challenge to the national congress aligned themselves with the conservative news media, and raised the possibility of "conspiracy" between the citizen's organization leaders and the incumbent Kim Dae-Jung government to stage the rejection campaign.[64]

Nevertheless, CAGE's rejection campaign greatly influenced the major political parties' nomination process. For instance, the opposition Grand National Party, the offspring of Democratic Justice Party (the ruling party under Chun Doo-Hwan's authoritarian regime), excluded a number of candidates who had allegedly used regional antagonisms to further their political careers.[65] This caused a massive

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[64] *OhMyNews*, 2/4/2000, 2/5/2000.

[65] Regionalism is one of the most salient features of Korea's contemporary politics. In Korea, "Regionalism" refers to "political antagonisms among regions primarily manifested as confrontational regionalist voting in which voters cast their vote for candidates or parties only because they are based on their own regions." Keedon Kwon, "Regionalism in South Korea: Its Origins and Role in Her Democratization," *Politics & Society* 32:4 (2004), p. 547. Despite disagreements on its origin among Korean social scientists, it, in its contemporary, intensely politicized form, is widely agreed to have emerged since the 1971 presidential election, where the incumbent president Park Chung-Hee from the Gyeongsang province confronted the opposition party leader Kim Dae-Jung whose regional basis was the Jeolla province. Korea's political regionalism hit its apex in 1987 when four presidential candidates (Roh Tae-Woo from northern Gyeongsang, Kim Young-Sam from southern Gyeongsang, Kim Dae-Jung from Jeolla, and Kim Jong-Pil from Chungcheong) competed for presidency. Ever since 1971, intense and antagonistic political regionalism has been pinpointed as the most troublesome anti-democratic element of contemporary Korean politics. Even though Kwon sheds new light on its positive role played in Korea's democratic transition, I do not share Kwon's optimism as far as its role in Korea's democratic consolidation is concerned. For the political implications of Korean regionalism, see Seung-Kuk Kim, "The Formation of Civil Society and the Rise of Regionalism in Korea," *Korea Journal* 28:6 (1988), pp. 24-34; Sallie Yea, "Regionalism and Political-Economic Differentiation in

party defection, in which the new Democratic National Party emerged. This new Gyeongsang-province-based party made clear that it would compete with the Grand National Party for regional supremacy in Gyeongsang province (especially its southern part) in order to win the next presidential election over the incumbent Jeolla-province-based New Millennium Democratic Party, thereby further provoking regional antagonisms.

The reemergence of regional divides infuriated many, especially young, Koreans aspiring for a new national and civic Korea transcendent of parochial regionalism. Korea's well-developed cyberspace provided an open and public outlet in which the ordinary, previously alienated Koreans could freely express their political opinions. During this period more than 900,000 netizens visited CAGE's homepage, while over 15,000 essays were posted.[66] A typical message read as follows:

> As opposed to autocracy, the defining characteristic of democracy is that responsibility falls on the people. If there are corrupt politicians in democracy, its responsibility is to the people who elected them. Frankly speaking, the quality of *our* politicians are very low; yet it is also true that *our* [democratic] quality is equally low because [after all] it is *we* who elected them on the grounds of regional attachment, nepotism, or *our* blind tendency to select the incumbent party. It is *our* inadvertent votes that have produced such corrupt politicians … Therefore, *we* might not be entitled to criticize them. But *we* must take responsibility for *our* democracy. To be responsible for the democracy that *we* have corrupted, *we* must take an action not to have such unqualified politicians in the political arena … No one has done anything [for this]. *We* have just watched things happening … [But] because of this very fact, citizens' political reform movement that *we* are now engaging in is of great significance.[67]

Korean Development: Power Maintenance and the State as Hegemonic Power Bloc," *Korea Journal* 34:2 (1994), pp. 5-29.

[66] *Hangyeorye Sinmun*, 5/15/2002.

[67] From http://www.peoplepower21.org/article/article_view.php?article_id=752 (my translation).

Note the writer is appealing to a national democratic sentiment transcendent of the individual Korean citizen: "*We* should take responsibility for which *we* are not directly accountable." "I" is never pronounced here; rather it is hidden (rather than suppressed) behind "We." Furthermore, that "we" is by no means to claim a specific (regional) group's political "right" to political hegemony in central politics. Undoubtedly, the focus is on shared "responsibility"—however tormenting it is—by "us," because *the* democracy is *our* democracy; because the corruption of *our* democracy falls on *us*. This very "fact" obligates us to collective political and moral responsibility: *uri*-responsibility.

After the major political parties had announced their official nominations, CAGE's strategy was shifted to "defeat" those who had nevertheless been "wrongly" nominated. CAGE's "rejection-defeat" campaign proved a great success: Of 86 candidates on CAGE's blacklist, 59 were defeated. Furthermore, 94 out of 207 incumbent congressmen who ran in the 16th general election failed to be reelected. Meanwhile, 112 new candidates ran successfully in the elections to enter the National Assembly, taking 41 percent of all seats. Perhaps most dramatically, CAGE's dual campaign successfully (despite its obvious limits in Gyeongsang province that (re)elected most candidates from the Grand National Party) rearranged a political landscape that was previously structured on parochial regional interests.

Was CAGE's citizens' movement in 2000 a "civil revolution" or "the second June Uprising," as many Koreans call it? Korean scholars are cautious in evaluating it because they wonder whether CAGE's negative strategy that purported to screen the unfit candidates did not, albeit unintentionally, help reinforce the existing

conservative political landscape, thus failing to direct popular interest to such issues as labor problems, which a positive campaign could have mobilized.[68] More crucially, some scholars are skeptical as to how much impact it in effect brought to the democratization of the party structure in particular and party politics in general; a key indicator of democratic consolidation.[69] Nevertheless, from a normative perspective, the CAGE-led citizens' movement in 2000 was successful not only because of the actual political results that it was able to draw, but, more important, because of its role in revivifying a new type of national civil ethos transcendent of parochial and uncivil regional attachments.[70] In other words, the CAGE-led citizen's movement infused Korean citizens with an *uri*-responsibility derived from *chŏng*.

The Social Psychology of *Uri* and *Chŏng*

Uri

Korean *uri*-responsibility is in many ways similar to the type of civic republicanism that Michael Sandel advocates.[71] Nevertheless, there are several appreciable distinctions. For example, it should be recalled, by "encumbered self" Sandel only intends to stress that a self is a sociopolitical, cultural and historical, hence contextual, "product." That is to say, Sandel never denies an inscrutable inner-world of the self

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[68] Choi, "Democratization," p. 53; Kim, "Growth and Crisis," p. 112.

[69] See Choi, *Minjuhwa*; Damond, *Developing Democracy*; Linz and Stepan, *Problems*. With a case study of Weimar Republic, Sheri Berman has warned that a vibrant civil society, when it is not supported by a well-developed institutional politics (i.e. party politics), could endanger a democracy itself. Berman, "Civil Society."

[70] According to Edward Shils, civility is primarily a "civil collective self-consciousness," and by "collective" he frequently means "national." See Shils, *The Virtue of Civility*, p. 71.

[71] Sandel, *Democracy's Discontent*.

and his key concept "self-government" is predicated on the classic or republican image of the city that is independent (if not *autonomous* in a Kantian and/or Rawlsian sense). In a profound sense, Sandel's self is not so different from Tocquevillian civic self upon which Weber later built his theory of civil society; most notably the idea of "sect man" (*Sektenmensch*).

The Korean self is qualitatively different from the independent self, however. As many Korean social psychologists claim, what constitutes the Korean "I" is the "interdependent self."[72] According to Sang-Chin Choi, Koreans understand *we* to include "identity, oneness, mutual dependence, mutual protection, and mutual acceptance."[73] In other words, the "Korean's private self (or individual self) and social self (or collective self) overlap." This means that, in Korean social psychology, the line between "I" and "We" is frequently blurred. Thus Pyong-choon Hahm understands the Korean "we" or *uri* in terms of "inter-ego relationship":

> Where egos overlap and interlock however, there may be interpenetration and existential continuum, but no dependence. The shamanistic person would find a life in which egos are all autonomous, separate, discrete, and self-sufficient too cold, impersonal, lonely, and inhuman. It should be noted, however, that the overlap of egos in shamanistic culture does not signify a merger or fusion of ego. Rather, the overlapping egos interpenetrate one another, forming a commonly shared area, while leaving the remainder different and distinct. The resulting condition is neither a single ego nor two discrete ego, but something indeterminate which can only be described as something more than one but less than two.[74]

Notably, in his famous rebuttal against Hein Cho who finds the origin of contemporary viability of Korean civil society in her traditional Confucian culture, David Steinberg chastised Koreans' "we-ism" because in his view it has served to foster a "spirit of conformity" as the single greatest obstacle to the establishment of

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[72] Choi and Kim, "Hangugin selp."

[73] Choi, "Two Perspectives," p. 246.

[74] Hahm, *Korean Jurisprudence*, p. 323.

truly "civil" society in Korea.[75] Implicit in Steinberg's criticism is that the Korean "we" or *uri* is so fundamentally and overbearingly a primordial and pre-political group identity that it is incompatible with the basic requirements of the authentic civil society to which social and political pluralism is central. To be sure, the social-psychologically constituted *uri* in Korean society is qualitatively different from the social group in the West's liberal tradition, which is more of a "collective pool" wherein the personal identity of the independent, autonomous, and discrete self is preserved, because *uri* is accompanied with the group-specific self-transformation of individual participants, generating a unique group dynamic of which a mere collective pool cannot avail itself.[76]

But to argue that individuality-annihilating social conformism is the only and the most salient characteristic of the group dynamic of *uri* is not only far-fetched, but also misleading. What Steinberg overlooks is that the social formation of *uri* has nothing to do with "deindividuation" in which the self identity simply collapses within the group. What Korean *uri* entails is rather "depersonalization" to which the retaining of individual self-identity is absolutely indispensable.[77] To see the difference between deindividuation and depersonalization more clearly, it should be noted that the Korean self is hardly the entity-like, self-containing, and autonomously functioning "independent self" as customarily conceptualized in the Western scientific psychology and as naturalized in the West's modern political theory (most

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[75] David Steinberg, "Civil Society and Human Rights in Korea: On Contemporary and Classical Orthodoxy and Ideology," *Korea Journal* 37:3 (1997), p. 151; Hein Cho, "The Historical Origin of Civil Society in Korea," *Korea Journal* 37:2 (1997), pp. 24-41.

[76] Choi, *Hagugin simnihak*, p. 145.

[77] *Ibid*., p. 149.

notably social contract theory). For the independent self, depersonalization is no different than deindividuation,[78] which is tantamount to the total collapse of the self or the self's complete fusion with the group, which was the case with the German "ordinary men" during World War II.[79] In this psychological process, the individual egos are enmeshed in the "group-ego," enabling the latter to be the only meaningful and living, yet often immensely violent, agent.[80]

In marked contrast, the "interdependent self" that constitutes the Korean "I" scarcely undergoes a total collapse of the self, which generates a massive fusion with the group-self that forms a pathological group-ego. Since it does not attempt at the containment of the pure self (a rationally controlled self-sufficient self) from others and since it does not see interdependence as pathetic dependence, the interdependent self seldom experiences a violent eruption of the group-ego.[81] Instead, the personal empowerment of the interdependent self is made possible by forming *uri*-relationship with other equally interdependent selves. As such, *uri* is the fundamentally relation-centered group-self, unlike the self-contained, power-seeking group-ego, that emerges when the self-contained independent self disintegrates. Therefore, while the latter is the fusion of egos, the former only refers to the overlapping of egos.

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[78] It is typically so in Kantian liberal philosophy. For a detailed argument on this, see Chapter 4, where I contrast the Kantian ideal of individual ("person") with that of Confucianism.

[79] Christopher R. Browning, *Ordinary Men: Reserve Politics Battalion 101 and the Final Solution in Poland* (New York: Harper, 1998). For a full political and philosophical theorization of this phenomenon, see Max Horkheimer and Theodor W. Adorno, *Dialectic of Enlightenment: Philosophical Fragments*, ed. Gunzelin S. Noerr, trans. Edmund Jephcott (Stanford: Stanford University Press, 2002).

[80] For the classical analysis of group-ego, see Sigmund Freud, *Group Psychology and the Analysis of the Ego*, trans. James Strachey (New York: Bantam Books, 1960).

[81] This is, in my view, why a group-psychology is still unpopular in Korea.

That Korean *uri* is qualitatively different from the pathological group-ego is not to insist that *uri* is immune from its own problems. As Steinberg rightly points out, downward social conformism is one of its negative functions. Nevertheless, the following must be remembered: First, *uri*, as a social-psychological construct, is not a pure primordial group identity as some critics assume; second, *uri* is primarily concerned with internal affective relations among the participants; and finally, heavy social conformism is *one* negative factor, however occasionally, that accompanies *uri*, and not, by any means, its full essence. All in all, *uri* cannot be identified as the all-encompassing group-ego that is inherently dangerous.

Chŏng

Roughly speaking, *chŏng* is what makes such "intersubjective overlapping" possible by providing an emotional glue or a "transitional space," in and through which interdependent selves can connect with each other.[82] Although *chŏng* is oftentimes spoken of in terms of a person's inner characteristic (*chŏng* as personality), its more significant and widely performed usage is as affectionate "relationality" in Koreans' ordinary interpersonal relations. In the latter sense, *chŏng* is a uniquely Korean mode of social affect. But, this analytical distinction should not be too rigidly held because, in reality, the two are inextricably entwined. That is, personal *chŏng* is what makes an otherwise monadic and container-like closed-self the interdependent self that is marked by a porous and relational *chŏng*. This *chŏng*, in turn, by constantly situating an interdependent self in intersubjective *uri*-relationships, helps to internalize such intersubjective relationality within the self, making relationality integral to

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[82] For the social scientific studies on *chŏng*, see note 23 in Chapter 1.

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personality. In the most profound sense, the Korean interdependent self is a *chŏng*ish self and the Korean self is fundamentally relational.

That *chŏng* is relationality, however, does not imply that any relationality is directly analogous to *chŏng*, just as any interdependent self could not be the Korean self. For a certain social relationality to be a *chŏng*ish relationality, it should be oriented toward the creation of *uri*-relationship. That is, *chŏng* is a felt *uri*-ness and *uri*-ness is a recognized *chŏng*.[83] This seemingly tautological explanation, however, is neither illogical nor irrational if we consider that the relational boundary that *uri*-ness (or *uri*-self) sets up is, in essence, a cultural-epistemological boundary as well. In other words, the social function of the *uri* boundary is not limited in separating *uri* from the other, which could constitute exclusive *uri*-ness. Its further-reaching social implication is that it produces its own verbal and non-verbal semiotic practices which foreigners, who are not immersed in Korean culture, often find difficult to master. *Chŏng* is the very key to such semiotic cultural code. In short, *chŏng* is an emotionally cognitive *uri*-oriented relationality. Only within *uri* is *chŏng* enlivened. Outside *uri* is the realm of *mu-chŏng* (the absence of *chŏng*); the realm of *mu-chŏng* is where relation ends and an "evil" prevails. For Koreans, outside *is* evil.[84]

What then is the "cultural-epistemological boundary," which *uri*-self is modeled after and is to reproduce in broader social relations? Among Korean scholars, it is widely echoed that traditional Korean family relations present the prototype of *uri*-self and they are strongly convinced as well that *chŏng* originates from them, particularly from a strong psychological attachment between parents

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[83] Choi and Lee, "Jeong," p. 224.

[84] Alford, *Think No Evil*, p. 104.

(typically mother) and children.[85] Furthermore, given the allegedly strong connection between *chŏng* and the family, some are not hesitant to affiliate *chŏng* with Confucian family relations and even with the Confucian family structure.[86] Rather than delving into a still controversial socio-historical origin of *chŏng*,[87] however, I want to stress that (traditional) family is the most important social metaphor of the Koreans' collective identity of all sizes. That is to say, when it is applied to the entire nation, "family-relational *uri*" constitutes the core of the "imagined community" of ordinary Koreans.[88] More importantly, what distinguishes Korea's *uri* imagined community from other imagined communities is that it is a *chŏng*-based ethico-cultural and cultural-epistemological entity.[89]

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[85] Choi and Lee, "Jeong," p. 230. Also see Choi and Han, "Gyoryu haengwi"; Choi et al., "Jeong (miun jeong goun jeong)."

[86] Bong-young Choi, *Hangugin-ui sahoejeok seonggyeok,* Vol. 1 [The Social Character of the Korean People 1] (Seoul: Neutinamu, 1994). Also see Haejoang Cho, "Male Dominance and Mother Power: The Two Sides of Confucian Patriarchy in Korea," in Slote and DeVos, *Confucianism and the Family*, pp. 187-207.

[87] Suffice it to say that while Pyong-choon Hahm and Sang-Chin Choi cautiously speculate the origin of *chŏng* as pre-Confucian, hence as a key feature of the less elitist and authentically indigenous Korean folk culture, others including Bong-young Choi, Geung-ho Jo and Deuk-woong Han interpret it as a directly "Confucian" psychological phenomenon. Nevertheless, there is an agreement among Korean scholars that traditional, especially Confucian, familial relations present the typical model of the *chŏng*-relation. For Jo's and Han's works, see Geung-ho Jo, Hanguin ihae-ui gaenyeomteul [A Conceptual Framework for an Understanding of the Korean People] (Seoul: Nanam, 2003) and Deuk-woong Han, "Hangukyuhak-ui simnihak" [The Psychology of Korean Confucianism], in Sang-Chin Choi (ed.), Dongyangsimnihak: Seogusimnihak-e daehan daeanmosaek [The East Asian Psychology: In Search of an Alternative to Western Psychology] (Seoul: Jisiksaneopsa, 1999).

[88] See Chapter 5.

[89] On how this special cultural entity operates, see Choi, *Hangugin*, pp. 102-120 and Sang-Chin Choi and Chung-woon Kim, "Jiphapjeok uimi guseong-e daehan munhwasimnihark-jeok jeopgeun-uiroseoui munhwasimjeong simnihak" [The Cultural Emotional Psychology as a Cultural

Having found that *chŏng* is *uri*-building (semi-)familial relationality, we can finally come to a better grasp of the internal structure of *chŏng*ish relationality. Since the family, except in the case of marriage, is a natural given allowing no (easy) "exit," *chŏng*ish relationality can hardly be equated with the affectionate sentiment (*goun chŏng*) per se, because immense psychological tensions that tend to engender devastating mental illness among the family members are no less significant and, in effect, integral to family relation, the best example of which is the chronic conflict between mother-in-law and daughter-in-law in the Korean family.[90] What is interesting about the ordinary Koreans' social psychology is that, when it has been fairly long and constantly experienced, they count (and experience) a feeling of hatred toward their intimate ones, as another form of affection. Koreans call it "*miun chŏng*" (affectionate hatred).[91] This oxymoronic sentiment is generated when the people have long experienced all aspects of human relations (good or bad and joyful or painful) and then maturely sublimated them into their relational, interdependent selfhood. It is, for example, a sort of mixed feeling that a daughter-in-law would feel after she has departed from her husband's family to start her own nuclear family: "I have come to have both *miun chŏng* and *goun chŏng* with my mother-in-law while having been entangled in all sorts of tensions and conflicts over the years."

Psychological Approach to Collective Meaning Construction], *Hanguksimnihakhoeji—sahoe mit seonggyeok* [The Korean Journal of Social and Personality Psychology] 12:2 (1998), pp. 79-96.

[90] See Bou-young Rhi, "Mental Illness in Its Confucian Context," in Slote and DeVos, *Confucianism and the Family*, pp. 285-310.

[91] For *miun chŏng*, see Choi et al., "Jeong (goun jeong miun jeong)," which is the only literature that deals with this particular concept up to now.

Denser and deeper *chŏng* is one that has been steadily accumulated by the interlocking of *miun chŏng* and *goun chŏng*. If one attempts to look at the Korean family relation and by extension Korean *uri*-relation in terms of "power" as the liberal feminists like Susan Okin would be tempted to, the internal mechanism of *chŏng*, especially its *miun chŏng* aspect, can be easily eclipsed.[92] Then, it would be impossible to appropriately make sense of *uri*-responsibility of the kind that we have seen in the case above, because *uri*-responsibility is nourished on *chŏng* that includes not only *goun chŏng* but, more crucially, *miun chŏng*.

Chŏng (especially *miun chŏng*) is an inherently ambivalent feeling, which is best expressed in the phrase: "I hate my father who is simply a drunkard. But, *nonetheless*, he is still my farther to whom I owe a (filial) responsibility."[93] This interfamilial tension-ridden affection is illustrative of the relational dynamic between contemporary Korean citizens and their democracy. In effect, the torment felt by the Korean netizen quoted above was essentially *miun chŏng*. Indeed, the logic is the same: "I/We hate my/our democracy that I/We have now. *Nonetheless*, I/We, as a member of our political community, have a responsibility for it." Rather than actively rectifying the current wrongs incurred by others ("politicians") by pressing them, by transferring political and moral responsibility to "us" who are not directly responsible, it would seem to let those who are really responsible off the hook. Yet, by saying "nonetheless," the netizen (and many Korean citizens for that matter) did not fatalistically affirm the reality-as-it-is. By "we" the (young) Koreans in 2000 never meant a random collectivity. What they meant by "we" was a new civil nation

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[92] Susan M. Okin, *Justice, Gender, and the Family* (New York: Basic Books, 1989).

[93] See Chapter 4.

in that democratic civil society as opposed to uncivil, parochial regionalism that had bedeviled Korean politics for decades. For Koreans, *uri*-responsibility provided a new civility that could undergird the national consciousness, which according to Shils is the backbone of civil society and the matrix of citizenship.[94]

Uri-responsibility and *Uri*-world: A Shift to Transcendental Collectivism

Uri-*Responsibility for* Uri-*World*

Thus far, I have examined the social psychology of *uri* and the basics of *chŏng* and *chŏng*ish relationality in the course of problematizing the conventional, negative, understanding of *uri*. The point is that *uri* as a complex social-psychological construct cannot be identified to be an overweening primordial collective identity that simply promotes conformism. Nor can it be the same thing with the tyranny of majority or mob rule. One more important point that many, including Steinberg, tend to gloss over is that *uri* is not only a socio-psychological or psycho-cultural construct, but it is also a "political" practice when *uri*-responsibility rooted in *chŏng* is exercised in the public space. Of course, the political *uri* is profoundly predicated on the various levels, and types, of social practice of *uri*-formation. But the political practice of *uri*-formation is occasioned in the course of political action in civil society, an open and all-seeing public space. From this perspective, the recent invigoration of civil society in Korea cannot be approached in terms of a natural and unmediated extension of the psycho-cultural *uri*. The case above (and throughout the chapter in this study) presents another, namely "political," dynamic of *uri*-formation that cannot plainly be reduced to social-psychology alone.

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[94] Shils, *The Virtue of Civility*, pp. 207-209.

Then, how can we make sense of *uri*-formation in civil society? In order to do so, I enlist the help of Rousseau whose famous notion of general will, just like Korean *uri*, has encountered mounting criticisms because of its allegedly undifferentiating, undemocratic, or anti-political characteristic. But first let us see how Rousseau defines this controversial concept.

> 'Each one of us puts into the community his person and all his powers under the supreme direction of the general will; and as a body, we incorporate every member as an indivisible part of the whole.' Immediately, in place of the individual person of each contracting party, this act of association creates an artificial and collective body composed of as many members as there are voters in the assembly, and by this same act that body acquires its unity, its common ego, its life and its will.[95]

The point Rousseau's critics make is that the general will featured in *The Social Contract* advocates a total dissolution of the self into collectivity or the complete negation of difference, hence contributing to the formation of a power-seeking, pathological group-ego. But, in *The Government of Poland*, by which Rousseau attempted to apply his social contract theory to Poland's actual political setting, the meaning of general will is rendered to be far more pragmatic:

> [Now] the law, which is merely the expression of the *general will*, is certainly the product of the interplay of all sectional interests, combining with and balancing one another in all their variety.[96]

Rousseau clarifies that the general will is "the product of interplay of all sectional interests" rather than the coercive annihilation of private interests. Therefore, Benjamin Barber understands the general will in the context of legitimacy.

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[95] Jean-Jacques Rousseau, *The Social Contract*, trans. Maurice Cranston (New York: Penguin Books, 1968), p. 61.

[96] Jean-Jacques Rousseau, *The Government of Poland*, trans. Willmore Kendall (Indianapolis: Hackett, 1985), p. 42 (emphasis added).

According to Barber, what is important for Rousseau is not so much a schizophrenic splitting between individuality (private interests) and collectivity (common interests) or a zero-sum relation between the two, but how to create legitimacy through a dialectical interplay of them. So, Barber submits,

> Legitimacy here is awarded not to the virtuous interest but to the general will, the will that incarnates a democratic community that is comprised in turn of the wills of autonomous citizens. The issue is not "I want" versus "you want" but "I want" versus "we will" … But wills cannot all be equally legitimate in the same sense, because by willing one affects the world, and the world is finally one—*our world*—and can only be as legitimate as the process that willed it into being.[97]

Here, the key word is "our world." What Barber (and Rousseau) tries to argue is that our-world to which the general will is directed has nothing to do with the suppression of individual wills (and interests), but it is the political product of collective will-formation.[98] The most critical problem of traditional liberal democratic theory is that it does not take into account the possibility of self-transformation in democratic will-formation process.[99] It claims that man is an inherently private individual, man's preference is fixed, man's natural right is absolute, and therefore

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[97] Barber, *Strong Democracy*, pp. 200-1 (Italic added and other emphases in original).

[98] In another place, Barber writes: "Rousseau's particular inspiration was to envision a form of political interaction—conditioned by consensual mores and a simple and austere socioeconomic environment—in which the psychology of particular interests guided by appropriate participatory institutions could produce public goods (the general will) even where individuals quo individuals failed to distinguish these public good from their private interests … Common willing, not private reasoning, was to be the key. Autonomy for Rousseau was a concomitant of political interaction, produced in part by it, rather than its necessary prelude, just as self-legislation was a feature of common action rather than of individual self-scrutiny. In short, for Rousseau the problem was not one of private knowing but of public doing, which is presumably why Rousseau preferred a Sparta that knew how to act aright to an Athens that knew how to think aright." Barber, *The Conquest of Politics*, pp. 12-13.

[99] For this critique, see Mark E. Warren, "Democratic Theory and Self-Transformation," *American Political Science Review* 86:1 (1992), pp. 8-23.

the primary role of politics is to secure self-preservation by denying (anarchist democracy) or suppressing (realistic democracy), or tolerating (minimalist democracy) the conflict among self-seeking individuals.[100] But it can hardly come to terms with transforming the conflict. Democratic theories of self-transformation emphasize that the self as a willing agent can transform itself from a private individual to a public citizen by creating a public forum (or our world) in civil society. So by transforming the conflict, these theories mean to transform the self "temporarily" in order to resolve the incumbent common problems.

Is the Korean *uri* tantamount to the Rousseauian general will? Yes and No. No, if *uri* is meant by the psycho-cultural *uri* because the overlapping of egos is qualitatively different from the creation of common interest (and common good) out of conflicting individual interests. In fact, the general will as the common interest can be susceptible to a sort of the free-rider problem, as Rousseau himself acknowledges it when he observes:

> For every individual as a man may have a private will contrary to, or different from, the general will that he has as a citizen. His private interest may speak with a very different voice from that of the public interest; his absolute and naturally independent existence may make him regard what he owes to the common cause as a gratuitous contribution, the loss of which would be less painful for others than the payment is onerous for him; and fancying that the artificial person which constitutes the state is a mere rational entity (since it is not a man), *he might seek to enjoy the rights of a citizen without doing the duties of a subject.*[101]

In contrast, *uri*-responsibility as a moral commitment to "doing one's own share" and/or to "shouldering one's social burden" has little to do with an exercise of "interest" vis-à-vis "a mere rational entity." Instead, *uri*-responsibility that is

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[100] Barber, *Strong Democracy*, pp. 3-20.

[101] Rousseau, *The Social Contract*, pp. 63-64 (emphasis added).

exercised through palpable *chŏng* is rooted in one's sense of shame, a shame that his or her indifference to reality would have helped injustice and/or moral corruption, or, at least, it would be "somewhat" or "unwittingly" related with the infelicitous status quo.

But if our focus is placed not on common *interest* but on collectively-shared *responsibility*, if it is admitted that political problems include moral issues as well as material questions,[102] and if it is persuaded that private individuals can build citizenship not only by transforming the conflict, but also by creating shared responsibility,[103] the Korean *uri*—in this case, the political *uri*—can be construed as a uniquely Korean mode of general will. In short, in Korea, collective will-formation can be directed at the creation of *uri*-responsibility. It is especially so in a society like Korea in which almost every political issue is entangled in the question of moral justification unlike in Western societies wherein the separation between morality and politics has been firmly established at least on a public rhetorical revel.

Chŏng *and Transcendental Collectivism*

In civil society, *chŏng* brings a multitude of otherwise separated and disjointed "I"s into a common forum, and impels them to reflect upon their sociopolitical identity through various forms of talk, and, finally, helps them revitalize citizenship by reconstructing "our" world. In turn, civil society acquires its substantial sociopolitical

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[102] Or, it can be argued that political problems are at once moral and material because the two cannot be clearly separated in reality.

[103] But the two ways of self-transformation are not mutually exclusive. Rather they are complementary in the actual political situation.

meaning pertinent to Korea's unique civil ethos. Put differently, in democratic Korea, *chŏng* and civil society are mutually constitutive.

More specifically, *chŏng* plays a critical social role by motivating people to voluntarily form variegated kinds of groups, assemblies, associations, and organizations to resolve collective problems. The CAGE movement in 2000 presents the most exemplary case, but it is not the only case. In fact, not only was the CAGE movement re-galvanized for the 2004 general election, but also many separate, but similar, national civil actions followed its lead after 2000, which will be investigated in the subsequent chapters. These *chŏng*-induced and citizens-led movements are markedly differentiated not only from an interest-centered libertarian (or neoliberal) civil society, but also from elite-led social movements in the 1980s.

What was salient in the democratizing civil society in the 1980s was the emergence of ethico-politically driven, self-sacrificing, and even prophetic individuals that risked their young lives in the anticipation of a new political/moral world. It is not to say that the kind of "moral heroism" that I have related with Confucian transcendental individualism was the *only* ethical locomotive that enabled the people to pull down Chun's authoritarian regime. Eventually, it was *chŏng* that ethically and emotionally prompted the otherwise timid and apolitical ordinary Koreans to the street. Nevertheless, it is undeniable that the initiative of the grand civil society in that period was taken by more ethically committed, politically radical, and culturally sensitive extraordinary individuals. In my view, Alice Miller's following statement on the protesters against the totalitarian regime (for her especially Hitler's Third Reich) can be applied to those Korean dissidents as well.

[I]ndividuals who refuse to adapt to a totalitarian regime are not doing so out of a sense of duty or because of naïveté but because they cannot but be true to themselves. The longer I wrestle with these questions, the more I am inclined to see courage, integrity, and a capacity for love not as "virtues," not as moral categories, but as the consequences of a benign fate.[104]

However, "a benign fate" and "virtues" do not have to be opposed. After all, for the Korean Confucians (and those political dissidents during the democratic transition), a benign fate was thought to come from Heaven (or be embedded in "This Culture") and the awareness of that fate constituted the very core of their moral and political virtues.

On the other side of the same token, it is not to argue that Korea's consolidating civil society is activated *solely* by the ordinary citizens or enlivened *exclusively* in and through *chŏng*. Of course, many civic organizations in post-democratic Korea have been organized by the former political dissidents or, although very rarely, by those still enchanted by political radicalism. The point is that despite remarkable deradicalization, Korean civil society in the democratic condition has never been completely disenchanted from its thisworldly transcendental ethical aura, rather than being helplessly submitted to the global mechanism of modernization (i.e. globalization) that is now inflicting virtually all new democracies of the third wave. What prevails in post-transition Korea, though, is not so much transcendental individualism as transcendental collectivism predicated on *chŏng*.

Ultimately, the transcendental collectivism in Korea's democratic civil society is a routinized and popularized form of the transcendental individualism of the

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[104] Alice Miller, *For Your Own Good: Hidden Cruelty in Child-Rearing and the Roots of Violence*, trans. Hildegrade and Hunter Hannum (New York: FSG, 2002), pp. 84-85.

democratizing civil society in the 1980s.[105] In transcendental collectivism, an originally unstable and volatile individual charisma is subdued and furthermore replaced by a more moderate and quotidian charisma, a collective charisma exercised by *uri*. It is an ironic process, however, in that while the transcendental individual's inner anxiety and his or her claim to moral truth have been steadily diluted, another type of moral agency that is co-original with the political formation of "*uri*" has been increasingly invigorated. At the heart of transcendental collectivism is that it mediates individuality (freedom) and collectivity (citizenship) through the practice of a collective moral responsibility,[106] namely, *uri*-responsibility. Put differently, in *chŏng*-induced transcendental individualism, individual agency can be empowered by virtue of the shared practice of *uri*-responsibility. More important, since the collective action is exercised through the mediation of an ethic of responsibility to which reflexivity is central, transcendental collectivism hardly leads to untrammeled nationalism or to a pathological group-ego, or to a mob rule, although it does promote a civil collective consciousness of the nation. Despite the collective sentimentalism that it occasionally breeds, *chŏng*-induced transcendental collectivism is in the main self-corrective.

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[105] Whether *chŏng* is directly a routinized version of *ren* is arguable given the controversy about the social origin of *chŏng* (pre-Confucian or Confucian). But, nevertheless, this indecisive (philosophical) relation between *ren* and *chŏng* does not belie that, from a sociological and political perspective, transcendental collectivism is a routinized mode of transcendental individualism. Throughout this research, I posit that while *ren* is a(n) (individual) moral virtue, *chŏng* is what it has collectively coalesced into a form of social affect or mores.

[106] For the concept of "collective moral responsibility" and its relation to *uri*-responsibility, see Chapter 4.

Summary and Concluding Remarks

The purpose of this chapter was to conduct an intra-cultural comparative investigation of Korean civil society by contrasting Korea's consolidating civil society to its democratizing civil society in the 1980s. The major focus was, despite conspicuous continuity between pre- and post-democratic civil society in Korea in terms of "national ethical civil society," why the consolidating civil society has become notably deradicalized and mainly citizen-led and more quotidian than its democratizing counterpart, which was in the main elites-led, ideologically radical, and militantly confrontational. My central argument was whereas the democratizing civil society was fueled by *ren*-induced Confucian transcendental individualism that enchanted more morally sensitive and culturally committed elite intellectuals into the unflinching confrontation with the authoritarian forces, the consolidating civil society is frequently activated upon *chŏng*-originated transcendental collectivism. Drawing on Weber, I interpreted *chŏng* as a collectivized, popularized form of *ren* that is more—of course only in a relative sense—individualistic. The corollary that followed, accordingly, was that the consolidating civil society in democratic Korea is a routinized mode of the "Confucian civil society" of the democratizing period, hence a "post-Confucian civil society." At the same time, though, keeping in mind both Korean reality and Weber's theory of charisma that admits the actual co-existence of pure charisma and its routinization (as a form of tradition), by the distinction between "Confucian" and "post-Confucian," I never intended their mutual incompatibility, because *ren*-originated individualism (pure charisma) and *chŏng*-induced collectivism (routinized charisma) are not mutually exhaustive and, rather, complementary.

After thoroughly examining the Korean social-cultural psychology of *chŏng* and *uri* (the social unit of *chŏng* relations) that proffers a defining characteristic of transcendental collectivism in contemporary Korea, I drew special attention to the "political" dimension of *chŏng*ish transcendental collectivism, exercised in terms of *uri*-responsibility. Rather than arguing that *uri*-responsibility is a natural and unmediated outgrowth of the social-cultural psychology of *chŏng* and hence to avoid the charge of *chŏng* reductionism (and to challenge the primordial and conformist image generally implicated in *uri*), by comparing *uri* formed in the public space of civil society with Rousseau's general will, I argued that the political *uri* should never be seen as a overweening conformist cultural identity that annihilates individual agency, but, rather, it must be understood as a democratic "our world" of common will that not only respects but, further, encourages voluntary individual willing (in this case, an active assumption of *uri*-responsibility).

The subsequent chapters will investigate in detail the democratic implications of the political practice of *uri*-responsibility. But what exactly is *uri*-responsibility? How culturally unique and distinct is it compared with the West's conceptions of responsibility? On what ground can it be safely called "political" (other than Rousseauian justifications)? These are the questions that the next chapter takes to resolve.

CHAPTER 4: BEYOND A JURIDICAL SOCIETY
URI-RESPONSIBILITY AND *CHŎNG*ISH CIVIL SOCIETY

Introduction: Rule of Law, Agency, and Civil Society

Classical civil society is predicated on liberalism, which pivots around the idea of individual liberty, defined largely as freedom from government interference in private lives.[1] At the heart of the classical liberal vision of civil society, especially Locke's theorization of dual contracting processes erecting civil society and then the government, is the idea of limited government. In this perspective, civil society is everything other than the government.[2]

However, the stark dichotomy of civil society and the government (or the state), a view from which most contemporary political studies of civil society are drawn, does not convey the entire story of the liberal vision of modern civil society.[3] This is because the classical liberals never intended to pit civil society against the government.[4] Indeed, as liberals such as Scalet and Schmidtz admit, the question

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[1] Lomasky, "Classical Liberalism"; Steven Scalet and David Schmidtz, "State, Civil Society, and Classical Liberalism," in Nancy L. Rosenblum and Robert C. Post (eds.), *Civil Society and Government* (Princeton: Princeton University Press, 2002); Tom G. Palmer, "Classical Liberalism and Civil Society: Definitions, History, and Relations," in *ibid*.

[2] Scalet and Schmidtz, "State, Civil Society, and Classical Liberalism," p. 27.

[3] According to Sudipta Kaviraj, "In Search of Civil Society," in Sudipta Kaviraj and Sunil Khilnani (eds.), *Civil Society: History and Possibilities* (Cambridge: Cambridge University Press, 2001), the concept of civil society in modern Western social theory can be approached in terms of three contrasts: civil society and natural society, civil society and the state, and civil society and community (*Gemeinschaft*).

[4] But, it should be admitted that in contemporary political life, a big bureaucratic government has grown into a serious obstacle to the citizenry's political freedom and self-government. For this point, see Barber, *A Place for Us*.

Locke confronted was whether civil society, understood as government-ordered society, was justifiable. For him, just like for Hobbes, the more critical contrasting line was between civil society and the state of nature, or what Smith called "fatherless society."[5]

The state of nature can be understood in two different ways. First, as Barber does, we can take the anarchy of the state of nature as literal: "a condition of lawlessness where there are no governors, no agreements, no contracts and hence no property, no voluntary market exchange other than those negotiated by force and fraud." Then, as it was the case with Hobbes, these conditions dictate "the necessity of politics and the indispensability of law."[6] Second, as Smith did, we can take it "socially" (and "psychologically"). Here the state of nature is interpreted as the breakdown of the medieval order of "great chain of being" (alongside ancient cities and, more fundamentally, God as man's onto-epistemological foundation) and therewith the (psychological) disintegration of the self.[7] While in the first case civil society denotes a "juridical society" that undergirds the political community (or the body politic), in the second, civil society implies individual agency. Coupled together, the concept "civil society" can be understood as a juridical society where individual agency is (not only protected but also) realized. On this account, what makes a civil society "civil" is the voluntary consent to the law by free individuals. Therefore, the

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[5] *TMS*, VI.ii.3.2.

[6] Benjamin R. Barber, *Fear's Empire: War, Terrorism, and Democracy* (New York and London: W.W. Norton, 2004), p. 88.

[7] Also see Alford, *The Self in Social Theory*, pp. 89-94.

rule of law is a defining characteristic of civil society as a field of an autonomous agent's self-realization.

Of modern contractrians, Kant offered one of the most refined and coherent discussions about the nexus of the political, the legal, and the moral in his theory of civil society.[8] Unlike his British predecessors preoccupied with the constitutional reconstruction of political society, which was occasioned due to their immediate witness to the complete breakdown of the existing body politic,[9] Kant—reflecting on the political order under the reign of Frederick the Great on the one hand, and philosophically inspired by Rousseau on the other, particularly his ideas of morality and civil freedom[10]—concentrated on how to realize the individual's political and moral agency *within* the politico-legal, and moral framework, namely, civil society.[11] For Kant, accordingly, criminal law held no less political significance than constitutional law, for it was understood to directly engage in the "social" contract amongst the citizens *in* civil society. Paradoxical as it may sound, the gist of modern liberalism, predicated politically and legally on the social contract theory, consists of

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[8] Most importantly, see Immanuel Kant, *The Metaphysics of Morals*, trans. & ed. Mary Gregor (Cambridge: Cambridge University Press, 1996) [hereafter *MM*].

[9] It should be reminded that for the British contractrians (perhaps save Locke but still ambiguously) civil society (*societas civilis*) was frequently equated with a political society or a commonwealth. Even Adam Ferguson who initiated the modern discussion of civil society with his *Essay on the History of Civil Society* (1767) remained closest to the older republican model.

[10] Kant's following words are surely Rousseauian: "And one cannot say: the human being in a state has sacrificed a part of innate outer freedom for the sake of an end, but rather, he has relinquished entirely his wild, lawless freedom in order to find his freedom as such undiminished, in a dependence upon laws, that is, in a rightful condition, since this dependence arises from his own lawgiving will." *MM*, p. 93.

[11] As will be shown, Kant achieves this uniquely modern nexus between the political (or the legal) and the moral by means of his modern metaphysics of practical reason.

the person's right to punishment.[12] That is to say, in contractrian liberalism (especially in its Kantian version), civil freedom, a key expression of the individual's politico-legal and moral agency, can never be more clearly manifested than when one is punished. In short, criminal punishment is an indispensable political right of the citizen, the legitimate member of the contractual civil society.

However, in the West's modern liberal political tradition, civil society is essentially a juridical society and civility primarily refers to what Kant calls "legality," which poses a great political and cultural challenge to consolidating Korea, where there is a search for the kind of civil society that can buttress a new democratic life in the post-Confucian context. Admittedly, to Confucian culture, the kinds of agentic individualism and rule of law that Kant articulated and was enthusiastically embraced by the modern West are completely alien. The fact of the matter is that until recently when the Confucian family-head system was officially renounced and replaced by the individual registry system in the Korean Civil Code, Korean society had indeed been grounded in "Confucian familism," in which the basic social unit was not so much a discrete individual as a(n) (extended) family. Given such a rapid and drastic social and politico-legal change over Korean society after democratization, democratization is surely more than a political regime change for ordinary Koreans. Democratization is rather experienced as a cultural mechanism that abruptly replaces a family-based affectionate *Gemeinschaft* by a rule-based rationalist *Gesellschaft*.

Thus understood, the most imminent practical question in Korea is how to balance these two historically and culturally distinctive social arrangements in its

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[12] Michel Foucault, *Punish and Discipline: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage, 1995).

accommodated democratic and civil life. In other words, how ought one creatively to incorporate the Korean family-oriented social affect into the legal skeleton of Western civil society, namely, the rule of law? Can Korea's post-democratic civil society proactively assume the title of "post-Confucian civil society" by acculturating a modern juridical society premised on the idea of individual agency with *chŏng*?

In this chapter, I explore how Korea's consolidating ethical civil society actively encompasses both tradition and modernity, creating a new cultural amalgam, a post-Confucian civil society. By investigating how ordinary Korean citizens made sense of and reacted to a recent case of domestic violence that resulted in patricide, I argue that for Koreans, civil society is not so much a rigorous juridical society as an "imagined (extended) family" moderating cool rationalism embodied in the rule of law through the social practice of *chŏng*. My central claim is that *uri*-responsibility, as a uniquely Korean civil ethos of collective moral responsibility, provides a quintessentially important acculturating middle ground between *chŏng* (social affect) and rule of law (reason), and between *Gemeinschaft* and *Gesellschaft* by mediating individualism (agentic freedom) and collectivism (collective responsibility). I conclude this chapter by arguing that *chŏng* is a great cultural asset for Korean liberalism because it can buttress "liberal collectivism," as opposed to "liberal individualism," by inculcating *uri*-responsibility.

*Chŏng*ish Civil Society and Its Kantian Critique

The Lee Case and Chŏng*ish Civil Society*

On April 16, 2005, a 14-year old Korean girl named Lee was arrested on the charge of patricide. Her father, an alcoholic, had been beating his ill parents and Lee, his

only child, over the past decade. Lee's mother, sick of the husband's drunken rowdiness and frequent violence, ran away when Lee was just over three months old, and had not been heard from since. On the day of the incident, Lee's father, drunk, was beating his elderly parents as well as Lee, who was trying to hold him back. So afraid of the father, who was running amuck while wielding a kitchen knife, Lee took hold of his hands, and as he flailed about trying to get free, she strangled him with a necktie. It is reported that while Lee was attempting to hold her father from beating her grandparents, she called 112 (the police emergency number) twice for help. The police found Lee's father unconscious and carried him to the hospital, who soon died. Lee immediately confessed her deed, and did not resist as she was arrested on the charge of patricide. In addition, though widely perceived as unnecessary,[13] the 14-year-old was sent to an adult criminal jail. (According to Korean Criminal Law, a person above 14 is legally liable for punishment.)

After Lee's case was publicized in the media, it soon drew heated attention from many Koreans, and, surprisingly, the public discourse was drawn to discovering who was *truly* responsible for Lee's action and what should be done *collectively* to resolve this particular case. Outraged yet simultaneously saddened, thousands of Koreans posted electronic petitions on the Gangreung police office's official website,[14] pointing out the harshness in the legal execution of Lee. Respondents chastised the law executioners' failure to distinguish juvenile from adult criminals,

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[13] According to Clause 70 of the Korean Criminal Law, imprisonment should be occasioned when at least one of the followings is fulfilled: (1) uncertainty of residence, (2) destruction of evidence, and (3) probability of runaway. It was widely voiced among the Koreans that none of these could justify Lee's imprisonment to the adult criminal jail.

[14] Gangreung is a coastal city on the East Sea, where the incident was occasioned.

and additionally asked for a lessening of punishment considering the misery and hardship Lee endured for years. Some further argued that Lee was not culpable for her desperate action, which was obviously an act of self-defense. Others justified Lee's acquittal on the basis of post traumatic stress disorder (PTSD).

In the meantime, four regional civic groups, mainly engaged in women's rights and domestic violence, voluntarily formed a joint committee for Lee. The committee included a legal advisory group that demanded an investigation without holding Lee under custody on account of self-defense, and launched a signature-collecting campaign both off- and on-line.[15]

What is quite puzzling is that no one seemed to perceive Lee as the only responsible actor for the incident. But if she alone was not responsible for her actions, who else could be? Were Koreans insensible or simply confused? Obviously, neither was the case, because whether siding with her (albeit on divergent grounds) or strictly adhering to the rule of law, Koreans were almost unequivocal about the criminality of Lee's action, and with that regard, held that Lee should accept the consequences of her part. At least, that is what the letter of the law says and Koreans were well aware of it. However, concerning domestic violence, the West's liberal individualistic nexus of "crime-guilty-responsibility" did not settle the issue for many Koreans.[16] Rather, Koreans reframed an otherwise individual, domestic, and apparently private issue as a

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[15] The on-line site can be found at *http://www.hotline.or.kr/noViolence*.

[16] According to Hegel, crime guilt is the single most important psychological asset of one's self-consciousness and thus of individuality because through the mind of guilty one attains a "right" as a doer. G. W. F. Hegel, *Phenomenology of Spirit*, trans. by A. V. Miller (Oxford: Oxford University Press, 1977), pp. 283-285. Also see Judith Butler, *Antigone's Claim* (New York: Columbia University Press, 2000), pp. 31-32.

collective, public, and essentially sociopolitical question by transferring—albeit partly—the source of responsibility from the person who committed the crime to that of the Korean collective. That is to say, they created a collective moral responsibility, or "*uri*-responsibility," to supplement Lee's individual moral responsibility or (criminal) guilt. This ethos is best (but not exclusively) shown in the passage read in the press conference jointly held by the joint committee for Lee, Korea Women's Hot Line and its 26 regional branches, and 16 members of the Korean National Assembly: "[Retrospectively] thinking of whether *our* society has ever shown any hope to Lee, we feel far graver *social responsibility*."[17]

The "Lee case" could have faded away after some social commotion, like many cases of domestic violence. But once Lee's diary was made public, the issue elicited nation-wide attention.[18] A couple of passages read:

> Today was tough. It is now 10:15 p.m. Daddy drank again and acted aggressively. What would it be like if he didn't drink? I hate alcohol. Poor daddy … Anyhow, today was tougher than usual. I don't know why. Am I an idiot? My pretty grandma says she will soon make a Pibimbap (boiled rice with assorted mixture). Yay! Let's quit today's writing for I don't want to care any more. (January 17, 2005, emphasis added)

> The weather is bad today. But daddy went fishing [for work]. Must be tough! But since he is not around, it feels good. Too relieved and too good. I wish it would last forever. (January 25, 2005, emphasis added)

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[17] This is my translation and emphasis is added. It seems that by "social responsibility" it was also meant to include "political responsibility" because the fifth clause of the document proclaims the comprehensive efforts by the government at the propagation of social awareness of the seriousness of family violence and the compelling needs of its prevention and eradication as well as the legal and institutional efforts by the legislature that could facilitate them.

[18] It first appeared in *OhmyNews*, one of the Korean internet newspapers (*www.ohmynews.com*) on April 19.

From a liberal individualism's rationalistic standpoint, Lee's feeling towards her violent father is marked with contradictions: great sympathy and at the same time unavoidable enmity—although it was transferred toward drinking, not directly toward the father himself. It seems that she could not direct her enmity to her father because doing so would be unimaginable and worse, it would prove her lack of filiality, a cardinal moral quality in Confucian ethics.[19] So, it appears that Lee tried to be responsible to her filial duty while transferring the source of her misery to something that she can legitimately blame, allowing her to escape guilt. These heavily ambivalent sentiments which include both sympathetic affection (goun chŏng) and affectionate hatred (*miun chŏng*), Koreans call "*chŏng*," a uniquely Korean mode of social affect which allegedly originated in traditional Korean familial relations, especially between parents and children.[20] In traditional Korea, all meaningful relations (including social and political ones) were modeled after the familial relations grounded in chŏng. In Korean *chŏng* culture, therefore, the authentic human being meant being a chŏngish man, an articulate master of complex human relations.

Chŏng is a heavily intricate set of sentiments, however, because even though chŏng is primarily an affective attentiveness to human relationship, all human relationships are not as affectionate as they should be, as Lee's case demonstrates. *Miun chŏng* (affectionate hatred) is a torn *chŏng* developed in such cases. It is still a

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[19] In Confucian ethics, filial reverence toward the parents is the moral virtue *par excellence*. See Qingping Liu, "Filiality versus Society and Individuality: On Confucianism as "Consanguinitism"," *Philosophy East and West* 53:2 (2003), pp. 234-250. For a daughter's (and/or a daughter-in-law's) filial responsibility toward her own parents (and/or parents-in-law) in the Confucian tradition, see Sor-hoon Tan, "Filial Daughters-in-law: Questioning Confucian Filiality," in Chan and Tan, *Filial Piety*, pp. 226-240.

[20] See note 23 in Chapter 1.

form of *chŏng*, however, because the long-shared common experiences that a particular (often agonizing) relationship has entailed turns the relations-incurred torment into a kind of torn affections. In Korean *chŏng*-relations, therefore, family violence constitutes a special ethical problem, for it signifies a destruction of the very fundamental of *chŏng*. Upon family violence, the most basic human relation, from which all other kinds of ethical relations stem, dissolves into no-relatedness, the complete absence of affectionate ties. If evil has any meaning for Koreans, it is nothing but unrelatedness.[21] Seen in this way, it is apparent that it was to Lee's *chŏng*—particularly her *miun chŏng*—that the ordinary Koreans strongly responded.

That is not to suggest, however, that Koreans were completely without regret. They were terribly torn despite their immense empathy with Lee's *chŏng*, because they could not completely dismiss the facticity of her crime. This ambivalence was clearly seen in one Korean netizen's (ID: 24udea) electronic petition to one of the largest Korean portal websites (www.naver.com): "I wish that Lee would be allowed to still study at school although the crime she committed itself is culpable." On the other hand, drawing on exactly the same reasoning, a completely contrary conclusion was reached in *Daily Chosun*'s on-line forum, in which one (ID: rhwlgns) claimed, "Even though I sympathize with Lee, who committed patricide, a crime is a crime". In my view, the ambivalence that divided Koreans into these two groups, a sympathizing group and a group claiming strict application of criminal law, emblematically represents the tension between traditional Korean *chŏng*-relations and

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[21] Alford, *Think No Evil*, p. 104.

the modern West's rule of law.[22] More generally, it can be recaptured in terms of the tension between *chŏng* and justice.

A Kantian Critique

From liberalism's rationalist perspective, however, this sort of tension is not only irrational, but it is indeed far from moral. Kant writes:

> It is very beautiful to do good to human beings from love for them and from sympathetic benevolence or to be just from love of order; but this is not yet the genuine moral maxim of our conduct, the maxim of our conduct, the maxim befitting our position among rational beings as human beings, when we presume with proud conceit, like volunteers, not to trouble ourselves about the thought of duty and, as independent of command, to want to do of our own pleasure what we think we need no command to do.[23]

In the same spirit, Kant dismisses the moral value of feelings of compassion and tender sympathy: "[I]f it precedes consideration of what is duty and becomes the determining ground, [it] is itself burdensome to right-thinking persons, brings their considered maxims into confusion, and produces the wish to be freed from them and subject to lawgiving reason alone."[24] Criticizing the Scottish moral philosophy's (particularly Hutcheson's) moral sentimentalism, Kant distinguishes *pathological pleasure* that in his view precedes one's observance of the law (even) in order for him or her to act in conformity with the law (the moral law, but also the positive law in his doctrine of right) from *moral pleasure*. And he warns that "[i]f this distinction is not observed, if *eudaemonism* (the principle of happiness) is set up as the basic principle

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[22] But one should be cautioned that the division of these two groups is by no means exhaustive. More accurately, they are not categorically distinguished two groups, but one group that ambivalently encompasses the other. Therefore, the difference between these two groups is only in a relative sense and it is through this ambivalence that the Koreans searched for a third way.

[23] Immanuel Kant, *Critique of Practical Reason*, ed. Mary Gregor (Cambridge: Cambridge University Press, 1997), p. 70 [hereafter *CPrR*].

[24] *Ibid*., p. 99.

instead of *eleutheronomy* (the principle of the freedom of internal lawgiving), the result is the euthanasia (easy death) of all morals."[25] Of course, Kant's words here are concerned with the individual agent's *internal* lawgiving (rather than *outer* lawgiving) and virtue (rather than right). But his dismissal of moral sentiments as the foundation of moral law leads to its irrelevance in criminal law (i.e. *social* contract) when he states:

> The law of punishment is a categorical imperative, and woe to him who crawls through the windings of eudaemonism in order to discover something that releases the criminal from punishment or even reduces its amount by the advantage it promises, in accordance with the pharisaical saying, "It is better for one man to die than for an entire people to perish."[26]

In light of Kant's moral and political philosophy, Koreans' *chŏng*ish ambivalence can hardly be justified morally (in light of moral law) or politically (in light of social contract). On the Kantian liberal account, "*chŏng*ish civil society" is an oxymoron, in that *chŏng* cannot be a form of civility that is essentially individualistic. At best, *chŏng* is akin to social affect of the kind with which Adam Ferguson in his defense of the tradition of *Gemeinschaft* of the Scottish highlanders confronted against Adam Smith's individualistic sentimentalism predicating a modern *Gesellschaft*.[27] And as is well-known, Kant was profoundly influenced by Smith (who was equally inspired by Rousseau) more than any Scottish moral philosophers.[28]

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[25] *MM*, p. 143.

[26] *Ibid.*, p. 105.

[27] On this point, refer to Oz-Salzberger's introductory essay in Adam Ferguson, *An Essay on the History of Civil Society*, ed. Fania Oz-Salzberger (Cambridge: Cambridge University Press, 1995), pp. vii-xxv. But this comparison is not quite accurate, either, because the kind of social affect Ferguson advocated was not so much a tender emotion characterizing *chŏng* as a vehement or militaristic form of social affect that can buttress a republic. Historically, *chŏng* had nothing to do with a republican political tradition.

If *chŏng*ish society is opposed to a juridical society as Kantian liberalism logically claims, can it be possible for Koreans to develop a *chŏng*ish civil society? Or, can it be possible to connect *chŏng* (social affect) to justice without violating the key requirements of civil society, such as the rule of law and individual agency? But, first of all, why are Koreans reluctant to embrace the Kantian version of civil society? Why is it that they still desperately cling to familial affection, knowing that doing so could potentially be detrimental to consolidating a juridical civil society? Kant (and modern contractrians for that matter) never considered *the familial* (not to mention the family, if not marriage) in his theory of civil society. Yet, Kant's (and others') indifference to *the familial* (and the family) in his moral and political theory is hardly surprising considering the Western political tradition's prolonged prejudice against the family (*oikos*), against its moral and political significance, which is markedly contrasted to its obsession with the state (*polis*). But what if Koreans see the family as having its own moral and political *telos*? What if they see *the familial* as inherently *the political*? Different conceptualizations of *the political* require different types of civil society. Therefore, investigating the conception of *the political* in relation to *the familial* in two different political traditions is imperative.

The Concept of the Political: Contractual versus Familial

Political as Contractual

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[28] On the intellectual influence of Smith on Kant, see Samuel Fleischacker, "Philosophy in Moral Practice: Kant and Adam Smith," *Kant-Studien* 82 (1991), pp. 249-269. Also see Knud Haakonssen, "Kantian Themes in Smith," in *Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment* (Cambridge: Cambridge University Press, 1996), pp. 148-153.

In the Western political tradition, family has always remained a residual realm isolated from civil society, the realm of freedom, equality, and civic friendship, and has been deemed as exclusively concerned with subsistence or vitalizing civil society, be it *polis*, *civitas*, or modern civil society.[29] In *The Human Condition*, Hannah Arendt writes:

> The *polis* was distinguished from the household in that it knew only "equals," whereas the household was the center of the strictest inequality. To be free meant both not to be subject to the necessity of life or to the command of another and not to be in command oneself. It meant neither to rule nor to be ruled. Thus within the realm of the household, freedom did not exist, for the household head, its ruler, was considered to be free only in so far as he had the power to leave the household and enter the political realm, where all were equals.[30]

According to Arendt, in the classic Western world, the familial was prepolitical, which makes the family a realm of a despotic rule. Arendt contrasts *polis* and *oikos* by saying that:

> To be political, to live in a *polis*, meant that everything was decided through words and persuasion and not through force and violence. In Greek self-understanding, to force people by violence, to command rather than persuade, were prepolitical ways to deal with people characteristic of life outside the *polis*, of home and family life, where the household head ruled with uncontested, despotic powers, or of life in the barbarian empires of Asia, whose despotism was frequently likened to the organization of the household.[31]

But why is it that the ancient Greeks viewed the family as inherently womanish (non-civic), unequal, and despotic? More importantly, why did they understand the family as prepolitical despite its indispensability to political/civil society (*polis*)? In order to answer these questions, we can enlist a help from

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[29] Its classical reference is found in Aristotle's *The Politics*, book I. My broad usage of the concept "civil society" here is drawn on Ehrenberg, *Civil Society*.

[30] Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), p. 32.

[31] *Ibid*., pp. 26-27.

tragedians, their profound views on human suffering endemic in family (and familial) relations. Aeschylus's *Oresteia* trilogy (*Agamemnon*, *The liberation Bearers*, and *The Eumenides*) is particularly helpful because it deals with a series of family violence of one specific family, the House of Atreus.

In *Agamemnon*, Agamemnon returns victorious from Troy only to be murdered by his wife Clytaemestra, primarily because he had sacrificed their daughter Iphigenia for his personal ambition. In *The Liberation Bearers*, Apollo orders Orestes, son of Agammenon and Clytaemestra, to avenge the death of his father. With the help of his sister Electra, he kills Clytaemestra and her lover Aegisthus, who is also Orestes' uncle. Immediately after the murders, Orestes suffers paranoiac insanity, being chased—or so he believes—by the Furies of his mother. In *The Eumenides*, after realizing that Apollo, who urged him to commit matricide, is helpless in rescuing him from the bloodthirsty Furies, Orestes seeks Athena's jurisdiction for justice. Upon a draw, Athena sides with Orestes, setting him free while appeasing the outraged Furies by promising them a residence within the city where they can stay as guardians of the city.

Upon a series of the dreadful events, the chorus prophesies:

> Almighty Destines, by the will
> of Zeus let these things
> be Done, *in the turning of Justice*.
> For the word of hatred spoken, let hate
> be a word fulfilled. The spirit of Right
> cries out aloud and extracts atonement
> due: blood stroke for the stroke of blood
> shall be paid. Who acts, shall endure. So speaks
> the voice of the age-old wisdom.[32]

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[32] Aeschylus, *The Liberation Bearers*, in *Oresteia*, trans. Richmond Lattimore (Chicago: University of Chicago Press, 1953), 306-313 (emphasis added).

The phrase "turning of Justice" denotes the fundamental confusion in the meaning of justice.[33] Who is just – Clytaemestra defending the mother's principle by killing her husband who selfishly sacrificed their daughter, or Orestes drawing on the son's principle by avenging his father's murder? What about Apollo, the instigator of the murder? Is Zeus, the highest god, free from responsibility for this mess? Ironically, this fundamental injustice of the world is made manifest (in the audience's mind) when the heroic protagonists become subject to the standards of human relations. And obviously, family relation is the most basic form of human relations. Therefore, from a familial standpoint, "blood stroke for the stroke of blood" indeed implies the unjust, violent, and lawless nature of the family. After all, the *Oresteia* trilogy demonstrates the fragility of family relationships alongside the combustibility of familial affection and how necessitous it was to construct a system of justice in the non-familial sphere and in non-familial terms.[34] Given the (classic understanding of) nature of the family, the subjugation of the family under the control of civil society seems only rational.

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[33] Alford captures this in terms of "the Dionysian Crisis," the cultural and psychological crisis in the face of torn recognition of the incurable contradictions of the world during the democratic transition from the heroic era. C. Fred Alford, *The Psychoanalytic Theory of Greek Tragedy* (New Haven: Yale University Press, 1992), p. 50.

[34] It is in this context that St. Augustine states, "In fact, who are, in general, more friendly, or at any rate ought to be, than those within the walls of the same home? And yet, is anyone perfectly serene in that situation, when such grievous ills have so often arisen from the secret treachery of people within those walls? And the bitterness of these ills matches the sweetness of the peace that was reckoned genuine, when it was in fact only a very clever pretence … Hence also that inspired utterance, 'A man's enemies are those of his own household', is heard with deep sorrow of heart." Augustine, *Concerning the City f God against the Pagans* (London: Penguin, 1984), bk. XIX, par. 5.

Returning to Arendt, what should be recalled is that for the ancients, the familial (in contradistinction to the political/civil) was thought to be prepolitical and thus *natural*. For them, the familial was a social representation of the natural. In effect, oriental despotism that they despised most was the very (yet pseudo-political) manifestation of the state of nature.[35] The point is that the state of nature signifies a certain mode of *social* condition. Enlightened by Rousseau,[36] Kant knew this point clearly: "What is opposed to a state of nature is not … a condition that is social and that could be called an artificial condition (*status artificialis*), but rather the civil condition (*status civilis*), that of a society subject to distributive justice. For in the state of nature, too, there, can be societies compatible with rights … but no law."[37]

Of course, Kant does not explicitly associate the natural with the familial. But, "a society that is not subject to justice" (as Kant defines the state of nature) is one that is based on familial affection, as natural affection unmediated and uncontrolled by practical reason is thought to be "pathological" according to Kant. Moreover, familial affection is far from qualified to become a moral law since it presupposes (in Rawls's language) "the good" over "the right" and its effect is at best momentary. Moral law must be antecedently grounded:

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[35] Famously, in his criticism of Robert Filmer, John Locke likens patriarchal monarchy to the state of nature. See John Locke, *Second Treatise of Government*, ed. C. B. Macpherson (Indianapolis: Hackett, 1980), §§ 105-110.

[36] See Rousseau's criticism of Hobbes's account of the state of nature in Jean-Jacques Rousseau, *The Social Contract*, in Susan Dunn (ed.), *The Social Contract and the First and Second Discourses* (New Haven: Yale University Press, 2000), pp. 91-94. Famously, C. B. Macpherson in his *Possessive Individualism* recast Hobbes's (and Locke's) account(s) of the state of nature in terms of market society. But I rather follow Rousseau's more general social interpretation of the state of nature in Hobbes's social contract theory.

[37] *MM*, p. 85. Also see p. 34.

> The true strength of virtue is a tranquil mind with a considered and firm resolution to put the law of virtue into practice. That is the state of health in the moral life, whereas an affect, even one aroused by the thought of what is good, is a momentary, sparkling phenomenon that leaves one exhausted … Fantastic virtue is a concern with petty details which, were it admitted into the doctrine of virtue, would turn the government of virtue into tyranny.[38]

All the more problematic, morality grounded in affection cannot be a universal value for all rational human beings. Therefore, Kant writes

> But if it [the happiness of other beings] were the determining ground of the maxim, one would have to presuppose that we find not only a natural satisfaction in the well-being of others but also a need, such as a sympathetic sensibility brings with it in human beings. But I cannot presuppose this need in every rational being (not at all in God). Thus the matter of the maxim can indeed remain, but it must not be the condition of maxim since the maxim would then not be fit for a law … Thus the law to promote the happiness of others arises … merely from this: that the form of universality, which reason requires as the condition of giving to a maxim of self-love the objective validity of a law, becomes the determining ground of the will.[39]

Of all sympathetic feelings, familial affection is most pathological because it attaches us to particular persons (i.e. family members), leading us to do something because of our feelings toward the person rather than because we have chosen the action for its own sake by an act of will.[40] In familial relationships, affection could easily deteriorate into blind attachment. More problematic is that when strong familial attachment is allied with power and, worse yet, violence, its consequence is simply horrendous as best seen in the House of Atreus. The family should not only be despised as a realm of animality preoccupied with the question of "necessity,"[41] but furthermore, be feared and guarded against because it is saturated with unbridled passions. Therefore, from a Kantian perspective, the familial is not merely

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[38] *Ibid.*, p. 167.

[39] *CPrR*, p. 31.

[40] Alford*, Greek Tragedy*, p. 146.

[41] Arendt, *Human Condition*, p. 30.

prepolitical; potentially and inherently, it is antipolitical. Accordingly, the civil cannot be founded on the familial; the civil (and reason) must be constructed beyond the reach of the familial (and passion) as the *polis* was to be outside the *oikos*. The familial so construed is more akin to the kind of state of nature that Hobbes depicted.

For Kant, modern civil society *ought* to be contractual because it is the only intellectually available way to save the political, which must be grounded in and exercised by the agentic use of practical reason from what Arendt calls "the social" (the socioeconomic principle of happiness) – the governing principle of the *oikos* in antiquity, that also become a supreme value in the modern commercial world.[42] But, more fundamentally, as Kant (like Rousseau and Smith) repeatedly writes in his political philosophical works, contractual theory was called forth to rescue practical reason and individual agency from passion, then widely called "self-love."[43] That is to say, for Kant, social contract was inherently a *political* contract that utilizes the agent's pure practical reason or *Wille* (as distinct from *Willkür*)[44] unencumbered by passion or "sensible impulses."[45] Ultimately, a contractual civil society as the politico-juridical entity is a home of free, rational, and agentic (self-legislating) individuals, who have at the same time become "citizens."

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[42] *Ibid*., pp. 38-49.

[43] *MM*, p. 209; *CPrR*, pp. 32-33, 63-64, 72-73, 131. Obviously Kant's interpretation of social contract is directly opposed to possessive individualism.

[44] On the distinction between *Wille* and *Willkür*, see Henry E. Allison, *Kant's Theory of Freedom* (Cambridge: Cambridge University Press, 1990), pp. 129-145.

[45] *MM*, pp. 12n, 13. John Rawls's Kantian social contract theory in the original position, too, should be understood in this civil-political context as Sandel's famous interpretation of Rawls's *Theory of Justice*—albeit implicitly—shows (although Rawls's later work *Political Liberalism* gives up Kantian rationalism). See Sandel, *Liberalism*, pp. 1-65.

> The members of such a society who are united for giving law (*societas civilis*), that is, the members of a state, are called *citizens of a state* (*cives*). In terms of rights, the attributes of a citizen, inseparable from his essence (as a citizen), are: lawful *freedom*, the attributes of obeying no other law than that to which he has given his consent; civil *equality*, that of not recognizing among the people any superior with the moral capacity to bind him as a matter of right in a way that he could not in turn bind the other; and third, the attribute of civil *independence*, of owing his commonwealth, not to the choice of another among the people. From his independence follows his civil personality, his attribute of not needing to be represented by another where rights are concerned.[46]

As such, the implicit equation of the family (and the familial) with the state of nature (and the pre- and anti-political) is a persistent feature of the Western political tradition with all its ancient and modern liberal fluctuations. Kant is especially important, even though he did not offer a contractual model of the family as Hobbes and Locke did, because his contract theory most clearly demonstrates where the essence of "the political" (as opposed to "the natural" and "the familial") lies. Only once it is understood that modern civil society is predicated on this practical idea of the political, can it be clear why modern civil society ought to be a juridical society. In the end, a juridical society begins where the familial ends.

Familial as Political

As Adam Smith lamented, the modern civil society was *necessitated* (hence it was not a political ideal as most contemporary social and political theorists take for granted) out of the "the most melancholy of all reflections"—the idea that we live in a "fatherless world."[47] Smith's realism, inherited certainly from Hobbes, best represents the "melancholy" on which the modern civil society tradition is predicated:

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[46] *MM*, p. 91.

[47] *TMS*, VI.ii.3.2.

> We only regret that it [humanity] is unfit for the world, because the world is unworthy of it, and because it must expose who is endowed with it as a prey to the perfidy and ingratitude of insinuating falsehood, and to a thousand pains and uneasiness, which, of all men, he the least deserve to feel, and which generally too he is, of all men, the least capable of supporting. It is quite otherwise with hatred and resentment. Too violent a propensity to those detestable passions, renders a person the object of universal dread and abhorrence, who, like a wild beast, ought, we think, to be hunted out of all civil society."[48]

That is, behind modern civil society is concealed a chaotic and fatherless state of the sort we have seen in *Oresteia*. No doubt, Kant's utterly juridical reconstruction of civil society is equally embedded in this deep pessimism.

The Confucian tradition, however, has starkly contrasting stories about the family (and family violence). The following conversation between Mencius and his disciple Wan Zhang on the legendary sage-king Shun's hardship, inflicted by his own parents and brother before he came to the throne, is highly illustrative in this regard.

> **WZ**: Shun's parents sent him to repair the barn. Then they removed the ladder and Gusou [Shun's father] set fire to the barn. They sent Shun to dredge the well, set out him and blocked up the well over him. Xiang [Shun's younger brother] said, 'The credit for plotting against the life of Shun goes to me …' Xiang went into Shun's house and there Shun was, seated on the bed playing on the lute. Xiang, in some embarrassment, said, 'I was thinking of you.' Shun said, 'I am thinking of my subjects. You can help me in the task of government.' I wonder if Shun was unaware of Xiang's intention to kill him.
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> **M**: How could he be unaware? He was worried when Xiang was worried, and pleased when Xiang was pleased.
>
> **WZ**: In that case did Shun just pretend to be pleased?
>
> **M**: No… That only goes to show that a gentleman can be taken in by what is reasonable, but cannot be easily hoodwinked by the wrong method. He, Xiang, came as a loving brother, and so Shun honestly believed him and was pleased. What need was there for pretence?[49]

Obviously, Xiang did not come to Shun as a loving brother, but Mencius claims that Shun believed so. Correspondingly, in *The Analects*, Confucius is reported to have said that "the man who does not count beforehand upon the falsity of

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[48] *TMS*, I.ii.4.3.

[49] *Mencius*, 5A:2.

others nor reckon upon promises not being kept … is the true sage."[50] All the more puzzling, Shun, after the enthronement, while banishing all the infamous moral outcasts, raised Xiang to be the prince of the land of Youbi. Was it because Shun (and the Confucians) blindly put consanguinitism over individuality or common good, as Liu believes?[51] Why did Shun act in the manner he did? Little can be gleaned if we approach the case in terms of the *personal* strife among the family members *within* the family, and, accordingly, if we expect Shun to be *quo* individual. From a liberal standpoint, Mencius' following explanation would only add confusion:

> A benevolent man [a man of *ren*] never harbors anger or nurses a grudge against a brother. All he does is to love him. Because he loves him, he wishes him to enjoy rank; because he loves him, he wishes him to enjoy wealth … If as Emperor he were to allow his brother to be a nobody, could that be described as loving him?[52]

At issue is not consanguinitism. Mencius' point is rather that Shun could have allowed his malicious brother to be a "nobody" (*pifu* 匹夫), that is, Shun could have seen his brother as if he were nobody worth recognizing. In a more famous passage in *The Works of Mencius*, Mencius uses the term *fu* 夫 in the same way: in Section Eight of the First Book, Mencius refers to both Jie (the last emperor of the Xia dynasty) and Zhou (the last emperor of the Shang dynasty), two of the most notorious moral outcasts, as nobody (*yifu* 一夫). Famously, the term "nobody" was introduced as the crucial contemporary philosophical lexicon by Arendt in *Eichmann in Jerusalem* to

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[50] *Analects*, 14:33.

[51] Liu, "Confucianism as "Consanguinitism"."

[52] *Mencius* 5A:3.

make sense of a man like Eichmann who banally commits evil because he does not (or cannot) think. [53] In this important book, Arendt contrasts a *person* (the independent and autonomous moral agent) to a Nobody who completely lacks moral agency. Originally, Arendt came up with the concept "nobody" to bemoan the loss of the polis (or civil society) and to criticize the predominance of the apolitical social man (i.e. bourgeois) in the modern and contemporary commercial (non-) world.[54] In other words, for Arendt, a man autonomously thinks and acts in civil society, while a nobody denotes its absolute opposite: a thoughtless and actionless cog. [55] The implication of this moral and political contrast is that a nobody does not merit respect as a rational human being (due to his incapability of *praxis* and *lexis*) and therefore is not even qualified to be held responsible for his criminal act because he is thought to have not *acted*. By extension, he is not counted as the legitimate member of civil society because, unable to think and act, he is thought incapable of voluntary consent to social contract. In short, he is neither a person (morally) nor a citizen (political-legally).[56]

Obviously, D. C. Lau's translation of *fu* into "nobody" is a misnomer because the Chinese character *fu* by no means translates into or implies the modern

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[53] Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil* (New York: Penguin, 1994).

[54] For Arendt, the world is always an actionable world. So in her view, the modern bourgeois is the worldless creature or a creature living in the non-world. In the most authentic sense, the *polis* is the only world.

[55] Arendt's concept "person" is clearly indebted to Kant's concept "personality." See *CPrR*, p. 74 and *MM*, p. 16.

[56] On Arendt's understanding of the moral and political contrast between person and nobody, see Paul Formosa, "Moral Responsibility for Banal Evil," *Journal of Social Philosophy* 37:4 (2006), pp. 501-520.

bourgeoisie that Arendt despised. It seems that Lau, without embroiling himself in Arendt's inherently Kantian moral philosophy, only takes "nobody" to mean a moral outcast. Nevertheless, if we agree on the basic idea that "nobody" refers to a moral outcast without complicating it with Kant's moral philosophy, to understand *fu* in that exact term makes good sense because Mencius in effect employed this particular term (originally referring to a common man) to mean a moral defunct in the precisely Confucian sense. Again, Mencius' focus was not on individualism, the premise of Arendt's and Kant's moral and political philosophy. What is uniquely Confucian in the lines quoted above is that Shun's absolute fraternal responsibility toward Xiang nullified the murderous intention of his brother.

By "nobody," Mencius means not so much a non-*person* as "no relationship" or "the end of relationship" that once one had with the person (in a neutral sense) concerned. In Shun's case, Xiang could have been a nobody if Shun would have seen him *as such* upon the breakdown of meaningful fraternal relationship. Likewise, in the cases of Jie and Zhou, upon the end of the legitimate *ren*-based relationship between king and people, people could see them *as if* they were nobody. Nobody is not of intrinsic moral significance unless it is seen as such by others. It is relationally defined. In the Confucian world, nobody is a quality of *becoming* rather than that of *being*.

Furthermore, outside relationships are nothing. Evil in Confucian society finds its expression in ugly relationships, relationships that violate the expectations of harmony inherent in them. Particularly, in the traditional Confucian world, *ren*-based human relationship was articulated in terms of *li* 禮, often translated in English as

propriety, rite, ritual, ceremony, or etiquette. Therefore, after defining *li* as an externalization of *ren* (personal morality reached through moral self-cultivation) in a specific social context, Tu Weiming writes: "*Li*, accordingly, can be considered as a principle of particularism that signifies how the process of *ren*'s self-actualization is to take place. In other words, a Confucianist always carries out his moral self-cultivation in the social context … His orientation is this-worldly, and he regards this-worldly activities as both intrinsically valuable and necessary to self-fulfillment." Without *li* (relation), *ren* (morality) is void.

What is important is that in the Confucian ethico-political system predicated on the creative tension between *ren* and *li*, [57] the family occupies a special place because it is where the cardinal human relationships are to be learned, practiced, and mastered. The following phrase from *Daxue* (The Great Learning), one of the Neo-Confucian Four Books, clearly illustrates a unique position of the family in Confucian *moralpolitik*:

> … only when personal lives are cultivated are families regulated; only when families are regulated are states governed; only when states are governed is there peace all under Heaven. Therefore, from the Son of Heaven to the common people, all, without exception, must take self-cultivation as the root.[58]

Worth noting is that the family is located between the self and the state, a place typically held by civil society in the West's liberal tradition. But, the Confucian family was not merely a third sector that functionally mediates between the self and

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[57] Recently, SangJun Kim has articulated it in terms of "Confucian *moralpolitik*." See Kim, "The Genealogy."

[58] Wing-tsit Chan (ed.), *A Source Book in Chinese Philosophy* (Princeton: Princeton University Press, 1969), pp. 84-85.

the state. As Hahm rightly argued, the Confucian family had its own *telos*, which both philosophically and historically enabled it to become coeval or even superior to the state in its ethical significance. [59] And that *telos* was "filial and fraternal responsibility" (*xiaodi* 孝弟).

> Someone asked Confucius, "Why are you not employed in governing?" The Master replied, "The *Book of Documents* says: 'It is all in filial conduct (*xiao* 孝)! Just being filial to your parents and befriending your brothers is carrying out the work of government.' In doing this I am employed in governing. Why must I be 'employed in governing'?"[60]

Here Confucius boldly redefines politics as an ethical practice that extends filial and fraternal responsibility to broader human (including civil and political) relationships. And it is on this ground that Rappa and Tan are persuaded that the Confucian family, rather than being a closed parochial and archaic system, is a much more fluid and accommodating relational field open to society.[61] The point here is that the *telos* of the family constitutes the ethical core of the Confucian politics. What is more important, as we have seen in Shun's case, is that *telos*, filial and fraternal responsibility, is called forth in the course of resolving the situations reminiscent of the state of nature (or the fatherless world) as are justice (for external act) and civility (for internal willing) in the modern West. In other words, in the Confucian tradition, the familial is the political. Here maintaining affective responsibility in social

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[59] Chaibong Hahm, "Family versus the Individual: The Politics of Marriage Laws in Korea," in Bell and Hahm, *Confucianism for the Modern World*, p. 358. Also see Sor-hoon Tan, Between Family and State: Relational Tensions in Confucian Ethics," in Alan K.L. Chan (ed.), *Mencius: Contexts and Interpretations* (Honolulu: University of Hawaii Press, 2002), pp. 169-188.

[60] *Analects*, 2:21.

[61] Antonio L. Rappa and Sor-hoon Tan, "Political Implications of Confucian Familism," *Asian Philosophy* 13:2/3 (2003), pp. 91-92.

relations—rooted in filial and fraternal responsibility practiced in the family—is the single most critical goal of politics.

Of course, in contemporary Korea, the Confucianism that buttressed the entire ethical fabric of traditional society has become almost outmoded.[62] Nowadays, few Koreans identify themselves as Confucian and no political party or civic group officially claims to uphold Confucian values. Ostensibly, the rule of law has become entrenched as the "only game in town" and the state has grown immensely rational. In the meantime, civil society, that is neither the family nor the state but a mediating sphere in-between, emerged (or imported) as an important public and ethical realm. Democratization crystallizes this drastic change in ethico-political mechanisms in Korean society (see Chapter 5). What is notable is that despite remarkable modernization, the Confucian, relational, sensibility of evil is still salient in contemporary Korea as Alford's recent study has attested,[63] and, accordingly, *something* traditional or *something* familial – albeit not precisely the traditional Confucian ethical system of *ren* and *li* – is operating in the life of ordinary Koreans. As I argue, it is *chŏng* that fills that important ethical lacuna, which widened after Confucian *moralpolitik* collapsed.

Chŏng*ish Society versus Rational-Juridical Society*

Too modernized and too rationalized, Korea's post-democratic state has considerably lost its ethical grip on ordinary Koreans while gaining contractual democratic

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[62] For the contemporary state of Confucianism in Korea, see Byong-ik Koh, "Confucianism in Contemporary Korea," in Tu, *Confucian Traditions*, pp. 191-201.

[63] Alford, *Think No Evil*.

legitimacy.[64] To be sure, law is not the only mechanism through which the state comes to terms with the daily life of ordinary citizenry, but it is definitely the most important and most legitimate channel available for the state to do so. And a juridical civil society that pivots around liberal individualism has become an indispensable societal partner to Korean *rechtstaat*. The Lee case shows, however, that despite rapid rationalization and legalization of Korean society, notwithstanding the relative ease and enthusiasm with which Korea has successfully consolidated its democratic regime (if not democratic life), Koreans have a certain regret about this remarkable "success" upon losing the warmth of social affection, namely, *chŏng*.

The *chŏng*ish collective action upon the Lee case reveals a Korean aspiration to search for an alternative form of civil society that encompasses both *chŏng* and the rule of law. Unfamiliar with the Hobbesian state of nature or the Smithean fatherless world, or never exposed to the "perils of pluralism" (the kind that was unleashed after the Reformation), Koreans are puzzled over why law must be so rigorous or categorical as Kant believes, even while admitting the importance of rule of law for any viable and ordered society. That is, Koreans do not share Smith's "melancholy" that *necessitated* civil society to be a juridical system.

Rather, for Koreans, civil society must be an affectionate bulwark against the ruthless process of rationalization of society, which renders human relationship to be

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[64] It is not to justify that the authoritarian regimes had better ethical terms with the Korean people. My point is just that after democratization, the Korean society has been actively emulating a Western style juridical civil society, mistakenly equating a democratic civil society with a liberal individualist juridical society.

merely mechanical and human beings mutually alienated.[65] No doubt, civil society in Korea is a new social phenomenon and hence modern, but it is ambiguously modern. And such ambiguity arises from the fact that civil society in Korea is at once a modern rational entity of the rule of law and also the cultural bulwark that moderates cool rationalism that rule of law promotes. Thus Korea's *chŏng*ish civil society operates with such ambivalent in-betweens: it is modern and public while upholding the traditional social affect stemming from Confucian familial relationships.

From the Kantian liberal standpoint, the collective emotional response by the Korean people to the Lee case might appear to be an attempt to circumvent rational legal arrangements in favor of fanatic sentimentalism. But for the Korean majority, entrusting family violence to criminal law *alone* is hardly human-like and furthermore, doing so is thought to be unimaginable because in attempting to punish the evil-doer, the law is ineluctably forced to acknowledge the involvement of evil in it. This is because the very execution of the criminal law, however paradoxically, renders evil undeniable. In traditional Confucian Korea, the familial annihilated evil, so in contemporary post-democratic and post-Confucian Korea the civil society is believed to perform that very function. But how can we balance between *chŏng* and rule of law, to create a *chŏng*ish civil society? In the following section, by contrasting *uri*-responsibility to Kant's individualistic responsibility, I will explore how *uri*-responsibility has such a potential.

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[65] For the Koreans, *chŏng* is an "enchantment" directly opposed to rationalization. Therefore, Pyong-choon Hahm observes: "The interpersonal commitment we are here discussing is unconditional and total. It is therefore irrational, illogical, inefficient, unproductive, parochial and often unpatriotic. It is biological ("animal") and emotional rather than intellectual or objective." Hahm, *Korean Jurisprudence,* pp. 168-169.

Uri-responsibility and _Chŏng_ish Civil Society

Kant's Individualistic Responsibility

As widely known, Kant's theory of freedom and responsibility is individualistic, corresponding to his equally individualistic moral and political theory of civil society and citizenship.[66] Yet, Kant's theory is not straightforward because he explicates freedom in metaphysical terms while granting a credit to Spinozian determinism. Although Kant fully develops his idea of freedom in his second _Critique_, it remained to be a fundamental issue even in his first _Critique_ when he grappled with the "third antinomy," a fundamental contradiction between theoretical reason and practical reason and/or between the law of nature (conditional causality) and freedom (unconditional/infinite causality).[67]

> Now even if one believes the action to be determined by these causes [for a given natural effect], one nonetheless blames the agent, and not on account of his unhappy natural temper, not on account of the circumstances influencing him, not even on account of the life he has led previously; for one presupposes that it can be entirely set aside how that life was constituted, and that the series of conditions that transpired might not have been, but rather that this deed could be regarded as entirely conditioned in regard to the previous state, as though with that act the agent has started a series of consequences entirely from himself.[68]

Specifically, the puzzle is this: if, as empiricists (or eudaimonists) claim, a man is a purely theoretical (i.e. empirical) being only _reacting_ upon the sense data ("representations")—which turn into passions—impressed in his inner space (_res_

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[66] See Andrews Reath, _Agency & Autonomy: In Kant's Moral Theory_ (Oxford: Oxford University Press, 2006); Christine M. Korsgaard, _Creating the Kingdom of Ends_ (Cambridge: Cambridge University Press, 1996), ch. 6.

[67] For a more detailed philosophical discussion of Kant's third antinomy, see Allison, _Kant's Theory of Freedom_, pp. 11-28.

[68] Immanuel Kant, _Critique of Pure Reason_ (Cambridge: Cambridge University Press, 1997), p. 544.

cogitans) through the cognitive process of sense-perception of the things-in-themselves in the external world (*res extensa*), and therefore his action, inherently reactive, is completely *determined* by the causality of nature, on what ground can he be called "free" or be held responsible for his action (which is in effect nothing more than a psychological *reaction*)? Kant asks,

> "If I say of a human being who commits a theft that this deed is, in accordance with the natural law of causality, a necessary result of determining grounds in preceding time, then it was impossible that it could have been left undone … That is, how can that man be called quite free at the same point of time and in regard to the same action in which and in regard to which he is nevertheless subject to an unavoidable natural necessity?"[69]

To resolve this puzzle, Kant reasons that freedom *ought to* be approached from purely practical standpoint; that is, freedom *ought to* be thought to belong to the kingdom of the moral law, which in turn *ought to* be promulgated solely by the use of practical reason. Psychological freedom supported by a will (*Willkür*) that is motivated by sensible impulses originating from the representations can by no means be the authentic freedom, because it cannot avoid the infinite regress of the causality of action, which makes moral agency hardly identifiable. Such freedom is rather the freedom of a turnspit, which, "when once it is wound up, also accomplishes its movements of itself."[70] Therefore, freedom ought to be *transcendental* to the "whole chain of appearances" and/or to "the necessity of the connection of events in a time series." Put differently, freedom *ought to* be independent of natural causality (causality as a phenomenon); instead it must be a *causa noumenon*.

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[69] *CPrR*, p. 80.

[70] *Ibid*., p. 82.

Yet we are conscious through reason of a law to which all our maxims are subject, as if a natural order must at the same time arise from our will. This law must therefore be the idea of a nature not given empirically and yet possible through freedom, hence a supersensible nature to which we give objective reality at least in a practical respect, since we regard it as an object of our will as pure rational beings … Hence the difference between the laws of a nature to which the will is subject and of a nature which is subject to a will (as far as the relation of the will to its free actions is concerned) rests on this: that in the former the objects must be the causes of the representations that determine the will, whereas in the latter the will is to be the cause of the objects, so that its causality has its determining ground solely in the pure faculty of reason, which can therefore also be called a pure practical reason.[71]

Why Kant "invents" a noumenal definition of freedom is not hard to tell: it is solely for the sake of "autonomy," the quintessential core of the individual's moral (and by implication political) agency. Kant thus says, "The sensible nature of rational being in general is their existence under empirically conditioned laws and is thus, for reason, *heteronomy*. The supersensible nature of the same beings, on the other hand, is their existence in accordance with laws that are independent of any empirical condition and thus belong to the *autonomy* of pure reason."[72]

More often than not, the distinction between the two worlds (noumenal and phenomenal) is seen to be an ontological one. But as Korsgaard has wisely noted, the distinction is not between two kinds of beings, "but between the beings of this world insofar as they are authentically active and the same beings insofar as we are passively receptive to them."[73] Recently, Kojin Karatani, a renowned Japanese scholar, has offered a more succinct explanation, when he rephrases Kant's antinomy as follows:

From the beginning, neither freedom nor responsibility emerges out of the theoretical stance that queries the cause. According to Kant, the criminal's responsibility arises when the causality is bracketed, that is, when he is *a free agent*. In reality, he does not have freedom

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[71] *Ibid.*, p. 39.

[72] *Ibid*., p. 38.

[73] Korsgaard, *Creating the Kingdom*, p. 203.

sensu strico. But, he has to be deemed free in order for him to be responsible. Such is the *practical* standpoint.[74]

By the "*theoretical* standpoint" Karatani means Kant's "thesis" that claims the law of nature (or law of causality), which he relates to Spinozian determinism, whereas the *practical* standpoint is presented as its "antithesis" that admits the realm of freedom.[75] According to Karatani, freedom is engendered by a "pronounced parallax" between theoretical and practical standpoints. This means that freedom is pronounced only if the theoretical stance, concerned with the causality of the law of nature that determines one's action is bracketed off.[76] In this interpretation, freedom is a metaphysical construct that is found only *ex post facto* and its goal is to hold one responsible for his or her action, the action that could otherwise be claimed to have been occasioned due to "necessitous" circumstances. Put simply, freedom is required to stop the infinite chain of regress of the causality of action. Even differently constituted natures of different human beings do not count because freedom is transcendental to natural contingencies. It is precisely on this ground that Kant advances the idea of "deserving punishment."

> There are cases in which human beings … show from childhood such early wickedness and progress in it so continuously into their adulthood that they are taken to be born villains and quite incapable of improvement as far as their cast of mind is concerned; and nevertheless

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[74] Kojin Karatani, *Transcritique: On Kant and Marx*, trans. Sabu Kohso (Cambridge, MA: The MIT Press, 2005), p. 118.

[75] *Ibid*., p. 115.

[76] Karatani's interpretation is textually supported because Kant writes, "[The] *distinction* of the principle of happiness from that of morality is not … at once *opposition* between them, and pure practical reason does not require that one should *renounce* claims to happiness but only that as soon as duty is in question one should *take no account* of them." *CPrR*, p. 78. Also see Korsgaard, *Creating the Kingdom*, p. 181.

they are so judged for what they do or leave undone that they are censured as guilty of their crimes; indeed, they themselves (the children) find these censures as well founded as if, despite the hopeless natural constitutions of mind ascribed to them, they remained as accountable as any other human being. This could not happen if we did not suppose that whatever arises from one's choice (as every action intentionally performed undoubtedly does) has as its basis a free causality, which from early youth expresses its character in its appearances (actions); these actions, on account of the uniformity of conduct, make knowable a natural connection that does not, however, make the vicious constitution of the will necessary but is instead the consequence of the evil and unchangeable principles freely adopted, which make it only more culpable and deserving of punishment.[77]

Therefore, Kant says,

a rational being can now rightly say of every unlawful action he performed that he could have omitted it even though as appearance it is sufficiently determined in the past and, so far, is inevitably necessary; for this action, with all the past which determines it, belongs to a single phenomenon of his character, which he gives to himself and in accordance with which he imputes to himself, as a cause independent of all sensibility, the causality of those appearances."[78]

Paradoxically, it is realized that punishment is another form of right because it reveals *ex post facto* that a criminal had had a right to freely act otherwise before he committed a crime. Just like the right that is exclusively concerned with the actor's external action, punishment must be purely formal and non-sentimental because it supports the justice of the moral law. Punishment is how the criminal restores his personhood.

Now, becoming a partaker in happiness cannot be combined with the concept of a punishment as such. For, although he who punishes can at the same time have the kindly intention of directing the punishment to this end as well, yet it must first be justified in itself as punishment, that is, as mere harm, so that he who is punished, if it stopped there and he could see no kindness hidden behind this harshness, must himself admit that justice was done to him and that what was allotted him was perfectly suited to his conduct. In every punishment as such there must first be justice … Thus punishment is a physical harm that, even if it is not connected with moral wickedness as a natural consequence, would still have to be connected with it as a consequence in accordance with the principles of a moral lawgiving.[79]

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[77] *CPrR*, pp. 83-84.

[78] *Ibid.,* p. 82.

[79] *Ibid*., p. 34.

Its political implication is apparent. In civil society, crime is under the jurisdiction of the justice of the civil law, which is promulgated by the public use of pure practical reason. Here, punishment is how a criminal restores his citizenship, once suspended upon the crime.

> Certainly no human being in a state can be without any dignity, since he at least has the dignity of a citizen. The exception is someone who has lost it by his own *crime*, because of which, though he is kept alive, he is made a mere tool of another's choice (either of the state or of another citizen). Whoever is another's tool (which he can become only by a verdict and right) is a *bondsman* (*servus in sensu stricto*) and is the *property* (*dominium*) of another, who is accordingly not merely his *master* (*herus*) but also his *owner* (*dominus*) and can therefore alienate him as a thing, use him as he pleases (only not for shameful purposes), and dispose of his powers, though not of his life and members. No one can bind himself to this kind of dependence, by which he ceases to be a person, by a contract, since it is only as a person that he can make a contract.[80]

As we have seen already, the attempt to release a criminal on grounds of compassion or anything "pathological" is not only morally wrong but also politically improper. What is required is a cool citizenship in which fellow citizens respect the criminal's personhood and citizenship by giving him a deserving punishment. Accepting the due punishment is absoluetely the wrongdoer's responsibility.

In this respect, Hannah Arendt's concept of "collective responsibility" merits close attention given her Kantian orientation, because it appears to provide a new type of responsibility, distinct from Kant's individualistic notion of responsibility.[81] According to Arendt, there are two types of responsibility. The first is a "moral" (or "criminal") responsibility. It is exactly the Kantian individualistic responsibility we have hitherto investigated. Since it is a responsibility held by a free agent for his or

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[80] *MM*, p. 104.

[81] Hannah Arendt, *Responsibility and Judgment*, ed. Jerome Kohn (New York: Schocken Books, 2003), pp. 147-158.

her own willingly chosen action, it can alternately be called a "causal" responsibility. No doubt, the key to this particular type of responsibility is the agent's moral autonomy.[82]

The second is "political" responsibility. Political responsibility is a responsibility to which a political community (normally, the state) is to be held for any political injustice it has inflicted on another political community (e.g. unjust war or international crimes). Arendt particularly calls it "collective" responsibility as distinct from the moral responsibility that is individualistic in nature. The prime example is the collective responsibility taken by the entire State of Germany for WWII. Implicit in the notion of political responsibility in Arendt's reasoning is that the only legitimate collective actor is the state. But the underlying justification of this claim is that in a nation's political action, individual actors are not to be held personally responsible, because in most cases they cease to be persons and become "nobodies."

Seen in this way, Arendt's two-fold conception of responsibility is still firmly built on Kant's individualistic responsibility because for her collective responsibility is at best a residual or parasitic category in her philosophy of morality, a concept contrived to explain a domain io which a language of morality (which is Arendt's supreme concern) cannot possibly apply. In the end just like for Kant, moral responsibility for Arendt is only an individual responsibility. Morality ceases when it

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[82] See also *Isaiah Berlin, Four Essays on Liberty* (Oxford: Oxford University Press, 1969), where Berlin, a forthright Kantian, contrasts Kantian freedom to historical determinism, by focusing on the question of moral responsibility. In Berlin's view, moral responsibility is characteristically related to negative freedom.

comes to the collective. The non-political collective can in no way come to terms with morality. Ultimately, this stark dichotomy between morality and politics is traced back to Machiavelli's famous severance of public and private ethics. In this dualism (i.e. public versus private, moral versus political, and individual versus collective), there is no room for "collective moral responsibility" that navigates in-betweens.

Uri-*Responsibility as Collective Moral Responsibility*

In Korea, democratization has brought to the fore the cultural clash between the *Gemeinschaft* of *chŏng*ish society and the *Gesellschaft* of rational-juridical society. In some sense, as manifested in the Lee case, Koreans today are in a similar situation in which Antigone finds herself.

In his famous interpretations of Sophocles's Antigone, Hegel interprets Antigone as stuck in the tensions between an ethical order and a political order, between Divine Law and Human Law, and between the family and the state.[83] No doubt, this is a Hegelian recapitulation of the Aristotelian dichotomy between *oikos* and *polis*.[84] Evidently, Hegel is convinced that self-consciousness can be constituted only if the former categories are overcome by the latter ones. Put differently, Antigone must succumb to Creon. This is because, for Hegel, the former categories (Antigone, the Divine Law, the family, Women) represent unknowable, unrealized

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[83]   Hegel, *Phenomenology*, pp. 267-278. According to Jacque Maritain, the "unwritten and unchangeable law" that Antigone represents is "natural law." See Jacque Maritain, *Man and the State* (Chicago: University of Chicago Press, 1950).

[84] Though, Hegel ultimately revamps this classic dichotomy by adding in between one intermediary ethical entity, namely, civil society in *The Philosophy of Right*.

Spirit, that is, "unconsciousness." And here Hegel sees a fundamental ethical conflict, which he names "antithesis":

> For this reason, the opposition between them appears as an *unfortunate* collision of duty merely with a reality which possesses no rights of its own … For the commands of government have a universal, public meaning open to the light of day; the will of the other law, however, is locked up in the darkness of the neither regions, and in its outer existence manifests as the will of an isolated individual which, as contradicting the first, is a wanton outrage.[85]

Of course, for Hegel, this ethical antithesis between the unconscious and the conscious is only tentative; it is the tension that is eventually to be overcome at the end of world history—or was already overcome in Hegel's view with the advent of the modern nation-state, when the universal reason completes its self-actualization (that is, when universal reason, once particularized and self-negated, finally achieves its ultimate unity through the negation of the negation in the self's now dialectically exalted subjectivity, i.e. moral agency).[86] Moral individualism is the counterpart of modern nation-state: it is predicated on such a highly ethical state of subjectivity, not on subjectivism that is tantamount to archaic atomism.

The problem is, as seen in Hegel and Kant and later admitted by Rawls, moral individualism is predicated on its own comprehensive moral doctrine, namely, "liberal metaphysics."[87] Koreans, however, are completely alien to such a peculiarly

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[85] Hegel, *Phenomenology*, p. 280.

[86] "[I]t [the will] first puts itself in the opposition between the implicit universal will and the single explicitly independent will; and then, through the supersession of this opposition (through the negation of the negation), it determines itself in its existence as a will, so that it is a free will not only in itself but for itself also, i.e. it determines itself as self-related negativity." G. W. F. Hegel, *The Philosophy of Right*, trans. T. M. Knox (London: Oxford University Press, 1967), § 104 (p. 74).

[87] On this, see John Rawls, "Justice as Fairness: Political Not Metaphysical," *Philosophy and Public Affairs* 14:3 (1985), pp. 223-239.

liberal philosophical and cultural element. What is interesting, though, is that Koreans nevertheless did not remain schizophrenic between *chŏng*, the Korean equivalent of Hegel's Divine Law or the unconscious, and rule of law, the Human Law or the conscious.[88] In the face of the psycho-cultural and political predicament generated by a "clash of civilizations," the alternative that Koreans came up with was a special ethos of collective responsibility that complements, rather than nullifies, the individual's sense of responsibility (or guilt). One Naver user (ID: sumit200) claimed, "Lee's patricide was indeed the vicarious murder on behalf of the society that had been negligent of family violence, and hence the responsibility should be held by every single member of our [Korean] society." Apparently, a uniquely Korean ethos of collective moral responsibility, namely, "*uri*-responsibility" (*uri chaegim*), was the most prevailing response by the multitude of ordinary Koreans. Another netizen (ID: voieel) wrote in the *Daily Chosun*'s on-line forum:

> We all know about the situation that drove the middle school student [A] to murder her father. Why did we, now able to clearly see [what caused A's patricide], let it happen? And why had we negligently left the father an alcoholic? It is probably because of the mores of our society that do not care about anything perhaps but [such a dreadful incident as] a murder (emphases added).

One netizen, who submitted an on-line petition on the official website of the Gangreung police office, wondered:

> No doubt, murder is a crime. But for me it appears that what led up to the incident was due to the failure of the law to protect this child. Isn't it a contradiction that a girl who has not been protected by the law should be punished by the same law? What should be blamed is indeed

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[88] Despite her general respect of Hegel's dialectics, Benhabib precisely points out the complete absence of that method in Hegel's interpretation of Antigone. See Seyla Benhabib, *Situating the Self: Gender, Community and Postmodernism in Contemporary Ethics* (New York: Routledge, 1992), pp. 255-256.

the law itself that failed to protect the child. And [ultimately] isn't it the state that must be blamed because it failed to do its job, which was to justly execute the law?

What this ardent petitioner insisted is not to be mistaken as advocating Lee's unconditional acquittal. Rather, like many others, his or her purpose was to point out how closely *our* society, *our* law, and our state were (and are) associated with the salient evil, and therefore how reasonable it would be for us to collectively "share" the responsibility, while acknowledging the horrendous fact of murder, thus still holding Lee responsible for her own action.

To many Koreans, Lee was represented as "our" daughter and her misery was felt as if it was "ours." Yet, simultaneously, the brute fact of murder could not be dismissed. The Korean breakthrough for this tormenting quandary was to invoke *chŏng* in the public sphere of civil society as is best shown in the petition submitted by a netizen who identified herself as a mother of three. Her petition read, "The law is said to have *in-chŏng*, the human *chŏng*, as well," and "The law is said to have tears." From a Kantian (and Hegelian) liberal viewpoint that opposes passion to reason, this reasoning is not only logically flawed, but, more fundamentally, it is politically dangerous, for it does not grant full credit to the liberal individualist moral and political basis of civil society. To Hegel, this appealing mother would have been seen as a Korean Antigone, a recalcitrant voice against the rational law.

Unlike Hegel's Antigone, however, Koreans were not schizophrenically torn between two Laws. For them, the antithesis between Divine Law, or *chŏng*, and Human Law, or the criminal law, was simplistic. Likewise, the dichotomy between individual moral autonomy and collective responsibility was deemed to be too limited in capturing their ethical problems. By invoking *uri*-responsibility, they were able to

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bridge Korean *chŏng* to Western civil society, and thereby collectively confront an evil without violating the requirement of modern civil society: an individual's criminality and the rule of law.[89] This new civil ethos therefore is neither individualistic nor collectivistic, neither purely Confucian nor unqualifiedly liberal, and neither sentimentalist nor legalist; rather, in each instance, it is both.

Thus understood, *uri*-responsibility is qualitatively different from Arendt's two Kantian accounts of responsibility. First, *uri*-responsibility defies a causal reasoning characteristic of moral responsibility. That is, where a Kantian moral responsibility approaches a personal moral/criminal issue as the agentic question of an individual's volition (*Wille)*, *uri*-responsibility refuses to attribute the question of morality exclusively to the individual (say, the criminal) and instead seeks collectively to resolve the moral problems while still holding the actor responsible for his or her own action, on the condition that he or she deserves *chŏng*.

Second, that *uri*-responsibility is a form of collective responsibility does not endorse that it is a political responsibility as understood in the Kantian (liberal republican) tradition. As we have seen, in Korea's Confucian tradition, the kind of the political that Kant inherited from the British social contract tradition (especially from Hobbes) is completely unknown. Instead, Confucians conceive of the political in terms of the familial. If *uri*-responsibility can be called a political responsibility, it is so only with reference to the political as the familial. Since Confucian *moralpolitik*

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[89] In this regard, Alford's following observation on the Korean people is very instructive: "Koreans are both individualistic and collectivistic, and it is the conflict between their individualistic and collectivistic selves that is central to the culture, as well as psyche of every Korean." Alford, *Think No Evil*, p. 38.

does not separate the political from the familial and the political as the familial from the moral, *uri*-responsibility originally rooted in Confucian familism can correspondingly be understood as a moral responsibility. Reasoned in this way, *uri*-responsibility can be safely identified in terms of a "collective moral responsibility." It is this particular ethos of collective moral responsibility that invigorates an ethical civil society in Korea, making it a "*chŏng*ish civil society," a cultural amalgam between *chŏng*ish and juridical societies.

Summary and Concluding Remarks

In this chapter, after redefining the concept "civil society" in terms of the public space wherein individual agency and citizenship become co-original, I sought to show, first, how Korean individual agency (*chŏng*ish relational selfhood) is qualitatively different from liberal (particularly Kantian) individual agency (personhood). Secondly, building on the first, I sought to show how the modern West's liberal civil society, namely, a juridical civil society or a moral system of the rule of law, predicated on moral individualism is politically impracticable to contemporary Koreans, who are still soaked, albeit unwittingly, in the morality of *chŏng*. The point, though, was neither to vindicate a cultural and moral incommensurability between the modern West's juridical/civil society and Korean *chŏng*ish society nor to engage a Korean/Confucian communitarian critique of liberal civil society by critiquing the former from the latter's standpoint. Nor was it my intention to demonstrate an utter inappropriateness of moral individualism and a juridical society based on it in the democratic Korean civil society. My main contention was, rather, that although the political democratization of Korea had brought about an unanticipated cultural crisis

in Korean society—that is, the clash between traditional *chŏng*ish society and modern juridical/civil society, Koreans have found a way to overcome it by creating what I called *uri*-responsibility, a uniquely Korean civil ethos of collective moral responsibility, thus moderating the cool individualistic rationalism of the rule of law, while not necessarily circumventing its basic moral and political premises.

In order to show the "political" dimension of *chŏng*-induced *uri*-responsibility (as distinct from and, in a sense, opposed to the West's rationalist conception of the political), I made a special effort to culturally sensitize and contextualize the concept of the political, and argued that even though *uri*-responsibility could qualify to be a neither moral nor political responsibility from a Kantian perspective, it could safely be called a moral *and* political responsibility with reference to the Confucian conception of the political as familial. In the next chapter, I investigate how, historically, the Confucian ideal of the political as familial proffered a defining cultural and political characteristic of traditional Korean politics (especially its conception of statehood) and attempt to show how *uri*-responsibility is indeed greatly indebted to Korea's Confucian past.

CHAPTER 5: BEYOND LIBERAL CITIZENSHIP
LIBERAL NATIONALISM AND RESPONSIBLE CITIZENSHIP

Introduction

In the preceding two chapters, I have attempted to show what uri-responsibility is and how *chŏng*ish civil society predicated on uri-responsibility is culturally distinct from a liberal individualistic civil society pivoted on the rule of law. In this chapter, I challenge the liberal idea of citizenship (hereafter "liberal citizenship") from the perspective of *chŏng* and *uri*-responsibility. To do so, I start with one recent case regarding Korean citizenship.

On June 29, 2005, the National Assembly in Korea roundly rejected a draft law that would strip those who abandoned their Korean citizenship to avoid the draft of their status as overseas Koreans, and deprive them of all their rights as Koreans. This decision sent most Koreans into a great uproar because the revision to the Act on the Immigration and Legal Status of Overseas Koreans (AILSOK) had been regarded as a due follow-up of the recent revision to the Nationality Law that bars dual citizens from giving up their Korean citizenship unless they complete mandatory military service. In fact, the revision to the AILSOK, or "the Draft Dodgers Bill" as the Koreans called it, was submitted with tremendous popular support by a lawmaker of the opposition party, responding to the long lines formed at Immigration Offices of young dual nationals resigning their Korean citizenship before the proposed law could go into effect.

Frustrated, thousands of Koreans demanded that the names of those who voted against the bill be publicized—especially those "betrayers" who had supported the

bill in the Legislation-Judiciary Committee and then withdrew their original support either by opposing it or abstaining from voting. Some radicals even hacked into the incumbent Uri Party's official website, temporarily paralyzing it, and then further demanded that the full list of those dodgers who apparently had abused parental love by exercising the right to "exit" on behalf of their juvenile children be publicized. Others used more orthodox forms of collective action like a candlelight vigil demonstration in front of the National Assembly while others rapidly organized civic groups (e.g., "6.29 Nation Action") to pressure the political society to endorse the new AILSOK.

For Korean liberals, however, the national upheaval surrounding the new nationality law was troubling. Indeed, for them the efforts to revamp the AILSOK, and the demands to publicize the names of the "draft dodgers" constituted serious violations of an individual's constitutional right to happiness and privacy. It seems that Korean liberals' trepidations are justifiable in light of the fact that cosmopolitan norms and universal human rights are gaining greater currency in both international law and political philosophy.[1] From this perspective even the already-made revision

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[1] Admittedly, the contemporary interest in cosmopolitanism is inspired by Kant's two classic articles "Idea for a Universal History with a Cosmopolitan Purpose" and "Perpetual Pease: A Philosophical Sketch," both in Hans Reiss (ed.), *Kant's Political Writings* (Cambridge: Cambridge University Press, 1991). For its contemporary discussion, see Brian Barry, "Humanity and Justice in Global Perspective," in J. R. Pennock and J. W. Chapman (eds.), *Nomos XXIV: Ethics, Economics and the Law* (New York: New York University Press, 1982); Chris Brown, "International Political Theory and the Idea of World Community," in K. Booth and S. Smith (eds.), *International Relations Theory Today* (University Park: Penn State University Press, 1995); Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca: Cornell University Press, 1989); Martha Nussbaum, "Patriotism and Cosmopolitanism" in J. Cohen (ed.), *For Love of Country* (Boston: Beacon Press, 1996); Thomas Pogge, "Cosmopolitanism and Sovereignty," in Chris Brown (ed.), *Political Restructuring in Europe:*

to the Nationality Law could be suspected of promoting such illiberal outcomes. As a matter of fact, several dual citizens prepared to bring the case to the Korean Constitutional Court, while employing the language of constitutional and universal rights (i.e., right to happiness and to free movement of residence).[2] Moreover, these liberals believed that the widely-held public conception amongst Koreans that dual citizenship (and, more importantly, its private rights justification) is a kind of a social privilege signaled a return to a form of anachronistic "statism" or "nationalism" in the era of globalization and cosmopolitan citizenship.

But, can the liberals' charge of "nationalism" (or "statism") be justified?[3] I do not believe so for two reasons. Firstly, if what we are witnessing in Korea today is a

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Ethical Perspectives (London: Routledge, 1994); John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, 1999).

[2] This is what Seyla Benhabib calls "freedom of exit and association," about which she explains, "The Freedom of the individual to exit the ascriptive group must be unrestricted, although exit may be accompanied by the loss of certain kinds of formal and informal privilege." Seyla Benhabib, *The Claims of Culture: Equality and Diversity in the Global Era* (Princeton: Princeton University Press, 2002), p. 19. For the similar universalistic view of citizenship, see Jürgen Habermas, *The Inclusion of the Other: Studies in Political Theory*, eds. Ciaran Cronin and Pablo De Greiff (Cambridge, MA: The MIT Press, 1996); Etienne Balibar, *We, The People of Europe? Reflections on Transnational Citizenship*, trans. James Swenson (Princeton: Princeton University Press, 2004).

[3] Despite the acknowledged conceptual distinction between "nation" and "state" (and between "nationalism" and "statism"), many liberals (not only Korean liberals) often use the two concepts confusingly. As a mountain of nationalism studies have revealed, however, nationalism is not in itself affiliated with statism. See Neil MacCormick, *Legal Right and Social Democracy: Essays in Legal and Political Philosophy* (Oxford: Clarendon Press, 1982), pp. 247-264; David Miller, "The Ethical Significance of Nationality," *Ethics* 98:4, pp. 647-662; David Miller, *On Nationality* (Oxford: Clarendon Press, 1995); Tamir, *Liberal Nationalism*; Andrew Vincent, *Nationalism and Particularity* (Cambridge: Cambridge University Press, 2002), pp. 36-61. According to Hobsbawm, the "nation-state" was typically a post-French Revolution phenomenon in Europe. E. J. Hobsbawm, *Nations and Nationalism since 1780: Programme, Myth, Reality* (Cambridge: Cambridge University Press, 1990).

form of illiberal nationalism, can we rightly say that it is nationalist to deny, rather than endow, national rights to overseas Korean nationals? From a nationalist standpoint, the Korean case is rather counterintuitive because historically all the negative tenets incorporated by its nationalist movements such as exclusion, assimilation, and violence, have been, in the main, exemplary of ethnocentric nationalism; a form of nationalism oriented toward other national groups, ethnic minorities, or other nation-states. [4] Secondly, Korean liberals' equation of constitutional right with universal/cosmopolitan right is highly problematic. Notwithstanding the growing interest in cosmopolitan interpretations of constitutional patriotism and/or republicanism in Western political philosophy, why Korean citizenship should be approached on these grounds is not given any explanation.[5] Indeed, I argue that Korean liberalism is fundamentally missing an awareness of an inherently particularistic, both national and cultural, nature of citizenship.

In this chapter, I challenge the prevailing liberal perspective that frames the current nationality issue in Korea in terms of a dichotomy between "nationalism" and "liberalism."[6] I believe that it rests on a problematic assumption that rights-based

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[4] Most famously, the recent politics of nationality—the political dynamic between the nationalizing nationalism, homeland nationalism, and the national minorities—in postcommunist Eastern Europe and Eurasia was just about this problem. See Rogers Brubaker, *Nationalism Reframed: Nationhood and the National Question in the New Europe* (Cambridge: Cambridge University Press, 1996).

[5] For such tendency, see James Bohman, "Republican Cosmopolitanism," *Journal of Political Philosophy* 12:3 (2004), pp. 336-352. Also see Habermas, *The Inclusion of the Other*.

[6] Most emphatically, the Uri Party congressman Choi Jae-cheon's defense against the public charge best represents such a conventional bias: "In my own opinion, [the outcome of voting] seems to reflect a relatively stronger liberal proclivity shared by the members of our party than those of opposition Grant National Party, accordingly our respect of diversity and pluralism as opposed to closed

liberal individualism is an indispensable element to a new democracy like Korea for its democratic consolidation and citizen empowerment.[7] Furthermore, and equally problematic, is the empirically dubious claim that liberalism and nationalism are mutually exclusive, which forecloses any possibility that liberal individuality and national collectivity can be mutually constitutive. In this respect, I find Yael Tamir's idea "liberal nationalism" as providing an invaluable conceptual frame by which to breakthrough the reified binary of liberalism and nationalism.

Therefore, I do not—as many political theorists trying to make an East Asian (or "Confucian") case against the hegemonic Western liberalism do—aim to repeat the communitarian critique of liberalism despite my general sympathy regarding such attempts.[8] My primary purpose lies rather in making a Korean case of liberal nationalism through philosophical reflection of the case introduced above. In order to do so I pay special attention to the way in which liberal nationalism is actualized in post-Confucian Korea by investigating how *chŏng*—the familial affectionate

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nationalism, and our apprehension of Korea's status in the era of world citizenship and globalization superseding state-centrism" (from his official website: http://www.cjc4u.or.kr, my translation).

[7] Such a bias is prevailing in many influential social sciences literature. See, among others, Gellner, *Conditions of Liberty*; Baogang He, "New Moral Foundations of Chinese Democratic Institutional Design," in Suisheng Zhao (ed.), *China and Democracy: Reconsidering the Prospects for a Democratic China* (New York and London: Routledge, 2000); Huntington, *The Clash of Civilizations*; Alex Inkels et al., "Causes and Consequences of Individual Modernity in China," *China Journal*, 37 (1997), pp. 31-59; Adam Seligman, *The Idea of Civil Society*.

[8] Daniel A. Bell, "The Limits of Liberal Justice," *Political Theory* 26: 4 (1998), pp. 558-582; Daniel A. Bell, "Human Rights and Social Criticism in Contemporary Chinese Political Theory," *Political Theory* 32:3 (2004), pp. 396-408; Daniel A. Bell, *Beyond Liberal Democracy* (Princeton: Princeton University Press, 2006); Joanne R. Bauer and Daniel A. Bell (eds.), *The East Asian Challenge for Human Rights* (Cambridge: Cambridge University Press, 1999); Chaibong Hahm, "The Cultural Challenge to Individualism," *Journal of Democracy* 11:1 (2000), pp. 127-134.

sentiments that are occasionally manifested nationally—helps to generate both a civil-national collective consciousness and a special sense of collective moral responsibility, or as I have earlier defined in terms of uri-responsibility. In short, whereas liberal nationalism is an attempt to contextualize the universalism of liberalism in the particularism of nationalism, the present chapter seeks to contextualize a theory of liberal nationalism in the particularism of post-Confucianism.

The Politics of Nationality Law in 2005: A Case

On May 4, 2005, the Korean National Assembly passed a revision to the Nationality Law that bars dual citizens from giving up their Korean citizenship unless they complete mandatory military service. From the drafting stage, the new Nationality Law garnered unprecedented nation-wide support, which many liberals found unsettlingly nationalistic, and anachronistic considering the universal trend of globalization and the parallel dissemination of cosmopolitan citizenship. Nevertheless, for the majority Koreans the imminent issue was not the question of citizenship *per se*, but rather how to "punish" those who "abused" their right of dual citizenship in shirking the "everyone-fulfilling" military duty. Many ordinary Koreans were particularly aggravated by the way dual citizens (especially, Korean-U.S. dual citizens)—as peculiar subjects—had been manufactured. Most commonly Korean parents, upon impending parturition, travel to the United States solely for the purpose of securing U.S. citizenship for their children by exploiting the U.S.'s principle of *jus soli*. After returning the children live a normal Korean life up to the age of 18 or so, upon which they give up their Korean nationality—upon that moment

becoming an overseas national and is still entitled some important legal rights as a "Korean"—mainly to avoid military service. Apparently what was at stake was military duty, but its far-reaching implications were generally political, specifically concerning the meaning of Korean citizenship in the era of globalization.

The bill backfired, however, when thousands of dual citizens (both young dual citizens and their parents), formed long lines at the Immigration Office to resign their Korean citizenship before the new policy went into effect on May 24. According to the Korean Ministry of Justice (*Official Gazette*, 6/7/05), the number of those who forfeited Korean citizenship amounted to 2,032. Among those, 1,306 did so in Korea, while 726 did it at the overseas Korean Embassies. Of the 1,306 in Korea, 1,288 (98%) were male while 18 (1.4%) were female. Furthermore, 958 were younger than 15 years old, 341 were 16-17, only seven were over 18. The foreign country of which citizenship they chose most was predominantly the U.S. (1,220/ 93%).

Most "ordinary" Koreans were convinced that those dual citizens willing to forsake their nationality did so not out of political protest, but rather to avoid military service. All the more frustrating though was the fact that these "dodgers" mainly came from the so-called "leading class." Such frustration is best expressed in one netizen's (ID: chacha4u) reply to the *OhmyNews*, one of the largest Korean internet newspapers: "I do not even expect their *noblésse oblíge*. I would be greatly satisfied if only they would've acted just like the ordinary Koreans."

The public frustration hit its zenith when a report by the Munhwa Broadcasting Corporation's (MBC) popular current-affairs program "PD Diary" (*PD Sucheop*) revealed the class-status of many of the "dodgers." Included among them

were some former Ministers, a former Secretary-General of president, a former president's secretary, a former Attorney-General, a former governor, some former military generals, a few business heavyweights, and hundreds of university professors. Koreans were especially shocked to find out that not 11, as publicized by the Ministry of Justice, but, actually, 40 public servants in various positions were implicated in this scandal.

As the nationality issue was developing into a colossal social problem, the Ministry of Justice had given those "nationality-forsakers an opportunity to reverse their original decision by May 31 although it was already a week after the effective date of the new law (May 24). It was then revealed that 226 (counted only in Korea) dual citizens regained their Korean nationality, yet only one of these was among the children of high-ranking officials. It is in this social milieu that an opposition Grand National Party's congressman sponsored the revision to the AILSOK to keep those dodgers at bay by stripping them of their status as overseas Koreans and of all their rights as Koreans, above all, rights to free economic activity and health insurance benefits.

From the drafting stage, however, the bill was at the center of heated debate. For some, the bill was deemed as a due follow-up of the newly revamped Nationality Law in light of both legal consistency and extraordinary public support. For others, though, both the bill and the new Nationality Law constituted a serious violation of basic human rights. For example, one netizen (ID: gomsin 763) posted a note to the Uri Party's official website against the supporters of the bill by arguing, "No one is entitled to infringe [others'] basic rights". Another (ID: bujaengseon) voiced same

sort of apprehension by saying that "herein is the danger that anyone who gives up Korean nationality could be a victim of public opinion, being condemned as a potential dodger of military duty."

The controversy reached its apex on June 29 when, against the expectation of virtually *everyone*, the bill failed in the National Assembly. Out of 232 actual voters, 104 voted for the bill, 60 against it, and 68 abstained. All the more puzzling to ordinary Koreans, 28 members of opposition Grand National Party (out of 117 who initially participated in the collective proposal of the bill) either voted against the bill or abstained. In the wake of this decision a stirred Korean civil society immediately opted for collective action to revive the bill, as chronicled above.

One possible resolution to the problem could be to focus the whole issue solely on the question of Korea's military system—for instance, to reform its outmoded facilities and regulations to correspond to the contemporary social environment. Nevertheless, amongst many Koreans, although not articulated as such, it was realized that the more fundamental and complicated issue concerned the seemingly ineluctable conflict between a particularistic principle of citizenship grounded in national democracy and a universalistic principle of liberalism in the age of globalization. [9]   In other words, it became a zero-sum decision between

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[9] The Koreans' questioning of the meaning of citizenship in terms of military service is even theoretically supported, because as Isin and Turner argue, military service alongside taxation constitute one of the two pillars of modern democratic citizenship, which is predicated on the reciprocity of duty and right. Isin and Turner thus understand democratic citizenship primarily as a kind of "contributory rights." Engin F. Isin and Bryan S. Turner, "Investigating Citizenship: An Agenda for Citizenship Studies," *Citizenship Studies*, 11:1 (2007), pp. 5-17.

particularistic nationalism and a universalistic idea of constitutional patriotism or social contract (albeit their disagreement on the mode of political justification); a value that many liberals argue is indispensable to developing an authentic (say, liberal) form of democracy. But is nationalism invariably illiberal, non-democratic, and/or threatening to the individual? In other words, is the choice between liberalism and nationalism zero sum?

Liberal Nationalism: The Contextual Individual and Embedded Citizenship

As noted earlier, one puzzling aspect in the claim of liberal citizenship is its universal justification. That is, liberals seem to have little if no difficulty connecting national citizenship (whether predicated on contractualism, republicanism or constitutional patriotism) to universal/cosmopolitan citizenship. Vincent calls it "the universalist intuition" within liberal citizenship.[10] After identifying strong conceptions of agency and autonomy as constitutive of liberal citizenship, Vincent submits that "[s]ince liberalism, above all social and political theories, embodies a belief in moral and political individualism and agency, and citizenship is intrinsically committed to individual agency and individualism, then it might be said to follow that liberalism is the most succinct modern bearer of citizenship claims."[11] In other words, integral to liberal citizenship is the kind of moral agent that Ernest Gellner called a "modal self."[12] It is, thus, individual agency that links liberal citizenship to a universalist or cosmopolitan ethos. Hence Vincent observes

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[10] Vincent, *Nationalism and Particularity*, p. 63.

[11] *Ibid*., p. 64.

[12] Gellner, *Conditions of Liberty*, p. 78.

[T]he core values of liberal citizenship—autonomy, agency, individualism, liberty, rights, equality, justice, and so forth—are tied to conceptions of reason and humanity which have no necessary connection with particular forms of life or political structures. Citizens have rights, qua agents, whatever their location … [T]he concepts and values themselves have no intrinsic or necessary particularistic connections.[13]

From a slightly different perspective, Seligman echoes Vincent's sentiments by arguing that the modern civil society tradition, whose beginning was roughly congruent with that of classical liberalism, was built in a uniquely modern-liberal and inherently universalist conception of individual moral agency. Therefore after having examined the basic tenets of civil society vis-à-vis civic virtue, he comes to the conclusion that "from Ferguson to Smith we find a new 'universal' and increasingly 'individualistically' defined basis for the construction of communal life: what ultimately would emerge as the basis of liberal-individualistic principles of citizenship."[14]

Thus, despite its own interest in the communal (i.e., "national") locus of individual life, modern liberalism gave rise to two potentially (if not inherently) contradicting elements. On one hand is liberal-national citizenship alongside the invention of the national forum of civil society,[15] and on the other hand stands a universalist idea of individual agency. The notorious complexity of Kant's (and

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[13] Vincent, *Nationalism and Particularity*, p. 64.

[14] Seligman, "Public and Private," p. 118.

[15] For the national characteristic of modern civil society, see Ernest Gellner, "The Importance of Being Modular," in Hall, *Civil Society*, pp. 32-55; Shils, *The Virtue of Civility*. As is now well known, what materialized the national development of modern civil society was by means of modern communication and universal education, or "the democratization of high culture" according to Gellner. See Ernest Gellner, *Nations and Nationalism* (Ithaca: Cornell University Press, 1983) and also Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1983).

Rawls's) cosmopolitan idea of liberal republicanism originates from this very problem; the fact that citizenship is redefined in terms of (universalist) moral agency.[16] In Rawls, for example, the unencumbered self and liberal citizenship are inseparably interconnected.[17]

Even though contemporary national liberals do not necessarily dismiss the value of universal human rights that liberal citizenship tacitly underlies,[18] they indeed find the liberal mistrust of nationalism as overbearingly homogenizing, exclusive, xenophobic, and violent to be largely misguided. It is because such view only represents what Hans Kohn identified as Eastern nationalism, an overtly authoritarian, closed, inward-looking, particularistic, pathological, bellicose and xenophobic nationalism, as opposed to Western nationalism, a more often, plural, and outward-looking nationalism that is geared towards liberal democracy.[19] For the contemporary advocates of liberal nationalism, the nineteenth-century Italian nationalist Giuseppe Mazzini and the German Hegelian philosopher Johann Gottfried von Herder and, despite some controversy, John Stuart Mill and Max Weber are included in the list of early liberal nationalists.[20]

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[16] Andrés de Francisco, "A Republican Interpretation of the Late Rawls," *Journal of Political Philosophy* 14:3 (2006), pp. 270-288.

[17] See David Miller, "Citizenship and Pluralism," *Political Studies* XLIII (1995), pp. 434-440.

[18] David Miller, "The Ethical Significance of Nationality," *Ethics* 98:4 (1988), pp. 647-648; David Miller, "Community and Citizenship," in Shlomo Avineri and Avner De-Shalit (eds.), *Communitarianism and Individualism* (Oxford: Oxford University Press, 1992), pp. 99-100; Tamir, *Liberal Nationalism*, pp. 112-116.

[19] Vincent, *Nationalism and Particularity*, p. 87. C.f. Hans Kohn, *The Idea of Nationalism: A Study in its Origins and Background* (New York: Macmillan, 1945).

[20] Throughout Tamir's *Liberal Nationalism*, Mazzini is one of the most often referred classic inspirations. For others, see respectively, F. M. Bernard, *Herder's Social and Political Thought: From*

But for liberal nationalists a more serious problem lies in the very liberal conception of the self, namely, the unencumbered self, and its relation to the national community, in which embeddedness and choice are posited as antithetical. Utilizing Taylor's concept of the strong evaluator, Tamir attempts to show the interplay between choice and context and thereby reveal the common ground where liberalism and nationalism meet.

> The ability of strong evaluators to reflect on and evaluate preferences and interests could be seen as a liberal attribute, whereas nationalists might view the evaluators' embeddedness in a cultural context and the precedence given to social membership as a precondition for choice, as an instance of national thinking …[But h]aving begun with a choosing agent and progressed through the need for context and socialization, we now find that the liberal self has not only lost the antecedent to social affiliations, but is confined to a restricted set of values drawn from this background.[21]

Once having relocated the liberal moral agent in a national cultural context, Tamir is able to redefine such an embedded yet reflective evaluator as the "contextual individual." The virtue of this concept, contends Tamir, is that it "allows for an interpretation of liberalism that is aware of the binding, constitutive character of cultural and social memberships, together with an interpretation of nationalism that conceives of individuals as free and autonomous participants in a communal framework, who conceive of national membership in Renan's terms, as a daily plebiscite."[22] Seen in this way, citizenship is not just a matter of possessing rights as many liberals assume, but also, as Miller is convinced, a matter of belief and behavior.

Enlightenment to Nationalism (Oxford: Clarendon Press, 1965); Dale E. Miller, "John Stuart Mill's Civic Liberalism," *History of Political Thought* XXI:1 (2000), pp. 88-113; Sung Ho Kim, "Max Weber's Liberal Nationalism," *History of Political Thought* XXIII:3 (2002), pp. 432-457.

[21] Tamir, *Liberal Nationalism*, pp. 22-23.

[22] *Ibid*., p. 33.

> The citizen has to see himself as playing an active role in determining his society's future, and as taking responsibility for the collective decisions that are made. He must be politically active … Moreover, he cannot regard politics merely as an arena in which to pursue his private interests. He must act *as* a citizen, that is as a member of a collectivity who is committed to advancing its common good.[23]

Similarly, MacCormick asserts that "[s]ome form of collective self-constitution, some kind of active participation in shaping and sustaining the institutions of social or communal government whose aim is to advance liberty and autonomy, seems to be a necessary part of the whole ensemble of conditions in which the autonomy of the contextual individual could be genuinely constituted and upheld."[24] Both Miller's and MacCormick's participatory and self-creating images of national citizenship help to elucidate why nationalism is essentially "a daily plebiscite." Their core claim is that nationalism cannot remain a closed and suffocating system of political dogmas nested in a reified national myth that does not allow the national members forums for democratic deliberation.[25] Correspondingly, citizenship is attained via active participation within a national community, not via the positing of rational moral agents from a decontextualized "nowhere."[26] Embedded

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[23] Miller, "Community and Citizenship," p. 96. For a more detailed discussion on this, see Miller, "Citizenship and Pluralism," pp. 443-450.

[24] Neil MacCormick, "Is Nationalism Philosophically Credible?," in William Twining (ed.), *Issues of Self-Determination* (Aberdeen: Aberdeen University Press, 1991), pp. 14-15.

[25] Recently, Abizadeh has submitted a very persuasive argument on whether and how national myth can be politically justified through democratic deliberation, thus making nationalism liberal democratic. Arash Abizadeh, "Historical Truth, National Myths and Liberal Democracy: On the Coherence of Liberal Nationalism," *Journal of Political Philosophy* 12: 3 (2004), pp. 291-313. Also see Miller, *On Nationality*, pp. 34-35.

[26] Drawing on Arendt, Isin and Turner asserts: "Human rights [of people *qua* individual humans] that cannot be enforced by an authority are mere abstractions … The "right to have rights" only makes sense for people who already enjoy membership of a political community … [H]aving an active,

citizenship annihilates the conventionally-held antithesis between agency and context and leads them to healthy dialectic interplay.

Therefore, liberal nationalism turns the adherence to culture and the supposition of national obligations into voluntary acts rather than inevitable consequences of fate. In this regard, to

> assume national obligations means acquiring special responsibilities toward fellow nationals, contributing to the ongoing existence of the national unit, partaking in the continuous re-creation of its culture, learning and respecting its traditions, and engaging in a political struggle that will ensure the nation a public sphere of its own.[27]

As Tamir constantly reminds us, individuals still have a choice. For national obligations do not downwardly "obligate" each individual to self-sacrifice. Nor do they coercively subordinate one's well-being and interests to the welfare of the collective.[28] As an enduring project, the nation only "encourages individuals to remain, by choice, within their national group, to actively participate in the continued re-creation of their national culture, and to contribute to the well-being of their fellow members."[29]

In the remaining part of this chapter, I will attempt to shed light on the politics of nationality in Korea in liberal-nationalist terms. However, to avoid the common mistake of applying an abstract theory to a rather concrete cultural and political

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dynamic and vital citizenry is an absolute precondition of democracy that upholds human rights". Isin and Turner, "Investigating Citizenship," pp. 12-13.

[27] Tamir, *Liberal Nationalism*, p. 88.

[28] This is the defining tenet distinguishing liberal nationalism from what Herr calls "nonliberal nationalism" although both agree upon the "nationalism" part affiliated with the concept of the strong evaluator. See Ranjoo Seodu Herr, "In Defense of Nonliberal Nationalism," *Political Theory* 34:3 (2006), pp. 304-327.

[29] Tamir, *Liberal Nationalism*, p. 89.

reality, I will first investigate the uniquely Confucian origin of the modern Korean nation-state. Then, the examination of the contemporary "post-Confucian" Korean nation will unfold in reference to its Confucian origin.

The Confucian Ideal of the State and Its National Reinvention in Modern Korea

The fact that Korea never experienced feudalism, a uniquely Western (and Japanese) medieval social, economic, cultural, and religious-political arrangement—from whose reconfiguration in the early modern period emerged what we now call the modern nation-state—makes studying Korea a unique endeavor.[30] Furthermore, Confucian Korea was seldom encouraged to develop a unique cultural nationness distinct from

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[30] Michael Oakeshott succinctly captures the emergence of the modern "territorial" nation-state out of medieval realms as this: "Here and there, in the early years, a territory of this sort was already marked out according to the conventions of the time. It corresponded to the realm of a medieval king, the estate of a Duke, a Count, a Margrave, a Landgrave, a Prince-Bishop, or to the territory of a semi-independent municipality. But, for the most part, the territories of modern states were newly delineated. They were the outcome of movements of consolidations in which local independencies were destroyed and movements of disintegration in which states emerged from the break-up of medieval realms and empires." Oakeshott, *On Human Conduct*, p. 185. Different time and context notwithstanding, the following statement by a Japanese intellectual in the wake of Japanese nation-state building after the Meiji Restoration (1868) best illustrates a dramatic image of the birth of the nation-state in modern Japan: "The concept 'foreign nations' brought forth the concept 'Japanese nation.' The day when the concept 'Japanese nation' arose was the day when the concept '*han*' vanished. The day when the concept '*han*' vanished was the day when feudal society was overthrown," quoted from Maruyama, *Intellectual History of Tokugawa Japan*, pp. 342-343. Although Gellner, a sociologist, emphatically argues that nationalism created the nation, most social historians support the reverse. See, among others, Liah Greenfeld, *Nationalism: Five Roads to Modernity* (Cambridge, MA: Harvard University Press, 1992); Charles Tilly, "Reflection on the History of European-State-Making," in Charles Tilly (ed.), *The Formation of National States in Western Europe* (Princeton: Princeton University Press, 1975). Political scientists influenced by a recent trend of "constructivism" are somewhat ambivalent about this point. See, for example, Heather Rae, *State Identities and the Homogenisation of Peoples* (Cambridge: Cambridge University Press, 2002); Brubaker, *Nationalism Reframed*.

Confucian China. In fact, both countries (joined by Vietnam and sometimes Japan) formed what can be called the "Corpus Sinica," comparable to the Respublica Christiana in medieval Christian Europe. Traditional Confucian Korea—particularly Joseon Korea (1392-1910)—was thus at the interstice between Confucian cultural universalism and independent statehood.

Moreover, due to the absence of any serious military confrontations with China from the early fifteenth century onward—the sort of escalating military tensions that drove the European medieval kingdoms to the modern nation-states— and given the underdevelopment of commercialism that eventually propelled the West to invent the nation grounded in the concept of popular sovereignty, traditional Korea hardly had the chance or motivation to create a new mode of state- and nationhood. Indeed, all significant endeavors to do so in the late Joseon period failed.[31] For example, the eighteenth-century's "center-constructing" movement embraced by a minority of Confucian intellectuals to cope with the cultural crisis generated by the collapse of the Ming dynasty by the "barbarian" Manchurians failed because of the mainstream Confucian intellectuals' strong cultural commitment to the then demised Confucian Mecca. Indeed, the Confucian conception of the state as *kukka* 國家 ("family-state") had remained unchallenged up until the nineteenth-century when, upon the "Western Impact," some Western enlightened intellectuals began to develop a new Korean statehood. However, notwithstanding the impact of

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[31] See JaHyun Kim Haboush, "Constructing the Center: The Ritual Controversy and the Search for a New Identity in Seventeenth-Century Korea," in JaHyun Kim Haboush and Martina Deuchler (eds.), *Culture and the State in Late Chosŏn Korea* (Cambridge, MA: Harvard University Press, 1999); Kim, "Too Rational To Be Modernized."

the Western enlightenment, the traditional image of the state as *kukka* played a critical role in refashioning Korean statehood.[32]

Admittedly, Confucianism tends to see the state in familial terms: the monarch being a father, the subject a child, neighbors brothers, and so forth. In fact, the image of the monarch as a father was one of the most compelling political rhetorical tropes during the Joseon dynasty. However, I must caution against identifying the Joseon Confucian state as a patrimonial state or an oriental despotism.[33] It is because although the meaning of *kukka* sometimes collapsed into the Joseon monarchy itself, there are found the variances in the reference to *kukka* in the *Veritable Annals of the Joseon Dynasty* (*Sillok*): the Yi royal house, the government, or the Joseon people.[34]

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[32] It should be cautioned that in the pre-modern Confucian Korea, state and nation were hardly distinguished. The conceptual distinction of the two is an absolutely contemporary phenomenon in Korea.

[33] See Weber, *The Religion of China* and Wittfogel, *Oriental Despotism*. Fred Dallmayr problematizes such conventional Filmerian interpretations of the Confucian state when he submits that "a common mistake made in interpreting traditional Chinese culture—a mistake encouraged by Orientalist leanings—is the tendency to equate the "political" ruler-minister dyad with the father-son relationship (an equation which would replicate the kind of "parental government" extolled by Robert Filmer). What is neglected in this equation is the difference—acknowledged even in classical Confucianism— between "naturalness" and choice, more specifically between natural, kinship-based "affinity" (*ch'in*) and political "righteousness" (*i*)." Fred R. Dallmayr, "Confucianism and the Public Sphere: Five Relationships Plus One?," in Bell and Hahm, *Confucianism for the Modern World*, p. 51.

[34] The possibility of multiple interpretations of the concept of *kukka* was not just limited to a conceptual problem. In fact, during the Joseon period, to define *kukka* caused a serious political debate between the Joseon monarch and Confucian scholar-bureaucrats, and between Confucian scholar-bureaucrats themselves. On this, see Hansu Yi, *Sejonsidae ga-wa gukka* [*Ka* and *Kukka* in the Court of King Sejong] (Seoul: Hanguk haksuljeongbo, 2006). Also see Joseph Chan, "Exploring the Nonfamilial in Confucian Political Philosophy," in Chaihark Hahm and Daniel A. Bell (eds.), *The Politics of Affective Relations: East Asia and Beyond* (Lanham, MD: Lexington, 2004), pp. 61-68.

The received wisdom that the state and the family were categorically conflated in the Confucian tradition should be recast as meaning that in Confucian society the state was to be envisioned *as if* it were the (extended) family to remain culturally and ethico-politically legitimate.[35] For traditional Koreans, not just the nation as it is to modern Westerners, but a "nation-family" (a nation in the image of the family) was the essential element of state identity. Hence, the traditional Korean Confucian state was the nation-state in its own Confucian terms. In Benedict Anderson's famous language, for the traditional Koreans, "nation-family" represented their "imagined community." Kyung Moon Hwang's recent study of the Confucian origin of the modern Korean state reveals how nineteenth-century Korean intellectuals extended this cultural justification of the state to the process of inventing the modern Korean nation-state.[36]

According to Hwang, nineteenth-century Korean enlightenment activists creatively appropriated the image of the "*kukka*-as-family" to re-conceptualize the state as a liberal collective entity, thereby resisting the Darwininst view of the state. At a crossroads between tradition and modernity and between independence and colonization, the advocates of a strong Korean state believed that only when the people absolutely submitted to the *kukka* could a new Korea forge ahead in a Social Darwinist world; a struggle between competing *kukka*. They maintained that, like an independent organism, the *kukka* existed with a purpose of its own, and the people

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[35] For the ethical tensions inherent in the relation between family and state in Confucianism, see Tan, "Between Family and State."

[36] Kyung Moon Hwang, "Country or State? Reconceptualizing *Kukka* and the Korean Enlightenment Period, 1896-1910," *Korean Studies* 24 (2000), pp. 1-24.

had no collective say in the existence or character of the *kukka*. For its growth had resulted not from beginnings as an "artificial" construct of the people but rather from the gradual conquest of subjects by a central authority that eventually became the *kukka*.[37]

Against this Hobbesian aspiration of "self-strengthening" of *kukka* advocated by some intellectuals, those who were inspired by the Confucian idea of "heavenly-endowed people's rights" advanced a liberal, people-centered, concept of the collective *kukka* that reconciled political theory with Confucian teachings.[38] The lessons of the *Works of Mencius*, in particular, provided the "liberal-collectivists" (i.e., liberal-nationalists) with much of their rationale, as Hwang observes that "[l]ike their Chinese counterparts, the Korean enlightenment thinkers were drawn to the overriding Mencian dictum that the state's existence was based on the welfare of the people."[39]

Hwang pays special attention to the liberal activists' own sense of duty to the *kukka* by arguing that "the enlightenment activists had in mind none other than their own turn at continuing this longstanding tradition of heroic contribution to greater society, which now took the form of *kukka*."[40] This uniquely Confucian heroism, which, according to de Bary, operated as the "prophetic voice" of the Heaven-endowed cultural mission, was repossessed by liberal nationalists in their search for a new nation-state in the formative stage of modern Korea.[41]

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[37] *Ibid*., p. 14.

[38] *Ibid*., p. 15.

[39] *Ibid*., p. 16.

[40] *Ibid*., p. 17.

[41] de Bary, *Liberal Tradition*, p. 9.

In short, the modern Korean nation-state is profoundly its liberal Confucian cultural assets. This lingering Confucian influence in modern Korea explains why many Koreans still unwittingly conceive the nation in the image of the family. More importantly, for nineteenth-century Korean liberal nationalists, liberty and collectivity (that is, the nation) were in no way mutually exclusive. Likewise, citizenship was not solely a matter of individual right, but rather as a member of the "*kukka*-as-family." In other words, one's liberty was deeply integrated into his/her national identity. In my judgment, it is this Confucian-inspired liberal nationalist tradition that inspired many contemporary Koreans to voice their concerns about the new nationality law and its fate.

Democratization and the Crisis of *Kukka*

In the Confucian tradition the state's legitimacy depends on its commensurability with the image of the family, or *kukka*. The question then becomes: what exactly makes the state, otherwise a mere cluster of bureaucratic organizations, the *kukka*, a culturally meaningful and ethically-justified political entity? [42] Many Confucian intellectuals looked to the Mandate of Heaven; a dazzlingly complex neo-Confucian cosmology that stipulates a parallel cosmic moral order between the Heavenly Way

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[42] It should be reminded that in the Confucian tradition, politics was hardly separated from ethical religion (say, Confucianism), just as in the medieval West was Christianity deeply integrated into the secular politics. This is why I have kept juxtaposing "ethico" with "political" whenever mentioning the Confucian state's *political* characteristics and justifications. As noted, SangJun Kim theorizes such a Confucian fusion of politics and religion (or morals) in terms of Confucian *Moralpolitik*. In fact, the *kukka* was one of the most important cultural product of Confucian *Moralpolitik*. See Kim, "The Genealogy."

(moral metaphysics) and the Human Way (politics).[43] But how were ordinary people alienated from the complexities of Confucian philosophy, and yet, nevertheless, soaked in their ritualistically routinized Confucian life able to incorporate the *kukka* in their understanding of political and ethical authority? In other words, what was the social and psychological medium that helped to make lay Koreans emphatically (if not philosophically) tied to the *kukka*? I am confident that it was *chŏng* that materialized the ethical connection between the people and the state.[44]

Roughly speaking, *chŏng* is a uniquely Korean form of social affect which originated from familial attachment nurtured in the traditional Confucian family— what I call "the familial affectionate sentiment." According to Sang-Chin Choi, Koreans understand *we* to include "identity, oneness, mutual dependence, mutual

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[43] As the most articulated philosophical justification of the Confucian rulership, the theory of the Mandate of Heaven operated on two levels due to its internal conflict. First, since Heaven does not speak, its mandate was thought to be revealed by the will of the ruled, the people borne by Heaven ("Where the Heaven's mandate is, so are the people!"). Yet, because of the possibility of the malicious manipulation of this theory, that is, because a tyrant could reversely appropriate the Heaven's mandate to justify his *de facto* ruling authority ("Where the people are, so is the Heaven's mandate!"), a second and more realistic way of justification was pursued. That is, since Heaven was believed to choose the most virtuous person as king, the king, regardless of whether or not his throne is from the hereditary kingship, must show his splendid moral charisma. Or—this is more important—he was "obligated" to reach that level by immersing himself in the "Sage-Learning" prepared ironically by his own subjects—the Confucian scholar-bureaucrats. Nevertheless, it is dubious how this "theory," however attractive to the Confucian intellectuals, bore actual ruling legitimacy in the lay people's daily life without being mediated through something socially and psychologically more palpable. For the double-edged characteristic of the theory of the Mandate of Heaven, see Wood, *Limits to Autocracy*, p. 9 and for its "Sage-Learning" application by the Confucian intellectuals, see Michael C. Kalton, *To Become a Sage* (New York: Columbia University Press, 1988).

[44] My contention is drawn from the recent development on this issue in Korean social psychology. See note 23 in Chapter 23.

protection, and mutual acceptance."[45] In other words, the Korean's individual self and his/her national collective self overlap. But the Korean "we" or *uri* does not refer to a collectivistic fusion of egos which give rise to a pathological group-ego found most notoriously in Nazism and the brand of ultra-nationalism of inter-War Japan. Thus, while identifying *uri* in terms of "inter-ego relationship," Hahm qualifies its nature by calling it *only* an "overlapping of egos," which allows each individual self a reflective autonomy.[46] *Chŏng* is what makes such an "intersubjective overlapping" possible by providing the emotional glue or, to use a psychological concept, a "transitional space," through which individual selves can interact.

In traditional Korea, the state, or *kukka*, was considered a national reservoir that contained the multilayered communities of *chŏng*. Or it was believed to be a national bastion of *chŏng*. In short, the *kukka* was a *chŏng*ish state. It is important to note that, up until recently, Koreans have taken *chŏng*, and not such conceptual abstracts like law, justice, or God, as the most humane way that the state can "legitimately" come to terms with their lives. A state violating *chŏng* was considered a tyranny. Likewise, a man short of *chŏng* was seen to be mean-spirited, self-interested, or cruel, and therefore not a true, ethical being.

Ironically, recent democratic reforms unwittingly brought colossal change to the culture of *chŏng* and the ethical nature of the *kukka* in Korea. Democratization accompanied by political liberalization in Korea divested the *kukka* of its traditional ethical status as a national container of *chŏng*. All the more problematic, under the title of "democracy"— particularly after the IMF bailout in 1997 and 1998—a version

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[45] Choi, "Two Perspectives," p. 246.

[46] Hahm, *Korean Jurisprudence*, p. 323.

of liberal individualism that placed an overwhelming value on individual rights and private happiness swept over the then still feeble Korean civil society, destroying traditional Korean mores nourished on *chŏng*. As a result, Korean society underwent a liberal (or "libertarian") separation of private and public geared towards individualism, of family and state (and an accompanying deconstruction of the traditional family) and, finally, of *chŏng* and the law. Gradually disenchanted from *chŏng*, Koreans have slowly lost their beloved value of national community and, thus, of national-cultural citizenship. It is in this social milieu that liberal citizenship justified in terms of individual rights and private happiness has become the defining element of citizenship in Korea, especially amongst the well-to-do.[47]

In this respect, the recent Korean upheaval around the new nationality law illustrates a new, more self-reflected, stage of Korean democratization (or democratic consolidation). That is, Koreans have started to take the democratic implications of liberal citizenship seriously by disclaiming its liberal individualistic justifications, and simultaneously by reclaiming their long-forgotten democratic and national-cultural citizenship. In other words, what is happening in Korea is the rediscovery of the Korean tradition of liberal nationalism.

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[47] But it is not to argue that the elite and the middle class Koreans do not share the *chŏng* culture and are more affected by other, Western, cultural elements like Protestantism given its predominant role in Korea's modern education. The point is, despite a certain Christianization of the Korean people, the Confucian semiotics and ethics (including *chŏng* culture) have still strong lingering influence on the Korean's interpersonal life as Koh supported by empirical findings concludes that "[o]ur Christians are Confucians dressed in Christian robes." Koh, "Confucianism," p. 199. This shared Confucian norm, however, is now undergoing a radical change due to a certain misconceived notion of democracy (and democratic consolidation).

Struggle for *Chŏng*ish Nation and Responsible Citizenship

For many liberals, the Korean demand for a rightful measure of punishment of the nationality-forsakers might be seen as symptomatic of the tyranny of the majority or social conformism that so worried Tocqueville and J. S. Mill. However, this criticism can only be justified if Korean society were founded upon a liberal-individualist social contract. Only then could it be argued that Koreans have inadvertently confused individual right and national cultural right; two incommensurable categories in notions of liberal individualist citizenship.

However, Korean *chŏng* is antithetical to the liberal conception of individuality and citizenship. As has been argued, *chŏng* mediates morally autonomous individuality and national-cultural collectivity; resonating with the concept of "contextual individuality." When the *PD Sucheop* initially revealed the identities of the forsakers, the majority Koreans' moral outrage was, in the main, directed to those who, in Herr's words,

> obviously lack cultural immersion in and/or emotional attachment to the national culture and are uninterested in promoting that common good of national survival or flourishing may be limited, for example, in the exercise of their liberal individual right of speech within the nation to publicly denounce national values cherished by the members and, a fortiori, in their participation in national discourses.[48]

Furthermore, Koreans were especially enraged by the way in which liberal citizenship grounded on the rights discourse was, through its universalist pretext, "legally" manipulated for the justification of dual citizenship (particularly, the Korea-U.S. dual citizenship), thereby exacerbating what Stephen Castles calls a

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[48] Herr, "Nonliberal Nationalism," p. 320.

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"hierarchical citizenship" *within* their own national community.[49] All the more

frustrating was that Koreans' traditional Confucian "shame ethics"—perhaps the only

weapon that the powerless can avail themselves—was helpless in the face of the

legally-affirmed systematic manufacturing of dual citizenship that promoted

hierarchical citizenship amongst Korean nationals.[50] Reacting to the fundamental

inequalities that Korean "liberal democracy" facilitates, one netizen (ID: faced77)

wondered

> Of course, they might say [to us] not to meddle in their private business. But does it make
> sense at all that they let their kids give up the Korean nationality while entertaining all kinds
> of privilege in Korean society? … Watching those families seeing off with tears their sons and
> lovers to the basic training camp, I feel torn. I guess this is the woe of the powerless
> (*OhmyNews* 6/15/05).

Another netizen (ID: eggcookies00) argued: "Given our national situation [i.e.,

the North-South military confrontation] in which we find ourselves, military duty

cannot be a choice. It is rather a duty. No matter how [universal] globalization

(*seyehwa*) has become, the national boundary of the state still exists … [In my view]

the incumbent Roh administration appears to be afflicted with moral insensitivity

intoxicated in the [rosy] ideas of democracy and liberalism" (*OhmyNews* 6/15/05).

Whether globalization has any inherent connection with liberal democracy is a

theoretically unresolved question. What is important in our context is, rather, that by

referring to globalization, this ardent Korean liberal nationalist wanted to accentuate

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[49] The concept "hierarchical citizenship" was originally coined to refer to the unequal weight in citizenship in a hierarchical nation-state system. See Stephen Castles, "Hierarchical Citizenship in a World of Unequal Nation-States," *PS: Political Science and Politics*, 38:4 (2005), pp. 689-692.

[50] About the shame ethics in Confucianism, see Jane Geaney, "Guarding Moral Boundaries: Shame in Early Confucianism," *Philosophy East and West* 54: 2 (2004), pp. 113-142.

the tensions between the universalism of liberal citizenship and the particularism of national citizenship, and—however vaguely—point to the possibility of a third way, namely, liberal nationalism. Underlying his or her statement is the old image of the *kukka*, the traditional Korean national moral community.

More important, and corresponding to the key assumptions of liberal nationalism, was that Koreans' strong attachment to their national moral community envisaged as a national family did not promote an untrammeled cultural nationalism potentially transpiring to the wholesale subordination of individual rights to some mythical national entity. Instead, while grappling with their national values and identity, Koreans exercised their own individual willpower and moral autonomy by becoming "strong evaluators." That is, they began to ask seriously *what to do* when there seemed to be no alternative. One netizen (ID: white04180) wondered, "How could they do this [unthinkable thing] as a Korean? … Who would be willing to go to the military? Honestly, no one would. Nonetheless, we do so because it is one of our duties" (*OhmyNews* 6/15/05). Another (ID: hhss) submitted, "We do not go to the military because we are weak, poor, or without having a network with political heavyweights. We do so because that is our duty and because we do not want to be ashamed of ourselves. Just because of this, although sometimes grudgingly, nonetheless, we do not seek to avoid it."

Many Koreans were torn between this helpless reality and their national obligations. Nevertheless, they voluntarily reclaimed the ethic of responsibility for their national moral community. Expressions like "nonetheless" conveyed the complexity of their thoughts, and the core dilemma of the situation. Indeed, it was

from a strongly-felt inner torment that the Koreans derived a unique kind of personal freedom and moral autonomy. In other words, they transformed the "responsibility of nonetheless" into a source of choice and, thus, into freedom. Once having found this new freedom, the voice became rather sanguine.

> Let us make efforts, with sharp reason and calm judgment, to rebuild our mother country Korea on the right foundation and let the deserving leader lead it. [After all,] the true patriots of this country are us, [the] people, who silently yet assiduously do what is to be done. Shouldn't it then [be] none other than us that take responsibility to change our country? (ID: jkrho777)

In other words, it was *they* that caused all the problems that *we* now have to suffer—social inequalities, hierarchical citizenship, corruptions, immoralities, and, above all, the disruption of *chǒng*. But, as was widely echoed especially and encouragingly among young Koreans, it is *we*, if not *they*, that should willingly assume a responsibility to rectify such problems that *we* did not cause. This special Korean ethos of collective moral responsibility or "*uri*-responsibility" was therefore by no means a fanatic expression of democratic tyranny or mob rule. Quite the contrary, it was a proactive repossession of the ownership of their cultural-national and moral-political community. And here I find a remarkable parallel in moral "heroism" between contemporary "ordinary" Koreans and nineteenth-century liberal nationalists.

Chǒng, therefore, is not merely a personal attachment. In a profound sense, it is an affectionate, yet with full of inner torment, attending to (culturally contextualized) human relatedness. To be sure, human relatedness, not to mention a particular interpersonal relationship, is not always and not necessarily affectionate as best found in the most notorious relationship in Korea—that is, a relationship

between daughter-in-law and mother-in-law.[51] Nevertheless, for many Koreans, it is still held that to break up human relatedness and dissolve it into a matter of pure private choice is far from a resolution. For them, doing so has nothing to do with freedom, but with an abnegation of responsibility. To destroy the *chŏng*ish network is an act of inhumanity.

*Chŏng*ish Citizenship and Universal Citizenship: Comparability?

As Vincent noticed, "liberal nationalism" is a precarious concept as its universalist liberal dimension and its particularist national dimension ceaselessly expose it to internal tensions. Vincent's major discontent with liberal nationalism (or any particularist case for that matter) is that despite its making the convention (that is, the cultural, ethnic or national belief) as primary and the value claim derivative unlike the alternative universalist scenario where the value is articulated independently of any conventional attachments, a careful examination of it reveals a subtle but significant slippage on the question of universals. This is why, as he observes, not all particularist thinkers are wholly critical of universalism.[52]

Vincent's criticism of liberal nationalism, however, does not justify the normative superiority of liberal citizenship. What Vincent (and many other liberals)

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[51] It is for this reason that "attachment" is an incomplete translation of *chŏng*. *Chŏng* includes not only affection (*goun chŏng*) but also affectionate hatred (*miun chŏng*), which makes the quality of the relationship deeper and denser. For this two dimensions of *chŏng*, see Choi et al., "Jeong (miun jeong goun jeong)."

[52] Vincent, *Nationalism and Particularity*, pp. 234-235. He particularly takes issue with Walzer's concept of "reiterative universalism," a thin universalism which upholds universal human rights while essentially holding onto the conventionalist claim of cultural or communal difference. C.f. Michael Walzer, "Interpretation and Social Criticism," in S. M. McMurrin (ed.), *The Tanner Lectures on Human Values*, VII (Salt Lake City: University of Utah Press, 1988).

does not take into consideration is that liberal nationalism is primarily a political practice.[53] Liberal nationalism as political theory has recently been sought to better capture too a complex reality of our political life for a liberal theory to adequately deal with. In other words, it is its very subject that makes liberal nationalism theory somewhat "fuzzier" than its liberal counterpart, which has a pre-political, a-historical, and quasi-theological philosophical foundation as its epistemological backdrop.[54] Indeed, the dialectic interplay between the particular and the universal is an essential aspect of our political life.[55]

Therefore, if attention is paid to the viability of political life, from which individual agency cannot be purely distilled and to which political theory should be committed, liberal nationalism's "subtle but significant slippage on the question of universals," rather than becoming its weakness, can provide an important antidote to its parochial and potentially homogenizing tendency. At any rate, to gloss over the universalist aspect of political life while exclusively emphasizing its particularist dimension is also tantamount to a significant misrepresentation of it. Then, can such dialectic interplay between the particular and the universal be vindicated in the

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[53] Neither Herder nor Mazzini came up with a sophisticated political theory of liberal nationalism as, for instance, Locke and Kant did for liberal politics.

[54] Barber, *Strong Democracy*, pp. 46-66.

[55] In fact, this is the central theme of Hegel's *Philosophy of Right* and, admittedly, the early liberal nationalists like Herder and Weber were immensely influenced by his philosophical ideas. C.f. Hegel, *Philosophy of Right*, §§ 6, 7, 24, 28, 152, 153, 206, 260, 261, 267, 268, 270.

Koreans' ostensibly particularist nationalist political discourse? Is there any universalist dimension in it? If any, what kind?[56]

When Koreans blamed the irresponsible forsakers of Korean nationality as "inhumane," they indeed implied by that term more than "non-*Koreans*." Of course, since *uri* was meant the responsible Korean nationals (as opposed to the irresponsible *they*) and to the extent that *they* willingly excluded themselves from the "Koreans-as-*uri*," the Koreans' shared cultural-moral-political identity, *they* could be legitimately considered non-*Koreans*. But, nevertheless, why was it that Koreans blamed *them* in such universalist moral terms like "inhuman" (that is, non-*humans*)? As far as we cling to the conventional liberal binary between universalism and particularism, Koreans could be seen to be self-contradictory, categorically confused between Korean particularity and human universality.

What should be advised here, however, is that a liberal truism that liberal individualism is logically intertwined with universalism cannot draw its assumed conclusion that universalism is predicated on liberal individualism. What liberals largely dismiss is the fact that universalism (both as concept and experience) is an essentially cultural, not necessarily narrowly liberal, value. Put differently, the received belief that the concept of the universal is transcendent of and thus neutral to any specific culture is only a liberal presumption.

Traditionally, Koreans were educated on *Daxue*'s (*The Great Learning*, one of key Confucian classics) following famous phrase:

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[56] For a similar exploration of a culturally-nuanced Confucian notion of universal human rights, see Joseph Chan. "A Confucian Perspective on Human Rights for Contemporary China," in Bauer and Bell, *The East Asian Challenge*, pp. 212-237.

The ancients who wished to illustrate illustrious virtue throughout the kingdom, first ordered well their own states. Wishing to order well their states, they first regulated their families. Wishing to regulate their families, they first cultivated their persons. Wishing to cultivate their persons, they first rectified their hearts. Wishing to rectify their hearts, they first sought to be sincere in their thoughts. Wishing to be sincere in their thoughts, they first extended to the utmost their knowledge. Such extension of knowledge lay in the investigation of things.

Things being investigated, knowledge became complete. Their knowledge being complete, their thoughts were sincere. Their thoughts being sincere, their hearts were then rectified. Their hearts being rectified, their persons were cultivated. Their persons being cultivated, their families were regulated. Their families being regulated, their states were rightly governed. Their states being rightly governed, the whole kingdom was made tranquil and happy.

The "whole kingdom" is a translation of the Chinese character天下 (*tianxia*), literally meaning "all under Heaven." Even though Confucianism is presented in such problematic terms like "familism" or, more worse, "consanguinitism,"[57] it was indeed a highly sophisticated ethico-political system into which the values of the self, of the family, (of the village), of the state, and of the world were inextricably integrated. Especially, it is important to note that in Confucianism such key ethico-political practices as family-governance (*qi-jia* 齊家) and state-governance or politics (*zhi-quo* 治國) revolve around the universalist values of the self and of the world where the self's nature (*xing* 性) was thought to embody Heaven's mandate (*tian-ming* 天命) or its cosmic principle (*tian-li* 天理). This metaphysical connection between human nature and Heavenly Principle gave rise to a uniquely Confucian idea of moral individualism because, especially after Mencius, all human individuals were thought to be capable of *ren*, the Confucian moral virtue *par excellence*, since it was believed

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[57] Liu, "Confucianism as 'Consanguinitism'."

to be imparted *a priori* by Heaven.[58] The key moral question in Confucianism therefore was whether one would be able to put his or her innate moral potential into action. The point I want to make is the political implications of the Confucian moral cosmology. That is, there was a uniquely Confucian idea of citizenship, or what A. T. Nuyen calls "Heavenly citizenship," a universal citizenship rooted in *ren*-centered moral individualism.[59]

In Chapter 3, I interpreted *chŏng* as a secularized, routinized, and thus collectivized mode of *ren*. If that interpretation is sustained, it is not surprising to find that *chŏng* (particularity) and *ren* (universality) are not only compatible but, in effect, they are mutually supportive. That is to say, even though in contemporary secular Korea where the metaphysics of Heaven and the philosophy of *ren* have gradually routinized into a less metaphysical and more particularist social psychological discourse of *chŏng*, among the Koreans, the Confucian universalist moral language is still—yet unwittingly—adopted to make moral sense of the particular state of *chŏng*-relations. This is why the irresponsible, thus *chŏng*-disrupting, forsakers of Korean nationality were blamed in such a universalist moral term as "inhumane" (or "non-*humans*") as if they were at the same time the despoilers of the Heavenly Principle.

That Koreans still possess universalist moral sensibility yet in non-liberal individualistic Confucian terms—a universalism that is made manifest only by mediation of particular *chŏng* relations—opens a possibility of compatibility between

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[58] For moral individualism in Confucianism, see de Bary, *Liberal Tradition*.

[59] A. T. Nuyen, "On the Confucian Idea of Citizenship," in Sor-hoon Tan (ed.), *Challenging Citizenship: Group Membership and Cultural Identity in a Global Age* (Burlington, VT: Ashgate, 2005), p. 181.

*chŏng*ish citizenship and universal citizenship, with very interesting normative implications. A kind of universalism to which *chŏng*ish citizenship could be connected is not the one that is singularly devoted to the promotion of individual right independent of communal good or that valorizes unencumbered selfhood over contextual individuality. The universalism that *chŏng*ish citizenship would support is not so much the one that undergirds a liberal-individualistic citizenship, but endorses a "particularist" world citizenship (say, "Confucian citizenship") that heeds full attention to the values of family, of community, of state and as well as of (contextual) self. It is the kind of universalism that encourages the particular, intersubjective, ethical practice pertaining to each distinct (yet ethically continuous) moral realm. Albeit too simplistic and still not concrete enough, Nuyen's idea of Heavenly citizenship can be instructive to representing what I have in mind here:

> (Here too) Confucianism has much to contribute with its advocacy of an outward expansion of the self to encompass the family, the community, the society, and finally the world at large. As stated in *The Great Learning* [*Daxue*], the idea of learning is to 'rectify the mind' in order to 'cultivate the person', which in turn contributes to the next step, to regulate families, and the next step, to govern the country well, and eventually, to make the whole world virtuous. It might be said that the Confucian vision is a global one. Indeed, Confucian harmony is ultimately harmony with the world and with Heaven itself.[60]

My own qualification of the above lines is: particularist *chŏng*ish relations are the very place where the universality of Heavenly citizenship or humanness is realized. Without *chŏng*, then there is no Heaven, as without the particular can there be no universal. Only when you are a responsible *Korean* citizen, thence you are an authentic *human* being and entitled world citizenship. The reverse process, however, does not hold. Universal (Heavenly) citizenship can be only possible through a

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[60] *Ibid*., p. 181.

gradual and gradated extension of *chŏng*ish citizenship.[61] In effect, this is a Confucian vision of rippling waves of interdependent, mutual responsibility extending all the levels of moral entity. But the waves emanate from a center—the self, the situated self of *somewhere*.[62] And such "somewhere" is primarily and most importantly a national moral community.

Summary

The primary purpose of this chapter was to show how a *chŏng*ish civil society predicated on uri-responsibility, which is, as has been shown in Chapter 4, distinct from a juridical civil society grounded in liberal individualism, well supports liberal nationalism by developing responsible national citizenship as opposed to liberal individualistic citizenship. Special attention was given to whether it could be theoretically justified to endorse the liberal claim to cosmopolitan citizenship in

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[61] Therefore, the dialectic interplay between the universal and the particular in a post-Confucian context is essentially "cultural" and "political" rather than metaphysical or philosophical.

[62] One may be suspicious of the practicality of this somewhat idealistic vision of "rippling waves" of responsibility. Tamir's following statement offers one of very persuasive answers: "The spread of care thus looks like a set of concentric circles—individuals care most about those in the circle closest to the centre, but are not indifferent to the welfare of those who occupy farther positions. Hence, although they begin by caring for ten individuals, they find themselves caring about many more, and may therefore be involved in protecting the interests and well-being of numerous others who could occupy a multitude of positions in the course of their lives. Since they are not "archangels," individuals are unable to estimate with any certainty what positions they should defend. Forced to take into account a wide range of interests and conceptions of the good, individuals soon discover that it is irrational for them to protect any one particular position or interest. In fact, they find themselves in a position similar to that of being ignorant of their own interests. Being risk-averse, it would be logical for them to protect the interests of the worst off and to favour the equitable distribution of those primary goods needed for the pursuit of any particular conception of the good or life-plan that they or those they care for may choose to adopt." Tamir, *Liberal Nationalism*, pp. 109-110.

Korea where particularist national chŏngish citizenship is a most prevalent, almost unchallenged, norm amongst its majority members. In particular, I have refuted as both culturally and politically unsubstantiated the liberals' claim to universal citizenship in their appeal to the universalist implications latent in liberal individualistic citizenship by arguing that Koreans do not hold a liberal rationalist metaphysics that underwrites such implications. On the other hand, though, I also emphasized chŏngish citizenship's universalist implications in its own right by revisiting the dynamic (Weberian) relation between ren and chŏng that I had explicated in Chapter 3. My central contention was that even though chŏngish citizenship does support ren-based Heavenly citizenship, the latter does not entertain its universalist (moral and political) status independent of the former, because the Hegelian unity of the universal and the particular (or the singular) is completely unknown and inapplicable to Korean *chŏng* culture that defies the idea of the singular.

CHAPTER 6: BEYOND LIBERAL DEMOCRACY
A POST-CONFUCIAN PARTICIPATORY DEMOCRACY

Introduction

From a larger perspective of the present study, one of the central aims of the preceding chapter was to bring to completion what I had only to tantalize in Chapter 3: that is, the far-reaching "political" implications of *uri*-responsibility beyond the immediate electoral outcome of 2000 General Election. In other words, in Chapter 4 I intended to give full justification to the hypothesis that *uri*-responsibility proactively assumed by (mostly young) Koreans in their shared resolutions to deal with the bedeviling Korean regionalism in 2002 was indeed geared toward a type of liberal nationalism, one that is predicated on and predicates responsible *chŏng*ish citizenship. Building on the core argument of the preceding chapters (i.e. the liberal-nationalist implications of *chŏng*ish citizenship), however, this chapter slightly shifts a focus of discussion by turning to the democratic implications of the Korean *chŏng*ish national liberalism. My special interest is to see whether there can be a mutual enhancement between liberal nationalism and democratic consolidation in a new democracy like Korea. To put it another way, in this chapter I relocate the entire argument made thus far in the framework of what empirical political scientists (if not normative political theorists) understand to be "democracy study" (i.e. transitology and consolidology). The main question to be raised therefore is, Does *chŏng*ish national liberalism contribute to democratic consolidation in Korea?

Although it has been almost two decades since the democratization of Korea, the quality of Korean democracy has been under suspicion among the theorists of

comparative democratization. [1] Their most imminent discontent with Korean democracy after democratization has centered on Korea's political culture, its authoritarian legacies that are found in every nook and corner of Korean society, standing in the way to what Linz and Stepan call the "behavioral and attitudinal shifts," [2] if not constitutional change itself, that when combined qualify democracy *as a regime* to be the "only game in town." For many, Korean democracy after 1987 is still characterized as an immensely grotesque mixture of a democratic hardware, on the one hand, and persistent authoritarian software, on the other. Accordingly, it is seen as a ceaseless clattering and rattling political process. For the consolidation to be completed in Korea, it is said, a regime change is a far cry from sufficient; what is further required is a fundamental change in political culture, a culture understood as an aggregation of individual values, [3] hence eventually a total transformation of every single Korean. With Samuel Huntington, these scholars see "Confucian democracy" as nothing more than an oxymoron given the salient suppression of the value of the individual in the Confucian tradition. [4]

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[1] Thomas Carothers, "The End of the Transition Paradigm," *Journal of Democracy* 13:1 (2002), pp. 5-21; Larry Diamond *et al*., "Halting Progress in Korean and Taiwan," *Journal of Democracy* 12:1 (2001), pp. 122-136; Inglehart and Carballo, "A Global Analysis of Cross-Cultural Differences"; Jones, "Democratization."

[2] Linz and Stepan, *Problems*.

[3] See Gabriel A. Almond and Sydney Verba, *The Civic Culture: Political Attitudes and Democracy in Five Nations* (Boston: Little and Brown, 1965). Note that Almond and Verba's view of political culture as an aggregation of individuals' cognitive, affective, and evaluative values is still pervasive in comparative political science.

[4] Samuel P. Huntington, "Democracy's Third Wave," Larry Diamond and Marc F. Plattner (eds.), *The Global Resurgence of Democracy* (Baltimore, MD: Johns Hopkins University Press, 1993), pp. 15-16. In the comparative democratization literature, the adjective democracies like "Confucian democracy" are grouped in terms of "gray zone" or "hybrid regime" or "competitive authoritarianism. See

So, it seems that, consciously or unconsciously, for many students of the democratic transition of post-Confucian East Asian countries like Korea, the successful consolidation of democracy hinges upon the two-stage process of individualization or individual modernization.[5] The first stage requires the self enmeshed in what Ernest Gellner calls "the tyranny of cousins" to be liberated and become autonomous in thinking and acting.[6] Among contemporary political theorists, John Rawls offers in his famous original position a perfect portrayal of such individuals radically severed from their social and even natural—yet merely contingent from a moral perspective—endowments.[7] In this stage, the radically situated self should be transformed into an unencumbered and self-choosing moral agent.[8] The second stage calls for such individual's strong commitment to democratic rules and values: democracy should be chosen and constituted by the individuals and democratic values should draw insurmountable attachment from them. Other types of life design (or regime type) are barred from a repertoire of choice because doing so

Carothers, "The End of the Transition Paradigm"; Larry Diamond, "Thinking about Hybrid Regimes," *Journal of Democracy* 13:2 (2002), pp. 21-35; Steven Levitsky and Lucan A. Way, "The Rise of Competitive Authoritarianism," *Journal of Democracy* 13:2 (2002), pp. 51-65. None of these allows the legitimacy and authenticity of non-liberal and non-authoritarian practice of democracy in non-Western cultures. Even the most sympathetic work like Schaffer's, albeit implicitly, treads the same foot only by attempting to understand politics in an unfamiliar culture, while ruling out a possibility of the third way. Frederic C. Schaffer, *Democracy in Translation: Understanding Politics in an Unfamiliar Culture* (Ithaca and London: Cornell University Press, 1996).

[5] Inkeles et al., "Individual Modernity in China."

[6] Gellner, "The Importance of Being Modular," p. 33. According to Kant, the center of the Enlightenment lies in man's emergence from his self-incurred immaturity, an immaturity defined as "dogmas and formulas, those mechanical instruments for rational use (or rather misuse) of his natural endowments." Kant, *Political Writings*, pp. 54-55.

[7] John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971).

[8] See Sandel, *Liberalism*, pp. 19-21.

would be morally inappropriate and political incorrect, making political life inauthentic, hence "hybrid" or "gray."

What is ironic, however, is the requirement of the second stage cannot be insulated from its likely betrayal of the very premise of the first stage, the self-choosing capability of an autonomous individual.[9] Studies supported by individual opinions polls and surveys, which themselves are predicated on modern individualism, therefore cannot be immune from this political theoretical inconvenience. In this respect, despite its fascinating finding that vindicates a remarkable abridgment in the disparity between political hardware and cultural software in Korean political culture/values, Shin and Wells' recent study, relying on data culled from a survey project, is appreciable only if our goal is solely in achieving a well-entrenched democratic regime irrespective of whether it costs an individual's self-choosing moral capability.[10]

This is not to deny the value of a democratic regime itself. The problem that I want to address is only this: from a moral perspective, to have both a fully democratic regime and a fully autonomous agent is not necessarily coincidental, if not impossible. In my view, this moral quandary stems from the very premises that 1) democracy is primarily a form of government, and 2) democracy *as a government* is pivoted on liberal individualism. But given our moral and political theoretical

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[9] But, now widely acknowledged, over the 1980s, Rawls tried to give an answer to this dilemma (i.e. the ineluctable tension between autonomous moral agency and democratic commitments) by clarifying that his theory of justice in effect has liberal democracy (of the West) as its cultural background. For this point, see Galston, *Liberal Purposes*, pp. 130-139.

[10] Shin and Wells, "Is Democracy the Only Game in Town?," pp. 88-101. For Shin and Wells, the system of values amounts to culture.

problem, it must be asked, first, Why *should* democracy be understood as primarily a type of government? And second, Why *should* democracy be coupled with liberal individualism? Put differently, why should Korean democracy, for consolidation, be a liberal (individualistic) democracy? Why to make democracy safe, Koreans *are to* be pressed to embrace a total transformation of their individual, collective, and cultural identities? Can't there be an alternative?

I argue that an alternative can be pursued in two—albeit practically inseparable—ways. First, we can refuse to adopt the prevailing definition of democracy *as a government* because it risks sacrificing the vibrancy and dynamism integral to democracy *as a way of life*. Of political theorists, this conventional view of democracy as distinctive of and alienated from citizenry's action in ordinary life is advanced by John Locke and reinforced by Robert Nozick whose shared minimalist view of the state sees the relation between government and the individual in fundamentally contractual terms. Instead, drawing on Alexis de Tocqueville and Benjamin Barber, who approach democracy in terms of citizen-making, we can understand democracy as an open-ended political process wherein individuals actively involve themselves to resolve their shared and incumbent problems, thus transforming themselves into citizens who live in and for the community. Second, we can disavow the received connection between democracy and liberal individualism. In effect, it is only a natural corollary of the redefinition of democracy, because now it can be agreed that what constitutes and gives a refreshing life to democracy is not so much discrete, unencumbered, isolated individuals (or individual voters), but mutually caring, attentive, and interdependent citizens.

Once it is clarified that viable democracy (or democratic consolidation) hangs indispensably on thick citizenship, then our prime question with regard to Korean democracy should be what citizenship in its practical sense means to Koreans and how they exercise citizenship on their unique cultural terms, without subjecting to liberal individualism. In this chapter, I suggest revamping the concept of "democratic consolidation" from a participatory perspective to do justice to the liberal-national and cultural appropriation of (the meaning of) democracy in post-democratic Korea. My contention is that if (consolidated) democracy is redefined in terms of citizen-empowerment and citizenship-building, Koreans' cultural/political practice of *chŏng* in a national civil society does not have to constitute a worry because of its apparent "deviation" from a liberal individualistic form of democracy of the West. To support this thesis, I pay special attention to the Koreans' collective response to a series of events ensued after the deaths of two Korean teenage girls by a U.S. military vehicle in June 2002. My focus will be on how Koreans created collective responsibility (*uri*-responsibility) out of *chŏng* and how *chŏng*-induced *uri*-responsibility in turn propelled them to remarkably active citizenry participation in public affairs, thus invigorating civil society and empowering citizens. Therefore, my approach is presented in terms of an alternative model of democratic consolidation, namely, "*chŏng*ish citizenship," as distinguished from and as opposed to the legal and parchment citizenship predominant in the comparative democratization literature.

From Stability to Empowerment: Civil Society and Democratic Consolidation

Problems in the Emphasis of Stability in Democracy Studies

Although the earlier project to ground a study of democratic transition (with titles of "transitology" and "consolidology") on "science" has stumbled because of the validity of generalization,[11] on the one hand, and due to the obvious emergence of the "gray zone" or "hybrid regimes," on the other, the attempt at theory building in democracy studies is far from obsolete. Quite the contrary: many devoted students are still working on the refinement of theory, and by narrowing down the conditions under which the transition begins, unfolds and completes and by specifying the mode of transition, they surely have achieved some noticeable improvements.[12] But the problem in such attempt is that in operationalizing key concepts like "democracy," and "democratic transition," they have unavoidably stripped them of the vibrancy and viability originally attached to them as social experience. "Democratic consolidation" is no exception.

In his recent article, Gerardo Munck has proposed to operationalize "democratic consolidation" simply in terms of "stability" to avoid its conflation with more equivocal concepts like "legitimacy" or "democratic quality."[13] This suggestion

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[11] Valerie Bunce, "Should Transitologists Be Grounded?," *Slavic Review* 54:1 (1995), pp. 111-127; "Comparative Democratization: Big and Bounded Generalizations," *Comparative Political Studies* 33:6/7 (2000), pp. 703-734; "Rethinking Recent Democratization: Lessons from the Postcommunist Experience," *World Politics* 55 (2003), pp. 167-192.

[12] Helga A. Welsh, "Political Transition Processes in Central and Eastern Europe," *Comparative Politics* 26:4 (1994), pp. 379-394; Gerardo L. Munck, "Democratic Transitions in Comparative Perspective," *Comparative Politics* 26:3 (1994), pp. 355-375; Gerardo L. Munck and Carol S. Leff, "Modes of Transition and Democratization: South America and Eastern Europe in Comparative Perspective," *Comparative Politics* 29:3 (1997), pp. 343-362; Stephan Haggard and Robert R. Kaufman, "The Political Economy of Democratic Transition," *Comparative Politics* 29:3 (1997), pp. 263-283.

[13] Gerardo L. Munck, "The Regime Question: Theory Building in Democracy Studies," *World Politics* 54 (2001), pp. 126-130. A similar request is made by Andreas Schedler when he submits, "[W]e

is no doubt for the sake of easier measurement, and ultimately of the *scientific* quality of research. But the substitution of consolidation that as social experience is inherently viable in its process with stability bears far-reaching implications beyond the improvement of social science research.

Three things can be addressed. First, the *conceptual* change from consolidation, which is, I would argue, inexplicably associated with legitimacy and quality of democracy, to stability is likely to be accompanied by the *actual* emphasis of stability over legitimacy and quality of democracy. The problem is the actual legitimizing process of democracy can hardly be stable because unless "democracy" remains a written document that merely legalizes free and regular election for the people of a new democracy, a period, perhaps a turbulent one, of embodying its social meaning to their hearts through variegated social, political, and cultural practices is realistically inevitable. More important, if, as will be shown, democracy is by nature an open-ended process rather than a liberal constitution or a type of political regime, or a freely elected government, the idle belief that sometime in the future a new democracy will eventually be stabilized is a mere fancy. When democracy becomes

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should restrict its use to "negative" notions described above: avoiding democratic breakdown and avoiding democratic erosion. The term "democratic consolidation" should refer to expectations of regime continuity—and to nothing else. Accordingly, the concept of a "consolidated democracy" should describe a democratic regime that relevant observers expect to last well into the future—and nothing else." Andrea Schedler, "What is Democratic Consolidation?," Larry Diamond and Marc F. Plattner (eds.), *The Global Divergence of Democracies* (Baltimore, MD: Johns Hopkins University Press. 2001), p. 161 (emphases added). But is a (consolidated) democracy merely an academic subject for "relevant observers"? What about the "people" living in and with democracy? Apparently, this "negative" definition enhances a scientific quality of research only at the expense of a serious and sympathetic attention to the real life experience of the people of a new democracy.

tranquil and where there are no more raucous voices from society, then this is the demise of democracy, instead of its consolidation.

Second, and relatedly, emphasis of stability over viability in a consolidating democracy can easily fall victim to political conservatism. As empirically evidenced, the smoothest transition from authoritarianism to democracy and accompanying stability after its virtual completion has often been occasioned in the cases of "transformation" or "transplacement" in Huntington's neologism in which an incumbent authoritarian party still holds partial or overweening power.[14] What it implies is that to secure stability, the old authoritarian forces are to be allowed a considerable amount of power and, in effect, some theorists of democratization are not hesitant to recommend these modes of transition as most practicable and stabilizing.[15]

It is not to deny the importance of stability both in and after transition. True, bargaining and compromise lie at the heart of the transition process and the transition to democracy is also a transition in the modes of conflict resolution.[16] But it is cautioned that stability that precludes from its purview room for the citizenry's learning process that accompanies frustration, pain, joy, or jubilation because it might be in a slight moment detrimental to social order is by no means "democratic." After all, what the people want is not stability *per se* that the old regime could have

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[14] Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman and London: University of Oklahoma Press, 1991).

[15] For example, see Russell Bova, "Political Dynamics of the Post-Communist Transition: A Comparative Perspective," *World Politics* 44:1 (1991), pp. 113-138.

[16] Welsh, "Political Transition Process," p. 391.

furnished as well, or even better; what they desperately need is a life of dignity and full and actual citizenship corresponding to that title written in the constitution.

The Ambiguities of Civil Society in Democracy Studies

Finally and most pertinent to our imminent concern, emphasis of stability and the attendant political conservatism could serve as a convenient slogan to suffocate burgeoning civil society in a new democracy. Ever since O'Donnell and Schmitter mentioned the "resurrection of civil society" as a likely generalized mobilization once some change has occurred at regime level, civil society has captured a center of attention of comparative political scientists, with special respect to its constitutive role in regime change.[17] Especially, after its immensely subversive power was evidenced in the process of 1989 revolutions in Central and Eastern Europe[18] and partly in East Asia of the same time,[19] the importance of civil society has been broadly accepted even by such conservative political scientists like Larry Diamond.

In a sense, for Diamond, attention to civil society[20] is indispensable when he persuades us to "see democratization not simply as a limited period of transition from one set of formal regime rules to another, but rather as an ongoing process, a

[17] Guillermo O'Donnell and Philippe C. Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore, MD: Johns Hopkins University Press, 1986), pp. 48-56.

[18] Tismaneanu, *Reinventing Politics*.

[19] Larry Diamond et al., *Consolidating the Third Wave Democratization: Themes and Perspectives* (Baltimore and London: Johns Hopkins University Press, 1997); Kim, *Politics of Democratization*.

[20] According to Diamond, civil society is defined as "the realm of organized social life that is open, voluntary, self-generating, at least partially self-supporting, autonomous from the state, and bound by a legal order or set of shared rules." Diamond, *Developing Democracy*, p. 221. But this is just another conventional definition and hence does not merit special attention. More important is how comparative political scientists use this concept.

perpetual challenge, a recurrent struggle."[21] In the most positivist sense, civil society is even *necessitous* because of its often pivotal role in helping to effect a transition to democracy. But ultimately, for Diamond, civil society *must* be limited once it has completed its catalytic role of igniting the flame of action in the mass public because

> [d]emocratic governability and democratic responsiveness and accountability are facilitated by "cycles of citizen involvement, elite response, and citizen withdrawal."[22]

Drawing on Almond and Verba's Aristotelian notion of a "mixed political culture,"[23] Diamond pinpoints the polarization of civil society along partisan lines of division as the expression of parochialism. Despite its contribution to "bringing the downfall of an authoritarian regime, the reform of a decadent and occluded democratic system, the permanent expansion of participation and enlargement of civil liberties, the impeachment and removal of a corrupt president from office, [and] the cancellation of a fraudulent election," continues Diamond, civil society must be limited because "democracy cannot function indefinitely on the basis of crisis, polarization, and pervasive civic and political mobilization by every type of organization imaginable."[24]

Theoretically speaking, it is highly arguable whether the polarization of civil society could be called "parochial" and whether the polarization along lines of political or religious orthodoxy really impairs the authenticity of "civic" society, for at least some parts of the West, civil society and pluralism grew out of sectarian

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[21] *Ibid.,* p. 219.

[22] *Ibid.,* p. 224.

[23] Almond and Verba, *The Civic Culture*, pp. 16-30.

[24] Diamond, *Developing Democracy*, p. 225.

orthodoxy and competition. In those regions, pluralism was not the opposite pole of orthodoxy.[25] Hence, it is equally arguable whether Diamond's call for a polarized civil society's "return to normality" can be justified. But my more serious problem with Diamond's discussion of civil society consists in his heavily limited view of democracy and thereof civil society. According to his logic, whereas democratization is an ongoing process, a perpetual challenge, and a recurrent struggle, democracy is subjugated to what he calls "democratic governability" or "normality." But who governs whom? Why is it that "normality" begins when citizens withdraw from the public scene?

A similar problem is seen in an otherwise interesting study by Marc Howard.[26] Howard's research question is why the grand civil society vitalized in the 1989 revolutions in Central and Eastern Europe has significantly shrunken into the particularly low levels of civic participation in the post-Communist era. According to Howard, a lack of the desire to participate in voluntary organizations in the post-Communist people entails from their past life experience under the rigidly petrified bureaucratic authoritarian regime that widened the gap between authentic private and hypocritical public lives, deepened the mistrust of formal political organizations, and

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[25] Seligman, Innerworldly Individualism; Cho, "Historical Origin." In his interesting case study, Varshney challenges a view of civil society of the kind (or a liberal-pluralist civil society) presented by Diamond by arguing that "the purpose of activity rather than the forms of organization should be the critical test of civic life … Both informal group activities and ascriptive associations should be considered part of civil society so long as they connect individuals, build trust, encourage reciprocity, and facilitate the exchange of view on matters of public concern—economic, political, cultural, and social." Ashutosh Varshney, "Ethnic Conflict and Civil Society: India and Beyond," *World Politics* 53 (2001), pp. 369-370.

[26] Howard, *The Weakness of Civil Society*.

fostered friendship networks in the private sphere. But it is dubious whether Howard

uses the concept "civil society" consistently, because the civil societies he would

want to find in post-Communist Europe are of the kind presented by Diamond, or by

Seymour Lipset[27] and Linz and Stepan[28]—namely, intermediary phenomena standing

between the private sphere and the state. Put differently, what Howard takes to be

civil societies are inherently market-oriented,[29] conservative, regime-stabilizing

subregime organizations, things absolutely alien to the societies where the very idea

of "organized interest" or "market" has never held positive or constructive

implications.

Hungarian politician and scholar G. M. Tamás captures the fundamental

difference between the East European notion of civil society and its liberal-pluralist

counterpart as this:

> [Thus,] the East European notion of civil society was pitched against the state, whereas the
> Whig idea was to complement the enfeebled state, to find new reasons for obedience and
> conformity after the wane of divinely anointed authority. The Whig idea was that voluntary,
> self-governing entities help to build a relatively non-coercive order, while the East European
> dissidents' idea was that they might help to destroy an overly coercive order. In a work, the
> Burkean-Hegelian-Tocquevillian, or Whig idea was a political one; the East European
> dissident idea was anti-political.[30]

For East Europeans, civil society was the *parallel polis* distinguished from the

crushing preponderance, the all-pervasive omnipresence of the police state where

they must live *within a lie*.[31] As Timothy Ash states, the revolution of 1989 was "a

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[27] Lipset, "Social Requisites."

[28] Linz and Stepan, *Problems*.

[29] See Diamond, "Democracy Reconsidered," pp. 123-125; Diamond, *Developing Democracy*, p. 221;
Lipset, "Social Requisites," pp. 2-3.

[30] Tamás, "The Legacy of Dissent," pp. 189-190.

[31] Havel, "The Power of the Powerless," p. 31.

springtime of nations, but not necessarily of nationalism; of societies, aspiring to be civil; and above all, of citizens."[32] In short, the parallel polis of 1989 was an "ethical" and "national" civil society in which truth is triumphant over a procrastinating hypocrisy and a lie.

What the Western comparative political scientists take to be "normality" of civil society is what East Europeans are having trouble with most. It is because now a pivotal challenge for them is whether and how to shift their claim to "truth" to the concern with "interest" and to transform (or "degenerate") "societies" and/or "nations" to "(interest) groups."[33] They are eager to have democracy but troubled to embrace the form of life a liberal-pluralist civil society requires.[34] Howard should have asked, How to revitalize the post-Communist people's passion to live in truth and How to empower their aspiration to citizenship in a novel social and political environment, namely, democracy, instead of How to subdue their passions and aspirations and channel them into an organized interest in order to *conserve* a market-supporting political regime. Albeit implicitly, for Howard, just like for Diamond, normality is achieved when people come into the controllable boundary of governance and civil society holds relevance to politics only if it facilitates such governability. Otherwise put, civil society is not so much the end in itself, but a means to governability and stability. Likewise, citizenship or citizenry's authentic political life in community and in nation is in no case the end as such; it is simply

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[32] Ash, "The Year of Truth," p. 119.

[33] Linz and Stepan, *Problems*, pp. 271-272.

[34] By "liberal pluralism" I mean the concept that political scientists casually use in democracy literature, which is clearly distinguished from the "morality of pluralism" in liberal political theory.

given with the establishment—in fact importation—of democracy. And the civil society *par excellence* is a market, and the most overriding definition of citizenship stems from a business partnership.

What then should be done? In a study of social ties in the post-Communist Poland for instance, Wlodzimierz Wesolowski presents three conceivable forms: associative ties, communal ties, and communitarian ties.[35] Drawing on Ferdinand Tönnies' classic dichotomy, Wesolowski equates associative ties with *Gesellschaft* (the equivalent of a liberal-pluralist civil society) and communal ties with *Gemeinschaft* (the equivalent of ethical civil society), and opts for communitarian ties as the most practicable alternative to either extreme. Although I am not quite clear of how in practice being communitarian could be vividly distinguished from being communal in the reality of Polish democracy and of why Poland's parallel polis should be regarded as *Gemeinschaft* (hence something other than a modern form of civil society), I find in this third way a possibility of liberal nationalism that can promote thick democratic citizenship. If our ultimate goal is how to enhance citizenship, invigorate civil society, and empower democracy, the strategy should focus on the revitalization of ethical civil society and the promotion of citizenship *within* a democratic framework, to which a rule of law should be creatively accommodated as I suggested in Chapter 4.

In this respect, the confrontational view of *Gesellschaft* and *Gemeinschaft* and the conventional belief that when *Gemeinschaft* recedes does *Gesellschaft* come or that *Gesellschaft* alone constitutes the center of civil society are at its best naïve.

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[35] Wesolowski, "Poland after Solidarity."

Furthermore, the underlying assumption that nationalism is not compatible with liberal democracy, and, accordingly, a national civil society must be pulverized into pluralist civil societies (or contractual associations) is one-dimensional. From a culturalist standpoint, however, liberal individualism geared on the possessive quest for interest does not necessarily have to be the precondition of civil society. Collectivism (including nationalism) that does not choke individuality, but rather furnishes political and psychological reality for it is by no means an enemy of civil society, but its great fertilizer. Just like the dichotomy of *Gemeinschaft* and *Gesellschaft*, a stark binary between collectivity and individuality is nothing but simple-minded.

That the key challenge that the democratization poses to non-Western societies is the cultural pressure of shifting *Gemeinschaft* to *Gesellschaft*, and, yet, *Gemeinschaft* and *Gesellschaft* do not indeed have to be opposed each other to make democracy (and civil society) safe opens the possibility that Korean *chŏng* culture can be conducive, rather than detrimental, to democratic consolidation in a uniquely Korean way. Since I have redefined democratic consolidation in terms of citizen-making, it is particularly the possibility of thick democratic citizenship predicated on *chŏng*. The case that I will present later is indeed an illustration of such possibility. But how can we theoretically underpin our discussion on democratic consolidation, civil society, and citizenship thus far? In the following section, I recast a Tocquevillian justification of a liberal-pluralist account of civil society by re-examining Tocqueville's political theory of civil society, and, drawing on Barber's

theory of strong democracy, I then revamp a theory of democratic consolidation in terms of participatory politics.

A Participatory Perspective of Civil Society and Its Implications for Democratic Consolidation

Tocqueville's Art of Association and Citizenship as Freedom

It is interesting that many political scientists of civil society single out as their classical inspiration Alexis de Tocqueville's *Democracy in America*.[36] What captures their most enthusiastic attention is what Tocqueville calls an "art of association." The most oft-quoted phrase is as follows:

> Americans of all ages, all conditions, all minds constantly unite. Not only do they have commercial and industrial associations in which all take part, but they also have a thousand other kinds: religious, moral, grave, futile, very general and very particular, immense and very small … In America I encountered sorts of associations of which, I confess, I had no idea, I often admired the infinite art with which the inhabitants of the United States managed to fix a common goal to the efforts of many men and to get them to advance it freely.[37]

As noted, champions of a liberal-pluralist view of civil society take for granted that civic associations are inherently market-oriented and their most important function is to offer a regime-legitimizing societal leverage to the state and the market that it serves. In fact, it is the modern liberal vision of the state and of civil society pioneered by Hobbes and articulated by Locke.[38] For Locke, for instance, civil society exists as an artificially constructed league of bourgeoisie, and the state (or the government) erected by civil society plays a watchman role of providing a legal

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[36] Diamond, "Democracy Reconsidered," p. 123; Lipset, "Social Requisites," p. 12; Putnam, *Bowling Alone*, p. 48.

[37] Tocqueville, *Democracy in America*, p. 489.

[38] Macpherson, *Possessive Individualism*.

protection of private property now being equaled to the person itself. The seamless nexus between property, market, civil society, and the state constitutes the core of Locke's political theory.[39]

Even though Tocqueville's civic association does not exclude business associations, or organized interests, for him, unlike for Locke, the central purpose of association is by no means in the service of the state or in the protection of right to private property, or of the market. Nor is it subject to inculcating a spirit of individualism and democratic freedom or equality. What frightens him most is, rather, a society where everyone is completely absorbed in one's daily private life and diligent pursuit of self-interests; a democracy where, amid an irrevocable process of individualization and equality of condition, freedom is confused with equality and for equality, people have such an ardent, insatiable, eternal, invincible passion that they rather want equality *in* freedom, and, if they cannot get it, they will want it in slavery.[40]

Individuals, when atomized and alienated from an intimate social context and when they are all nearly equal, "it becomes difficult for them to defend their independence against the aggressions of power. Since no one among them is strong

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[39] Famously, the most radical version of Lockean civil society is inherited by theorists like Robert Nozick and Milton Friedman (Nozick, *Anarchy, State, and Utopia*; Friedman, *Capitalism and Freedom*). Although I concur with Macpherson that Locke's idea of civil society indeed justifies a liberal (or libertarian) civil society as I claim here, I am not arguing that this possessive individualistic interpretation exhausts Locke's theory of civil society. Recently, John Dunn has corrected this conventional view in "The Contemporary Political Significance of John Locke's Conception of Civil Society," in Kaviraj and Khilnani, *Civil Society*, pp. 39-57. Nevertheless, I do believe Macpherson's interpretation of Locke still holds good as far as the cooperative relation between civil society and the market is concerned.

[40] Tocqueville, *Democracy*, p. 482.

enough then to struggle alone to advantage, it is only the combination of the forces of all that can guarantee freedom."[41] Not only for the protection of one's independence from external aggressions of power, but, more importantly, freedom functions as a heroic bulwark against the tyranny of majority camouflaged in terms of equality *in* freedom or equality of condition.

> Princes had so to speak made violence material; democratic republics in our day have rendered it just as intellectual as the human will that it wants to constrain. Under the absolute government of one alone, despotism struck the body crudely, so as to reach the soul; and the soul, escaping from those blows, rose gloriously above it; but in democratic republics, tyranny does not proceed in this way; it leaves the body and goes straight for the soul. The master no longer says to it: You shall think as I do or you shall die; he says: You are free not to think as I do; your life, your goods, everything remains to you; but from this day on, you are a stranger among us.[42]

The art of association is called for not to fortify individualism but to counterbalance it, not to protect a permanent demand for equality but to moderate it with a lofty ideal of an aristocratic liberty. In fact, in Tocqueville's judgment, there are no countries where associations are more necessary to prevent the despotism of any kind than those in which the social state is democratic, for whereas in aristocratic nations, secondary bodies form natural associations that halt abuses of power, in countries where such associations do not exist, if particular persons cannot create artificially and temporarily something that resembles them, there would be no dike of any sort against tyranny.[43]

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[41] *Ibid*., p. 52.

[42] *Ibid*., p. 244.

[43] *Ibid*., pp. 183-184.

Thus understood, Tocqueville's civil society is the democratic approximation of feudal corporate orders, or intermediary bodies, of the *ancien régime*.[44] Individuals, otherwise atomized and vulnerable, gather in small assemblies by engaging themselves in local, small-scale, quotidian, and voluntary associational life, and, in the gravest and most general and immense sense, form "a separate nation inside the nation, a government inside the government."[45] What Tocqueville cautions is this: the parchment citizenship that one believes to be naturally given by the constitution is nothing but abstract and at best ideological, rather than real; a citizenship as bestowed in the form of a "right" is only reinforcing the abstract notion of individual that is deprived of any relevant historical, political, and psychological content.[46] A real citizenship is something that is acquired by one's own action, one's voluntary participation in associational life. And it is there that one can exercise real freedom and attain a dignity of living.

Therefore, in Tocqueville, our individual and political agency is empowered only if we become a citizen. In citizenship, the binary between individuality and collectivity and/or between negative freedom and positive freedom dissolves or becomes irrelevant, not because of one's complete submission to the other, but because, now, the otherwise dichotomous relation between seemingly opposing values turn out to be dialectic. Empowered individuals are those who are embedded in the social context and who are versed in the art of relationship with others, because

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[44] Sung Ho Kim, "Democracy in Korea and the Myth of Civil Society," in Bell and Hahm, *Politics of Affective Relations*, pp. 201-214.

[45] Tocqueville, *Democracy*, p. 182.

[46] Michael Sandel voices the same worry. See Sandel, *Democracy's Discontent*, part 1.

only through legitimate relationality one's liberty can grow full-fledged. Herein lies the gist of Tocquevillian democracy: the art of association is at the heart of the public life and, in the most profound sense, there can be no other legitimate form of politics than that which promotes democratic citizenship. All in all, for Tocqueville, civil society is not merely one subsystem that helps to impart legitimacy or necessitous stability to the macropolitical—predominantly representative—system, but it indeed constitutes the very definition of democratic politics. By focusing on a regime and by dealing with civil society as an auxiliary political entity, democracy studies in comparative politics have significantly forfeited a grip on the study of civil society pertinent to our everyday life.

Barber's Strong Democracy and Democratic Consolidation

However, it should be cautioned that, after all, the society (i.e., the nineteenth-century American society) that attracted Tocqueville's critical attention was one that was dashing toward the irrevocable course of modernization in the absence of feudal and aristocratic backdrops that could have provided a necessitous transmission to control the speed and extent of social change. For Tocqueville, individualism—however socially void and politically impoverished—was an unavoidable social fact in itself and, as a result, his major concern was with how to artificially construct a semblance of genuine social relationship and authentic individuality furnished with honor and liberty where there seemed to be no such things possible. Yet, because of this entrenched individualism, albeit ironically, as a point of departure in his political theory, it appears, Tocqueville's civil society—the kind I called "liberal pluralism" or "the morality of pluralism" in Chapter 2 as distinct from "national civil society"—can

hardly be applicable to democratizing or consolidating democracies of the third wave in which modern liberal individualism is still foreign to their political culture and everyday life. Put differently, the Tocquevillian conception of civil society (i.e., voluntary associations) is useful in that it takes culture seriously and helps to promote active citizenship in the actual boundary of social life. But, it should also be noted, on the other hand, it is limited because it cannot avail itself of the same theoretical sharpness when it comes to what Benjamin Barber calls "unitary democracy" in which consensus is norm and unity is a superb value.[47]

In *Strong Democracy*, Barber takes pains to strike a theoretical middle ground between unitary democracy and representative democracy. His "strong democracy" is presented as a mediating form that is neither too thick, as is unitary democracy, nor too thin, as is representative democracy. As such, strong democracy is defined as politics "where conflict is resolved in the absence of an independent ground through a participatory process of ongoing, proximate self-legislation and the creation of a political community capable of transforming dependent, private individuals into free citizens and partial and private interests into public goods."[48] Therefore, in practice, Barber's greatest concern is with, given pervasive political apathy and decline of civic activity in contemporary American society, how to make society civil and democracy strong by transforming a private man into a voluntary citizen.[49]

At first glance, as far as democratization is concerned, Barber seems to fall into the same drawback found in Tocqueville in that his project of self-transformation

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[47] Barber, *Strong Democracy*, pp. 148-150.

[48] *Ibid.*, p. 132.

[49] Also see Barber, *A Place for Us*.

(from a private individual to a public citizen) also takes up liberal individualism as a starting point of theorization albeit ultimately aiming at its amelioration. Moreover, Barber's taxonomy of unitary democracy, strong democracy, and representative democracy (and their corresponding forms of civil society, communitarian civil society, strong civil society, and libertarian civil society[50]) is not designed to explain democratic consolidation as such.[51] In fact, transforming unitary democracy into strong democracy hardly constitutes Barber's most imminent concern.

Nevertheless, considering the actual course of democratic consolidation in countries like Poland and Korea, it seems not far-fetched to regard unitary democracy, originally an ideal type, as an actual historical form of democracy. By placing it within the context of democratic consolidation, we can recast new light on the overall process of democratic consolidation. First, democratic consolidation conventionalized in democracy studies in comparative politics can be recapitulated as shown in **FIGURE 6.1**.

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[50] For Barber's discussion of three kinds of civil society that in my view correspond to the three kinds of democracy he presents in *Strong Democracy*, see *Ibid*., pp. 12-37. To clarify, it should be noted that in Barber's categorization, the equivalent of what Wesolowski calls "communitarian ties" is closer to strong democratic civil society rather than communitarian civil society that is akin to "communal ties" in Wesolowski's framework. In fact, Wesolowski's communitarian ties are closer to civic republicanism (or communitarianism) of the kind that Michael Sandel celebrates. At some point, Barber acknowledges that strong democratic civil society is akin to civic republicanism. *Ibid*., p. 44.

[51] But in the preface to the twentieth anniversary edition of *Strong Democracy*, Barber hints the relevance of using strong democracy as a litmus test of democratic consolidation. See Barber, *Strong Democracy*, pp. xvii-xvix.

FIGURE 6.1. Democratic Consolidation in terms of Liberal Democratic Theory

Unitary Democracy (with *Communitarian Civil Society*)

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Representative Democracy (with *Libertarian Civil Society*)
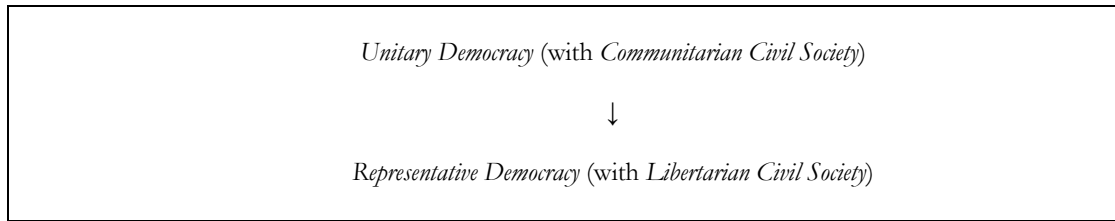
Yet, Figure 1 is far from sufficient in capturing democracy as an open-ended process, a permanent struggle for citizenship, for it is predicated on the teleological view that democratic consolidation is achieved when it has become institutionally stabilized. Here, democracy is primarily one of the regime types. In marked contrast, our reformulation of democratic consolidation with reference to active political participation understands democracy as a way of living. Such democracy is not so different from the political condition depicted by Michael Oakeshott when he wrote of sailors on "a boundless sea [where] there is neither harbor for shelter nor floor for anchorage, neither starting-place nor appointed destination, [and where] the enterprise is to keep afloat on an even keel."[52] **FIGURE 6.2** illustrates this reformulation of democratic consolidation.

FIGURE 6.2. Democratic Consolidation with reference to Barber's Strong Democracy

Unitary Democracy (with *Communitarian Civil Society*)

↓

Strong Democracy (with *Strong/Participatory Civil Society*)

↑

Representative Democracy (with *Libertarian Civil Society*)

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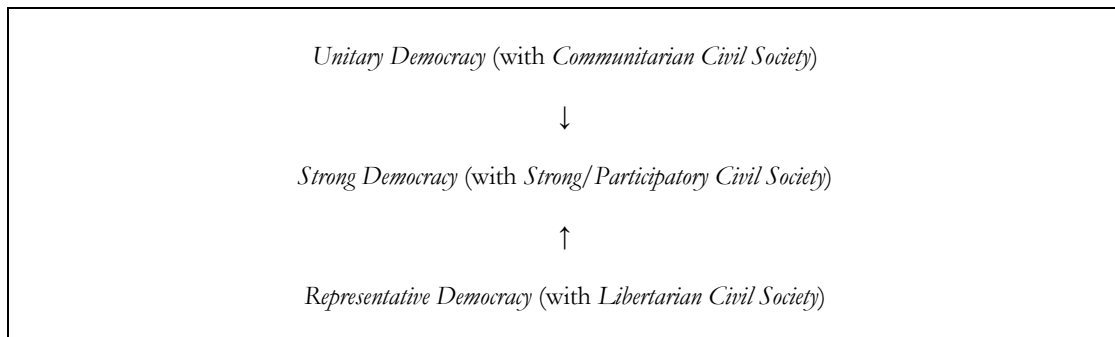
[52] Reprinted in Barber, *Strong Democracy*, p. 120.

In forcing unitary democracy onto representative democracy, once rekindled political action and participation are likely to be compelled to relapse, and politics is prone to be restored as another zoo-keeping by the intermediary of expertise in formal system, be it bureaucracy or legislature.[53] Strong democracy as a third way endorses the "politics of amateurs" in the sense that herein politics is understood as its own university, citizenship its own training ground, and participation its own tutor.[54] Strong democracy relies on participation that creates "our world" or "our will" in the Rousseauian sense (whereas composed of the wills of autonomous citizens), and the viability of "our world" hangs on a talk of every kind (cognitive, prudential, exploratory, conversational, and affective) that can enhance empathy, because according to Barber, "there is perhaps no stronger social bond and no more significant ally of public thinking than the one fashioned by empathy."[55]

Korean democracy after democratization has been evaluated exclusively from a regime perspective and consequently her grand civil society that broke down the military authoritarian regime has been under staggering pressure to transform itself into petty private associations or interest groups. With regard to its quality, a disparity between democratic institution and political culture has been singled out as the most

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[53] Famously, a completely opposite view on representative democracy was offered by Kateb in his *The Inner Ocean*, chapters 1 & 2. According to Kateb, representative democracy is normatively superior to participatory democracy because of what he calls "moral phenomena" or "culture of democratic individuality" it produces. Kateb's argument, however, can be justified only if the supreme value of rights-based individualism is taken for granted, which Kateb fails to. For strong democrats (and liberal nationalists), the political and cultural interconnection between rights-based individualism and representative democracy that Kateb valorizes renders representative democracy to be unpalatable precisely because of its (inherent) connection with rights-based individualism that they oppose.

[54] Barber, *Strong Democracy*, p. 152.

[55] *Ibid*., p. 188.

critical obstacle to its consolidation. But, in the following, drawing on our new definition of democratic consolidation and of democracy as a primarily participatory form, I will attempt to shed new light on the quality of Korean democracy and on an enormous political viability and civic participation nourished on its unique cultural resources. In order to do so, I first present a case that I find is fascinatingly pertinent to and suggestive of the character of Korean democracy.

Democratic Consolidation as Citizen-Empowerment: A Case

The Politics of Candlelight in 2002

On June 13, 2002, two Korean teenage girls (Shin Hyosun and Shim Miseon), walking on a local road of Yangju, north of Seoul, were struck by a U.S. military vehicle returning from an official duty. According to the witnesses, a 3.67m-wide minesweeping vehicle was running on a 3.4 meter-wide local road and, at the moment of the accident, it was trying to avoid a collision with another military vehicle coming from the other direction. It was reported that no functional problem was detected in the communication equipment of the vehicle and the crew of the other vehicle did signal to it about the presence of the girls. Nevertheless, how the accident happened and whether the crew in the vehicle were responsible for it was to await trial. The problem was, according to SOFA (Status of Forces Agreement)[56] contracted between the U.S. and the Republic of Korea (South Korea) in 1966, as far as an accident having taken place during official duties is concerned, the U.S. Army has the right of initial investigation and the jurisdiction over the soldiers unless an objection is raised

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[56] Its official title is "The Agreement under Article 4 of the Mutual Defense Treaty between the Republic of Korea and the United States of America regarding Facilities and Areas and the States of Armed Forces in the Republic of Korea."

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by the Korean government. For the Korean government to have jurisdiction, it should request the relinquishment of the right of the U.S. government within three weeks of the incident. Of course, it is entirely up to the U.S. government whether to hand over jurisdiction. Over the last decades, however, the Korean government has never actually claimed that right, not to mention the actual exercise of jurisdiction, despite many similar incidents.

Soon, a joint committee composed of civic groups and citizens was voluntarily organized in order to resolve the issue. Reacting to the lack of a satisfactory explanation from the U.S. Army and to the lukewarm reaction by the Korean government, which apparently was reluctant to implicate itself in the US soldier-related crime, on June 26 the committee held the first national campaign in front of the U.S. military camp at Uijeongbu, to which the soldiers then under custody belonged. Since the issue had been trivialized in the major newspapers, conservative and pro-U.S., the approximately 200 participants—mostly high-school and college students—attained the information about the campaign from alternative sources such websites like "Voice of People" (*www.voiceofpeople.org*) or "Ohmynews" (*www.ohmynews.com*), and through word of mouth.

In a written protest that was sent to the division commander on the same day, six demands were made: 1) a public apology by the division commander, the commander of the US-ROK Joint Army, and the US ambassador; 2) the U.S. Army's participation in the fact-finding committee organized by the victims' families and Korean civic groups; 3) a relinquishment of the jurisdiction to the Korean government; 4) rapid compensation; 5) the erection of a monument for the victims;

and finally 6) the prohibition of military training that passes through the road of the accident in order to prevent a recurrence of a similar incident, and the closing of the training field. Although the campaign was entitled "National," the citizenry movement thus far had been more of a local reaction and its focus was primarily on resolving the local problems the incident had generated. Despite the second national campaign on June 29, Korea's major political parties still remained silent on the issue, and the majority of Korean people appeared to be absorbed in the World Cup soccer games taking place in their home.

However, by July 7, when the joint committee held the fourth national campaign at Uijeongbu, wherein more than 1,500 citizens showed up, the issue was not merely local, as a series of similar protests had been organized in over 20 different places across the country. By then the demands focused on an official apology from President Bush and, more urgently, the relinquishment of jurisdiction by the U.S. government. In response to this national citizenry outrage, the Korean Ministry of Justice, for the first time in history, officially filed a request of the U.S.'s relinquishment of jurisdiction to the Korean judiciary authority on July 10. Hereafter and until August 7, when the U.S. Army officially refused that request, all kinds of civic associations and political organizations—regional and national high-school students organizations, various university student activity groups, and numerous organizations formed by teachers, artists, women, and religious leaders of divergent backgrounds—mushroomed in such variegated forms as street demonstration, public memorial service, artistic performance, and candlelight vigil. The following interview

with a high-school student captures the flaming spirit of civility expressed by Korean citizens.

> If any of my school teachers dissuades a student like me from coming to this kind of place [of demonstration], I would say to him or her that we students, as elucidated both in our constitution and in the UN Convention on the Rights of the Child, are also a citizen who has the right to freedom of assembly and association and [furthermore] persuade him or her to join us in letting others know the deaths of Hyosun and Miseon.[57]

Placards raised by high-school students in the street stating "Hyosun and Miseon are *Our* Younger Sisters" stirred up the whole nation. When it was broadcast on television, the entire nation finally turned into a sea of tears, tears of deep remorse for the indifference to the incident thus far, and, albeit puzzling, for the incident itself for which they seemed to have no responsibility at all. For many Koreans, Hyosun and Miseon were not so much ill-fated victims in Uijeongbu, but our daughters and our sisters that represented *our* weakness, *our* suffering, and *our* misery. Put differently, in sharing the tears of remorse, Koreans, otherwise disjointed and isolated, created "our world."

On November 22, when the two accused U.S. soldiers were finally found not guilty and the Korean government officially expressed a respect for that judgment, at stake was no longer an official apology from President Bush, but Korean sovereignty and Korean citizenship, or the true meaning of being a Korean and of having a Korean government. Practically, this enlightened awareness of citizenship and sovereignty led to the unflinching demand for the revision of SOFA, which drove 24 congressmen of the Korean National Assembly to announce a joint statement making three demands: the establishment of guilt by a retrial, President Bush's official

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[57] *Ohmynews*, 7/17/2002.

apology, and the revision of SOFA.[58] At the same time, no less pressure was placed

on the presidential candidates of the major parties to clarify their view on the issue

and whether they would endeavor to revamp SOFA once elected in December.

Amid a series of protests and assemblies nationwide, the suggestion of one

netizen (known as "angma") to hold a citizen-led candlelight vigil in Gwanghwamun

square in downtown Seoul, where millions of Korean people had experienced the joy

and national pride in the successful hosting of the World Cup in the very summer

when Hyosun and Miseon vanished, ignited a flame of collective civil action and

public exercise of citizenship. A part of it reads:

> The soul of the dead is said to become a firefly. Let's fill Gwanghwamun with our souls. Let's become thousands and millions of fireflies with Miseon and Hyosun in Gwanghwamun. 6 o'clock on Saturday and Sunday, let's [voluntarily] give up our cozy private tranquility. Please prepare a candle while dressed in black. Please light a candle, coming out of the door. When asked, please let him or her know that we go out to repose the souls of our deceased sisters. Let's walk down Gwanghwamun with candlelights. Let's cherish the memory of Miseon and Hyosun that we forgot in the joy of last June … One person would be enough. [For] we can greet to each other. [Then] we will talk about our country where Miseon and Hyosun can have an eternal rest. I would start by myself this week and the following week. Let's fill Gwanghwamun with our candlelights.[59]

On November 30, more than 15,000 citizens holding candles showed up in

order to solemnly declare Korean citizenship and protest against any kind of

oppression and violence. This time, it was not just a meeting in tears but, as ironical

as it may sound, a celebration of hope, as expressed by a teenage student of Hyosun's

and Miseon's age: "As a matter of fact, the number of the people [who actually

showed up in Gwanghwamun] was less than we saw back in the time of the World

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[58] *Ohmynews*, 11/24/2002.

[59] *Hangyeore Shinmun*, 11/27/2002.

Cup. But [nevertheless] I was deeply impressed. I shed tears upon the frustrating reality on the one hand, but on the other I also wore a smile. Yes, smile, although it would not seem to be suitable for today's memorial service. But, certainly, there was a smile in it. For [I guess] we have found a hope in people who gathered to repose Hyosun's and Miseon's souls."[60]

The nation-wide and citizens-led candlelight vigil reached its apex on December 14, when, echoing the demand of the revision of SOFA made by the survived patriots who had fought for national independence against Japanese colonialism, more than 100,000 people gathered at Gwanghwamun to declare a "Day of Second Independence," an independence not only from the US's universal and globalizing power but, in deepest truth, from their previous negligence of citizenship. Finally, on February 5, 2003, an agreement on the basic guidelines on the revision of SOFA was signed by both the U.S. and South Korea and its details were publicized to the Korean news media. Certainly, it was an unprecedented achievement, but it was in no way the end of the Koreans' quest of justice and citizenship. Rather, the strenuous demand for truth of the summer of 2002 is still an ongoing and eye-catching concern of Korean civil society. In effect, once rekindled citizenship has never been extinguished in Korean civil society.

Chŏng *as the Vehicle of Korean Citizenship*

As we have seen in Chapter 3, South Korea's military authoritarian regime was broken down by the grand civil society that represented the "voice of nation" in the turbulent summer of 1987. Certainly, it is not difficult to see a tremendous continuity

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[60] *Ohmynews*, 11/30/2002.

between 1987 and 2002, especially in terms of the grandiosity and intensity of civil society. Yet, more compelling is the massive continuity in the character of civil society, that is, its immensely "ethical" nature.[61] However, for many students of democracy who are disposed to see the entrenchment of liberal-pluralist civil societies as a critical sign of democratic consolidation, this conspicuous continuity is a source of embarrassment and, at worst, of frustration. For it paradoxically reveals the hopeless underdevelopment of articulated interests, social pluralism, cultural diversity, and finally political difference. In other words, the great continuity between 1987 and 2002 demonstrates the radical absence of civil society of the kind Marc Howard would find in post-Communist Europe in a virtual plethora of civility and political actions. For many, what is called a "mass-ascendant" mode of democratization[62] is still pervasive in Korea, and to that extent what Korea is now undergoing can hardly be grasped in terms of democratic consolidation.

But if the focus is placed on the learning or repossessing process of citizenship and on viability and dynamism that it generates, or if democracy as a way of living is our truest goal, Korean civil society in 2002 presents a landmark change in both political function and democratic quality. In 2002, Koreans were no more the masses than the citizens in every capacity that disseminated information that would have gone unnoticed, associated themselves into variegated voluntary groups, and, most important, educated themselves by questioning the meaning of "becoming" a Korean citizen. What is to be asked then is: what made otherwise private individual

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[61] See Kim, "South Korea."

[62] Terry Karl, "Dilemmas of Democratization in Latin America," *Comparative Politics* 23:1 (1990), pp. 1-21.

Koreans think of "us" and drove them to create "our" world parallel to the state that apparently failed to serve "our" common interest? Simply put, what prompted them to re-evaluate the question of citizenship and repossess it through active participation?

On June, 13, 2003, the first anniversary of the incident, a poem that cherishes the memory of Hyosun and Miseon was dedicated. A part of it reads

> If [you] were guilty, [it is because] in this wrong country
> That could not protect and [rather] overrode her own people's dignity and life
> In this ill-fated country, you were born
> It is because you called it a mother country, the colony of imperialistic America, the divided land
> This country's self-seeking politicians
> [And] all successive military governments let you die
> This country's all presidents let you die, that lived off America and only tried to read her mind.
> No! It is *ourselves* that let you die
> It is this feeble land that called forth your deaths (emphasis added)

Why do Koreans believe that the deaths of Hyosun and Miseon are due to my fault, our country's weakness, and ultimately because of *us*? Why do Koreans believe that the losses of these two young girls are *our* responsibility? Why do we feel guilty about the deaths of those who we did not hate? How should we make sense of this strange responsibility that obviously refutes the liberal notion that is fundamentally causal,[63] which speaks, "when you do wrong, then it is no other than you and you alone that should take responsibility for it"?

In *The Question of German Guilt*, Karl Jaspers presents "metaphysical guilt" as distinguished from criminal guilt, political guilt, and moral guilt when he writes:

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[63] See Leo Katz, *Bad Acts and Guilty Minds: Conundrums of the Criminal Law* (Chicago and London: The University of Chicago Press, 1987).

> There exists a solidarity among men as human beings that makes each co-responsible for every wrong and every injustice in the world, especially for crimes committed in his presence or with his knowledge. If I fail to do whatever I can to prevent them, I too am guilty.[64]

Simply put, metaphysical guilt is something that weighs upon me as indelible guilt when I live after a horrible thing like the Holocaust. As a Kantian philosopher, Jaspers could not but call this special sense of guilt "metaphysical" in the sense that it is universally felt by all rational human beings. Since, for you to feel this guilt, you must *bracket off* all empirical or experiential contingencies that inevitably lead you to call forth the question of causality ("whether I have done that or others have"), it ought to be metaphysical. But a sense of guilt or responsibility that Koreans collectively (not "universally") felt was hardly metaphysical as Jaspers would claim it to be. The collective responsibility that many Koreans shared was rather palpable, experiential, and historical. It is not what you as a *rational human being* are forced to feel because you find yourself vulnerable and helpless when you could do nothing for the injustice or crime done to innocent others (i.e. other *human beings*). What Koreans felt in the face of two young girls' innocent deaths was what you as a *Korean* cannot but confront, who understands the historicity of one's national self: her sorrow, her humiliation, her suffering as well as her joy, her glory, and her hope.

This at once historical and cultural, and essentially politico-psychological moral sensibility is (now obviously) "*uri*-responsibility, a uniquely Korean collective moral responsibility. In Chapter 4, I examined the basic characteristics of *uri*-responsibility by contrasting it to two Kantian accounts of responsibility: moral

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[64] Karl Jaspers, *The Question of German Guilt*, trans. E. B. Ashton (New York: Fordham University Press, 2000).

(individual) responsibility and political (collective) responsibility. It is now to be added that *uri*-responsibility peculiar to Korean *chŏng* culture is also differentiated from metaphysical guilt (or responsibility) due to its particularist, "cultural" and "national," implications. Apparently, metaphysical guilt, too, just like *uri*-responsibility, is a form of collective and moral responsibility and this is indeed what distinguishes Jaspers, a Kantian, from Kant (and Arendt) himself, the Machiavellian dualist of moral and political. Strictly speaking and from a cultural perspective, however, the "collective" dimension of Jaspers' metaphysical guilt is far from certain. It is because for Jaspers "collectivity" strictly and only means the abstract body of "humanity" as an aggregation of rational individuals. Which means, logically, Jaspers' idea of humanity is firmly grounded in Kantian individualism. In short, just like Kant (and Arendt), in his discussions of forms of responsibility (criminal, moral, political, and metaphysical), Jaspers does not allow room for a collective mode of moral responsibility, assumed by non-political (meaning "non-governmental"), "social" group(s). From Jaspers' viewpoint, *uri*-responsibility, which is deeply wedded to a particularist national culture, say, *chŏng* culture can never be qualified to be an authentic responsibility of any kind.

That *chŏng* creates a familial collective identity in Korea helps us understand why so many Korean citizens were inexplicably and immensely affected by the deaths of the two young girls. By awakening *chŏng* in the public space, which turned into a sea of tears, Koreans could see Hyosun and Miseon as *our* sisters and/or *our* daughters whose misfortune had everything to do with their collective and, hence,

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public life.[65] For them, citizenship could be acquired only if one is capable of inculcating *chŏng* and then exercising it in the all-seeing public space by participating in collective action. What frustrated ordinary Koreans most was the apparent absence of *chŏng* in the Korean government and major news media, which took pains to assuage or distract the civil outrage by all means, especially in the pretext of national interest that is alleged to be massively intertwined with Korea's relationship with the U.S. When the government and conservative news-makers were found hopelessly impregnable, Koreans had to find an alternative institutional outlet that could channel *chŏng* throughout every single Korean heart across the country. In 2002, Korean civil society assumed that heroic role by functioning as the powerful affectionate bulwark for "*chŏng*ish citizenship."

Summary and Concluding Remarks

The purpose of this chapter has been to re-evaluate the quality of democratic consolidation in Korea from a participatory democracy perspective. In order to do so, I first redefined democratic consolidation in terms of citizenry's self-education of citizenship and the political dynamism that it breeds rather than in terms of stability, as is often the case in contemporary democracy studies, which overly prefer a liberal-pluralist civil society that is essentially market-oriented, regime-legitimizing, and hence politically conservative to a more active, vibrant, and thus sometimes

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[65] One may wonder whether it was moral indignation rather than *chŏng* that mobilized Korean civil society. But moral indignation, just like metaphysical guilt, is a universal concept and therefore is limited in fully capturing the uniqueness of the nature and intensity of indignation or frustration that the Koreans collectively experienced. Moreover, moral indignation, as abstract as it is, can hardly explain why Koreans employed a certain type of rhetoric (i.e. the family metaphor) from amongst various other cultural repertoires available. For this point, see Swidler, "Culture in Action."

intractable form of civil society. With reference to Tocqueville's and Barber's justifications of participatory democracy (and strong democratic civil society), I then recast a process of democratic consolidation as an open-ended, non-teleological, and perennial struggle for citizenship that neither unitary democracy, the kind that Korea's grand national (yet elite-led) civil society had upheld during and after democratization, nor representative democracy, pivoted on liberal individualism, can fully come to terms with. Finally, by examining a recent upheaval of Korean civil society after the deaths of two teenage girls struck by a U.S. military vehicle, I demonstrated how Koreans empower both individuality (*chŏng*-contextual and reflective agency) and collective identity (*chŏng*-induced we-ness), thus invigorating civil society by the collective practice of *uri*-responsibility, and citizenship by active political participation.

The challenge for Korea then is not to theorize and build a thin liberal representative democracy (and a liberal-pluralist civil society) by transforming and suppressing a thick unitary democracy (and a national-communitarian civil society), risking a clash of civilization in a citizenry's actual political and cultural life, but to accommodate a national-communitarian culture with democratic civil society that empowers individuality through the inculcation of citizenship rather than that forcibly absorbs it in collectivity. As bad as forced conformity to collectivism is an imposition of what Kateb calls "democratic culture" predicated on rights-based individualism to the non-individualistic cultural community. Even though political scientists are not acutely aware of, yet, as liberal individualists like George Kateb rightly observe, precisely because democracy is not merely a political-institutional arrangement, but,

more fundamentally, a culture, and, again as Kateb argues, because a constitutional representative democracy (as opposed to a participatory, liberal-national, and communitarian democracy) and liberal individualism are mutually constitutive, "living" (if not "having") democracy not only brings a joy of liberation but also poses a fear of cultural clash to many non-Westerners, of course including Koreans. If, for non-Westerners, democratization (including democratic consolidation) is experienced as more than a regime change, hence as a drastic transformation of a *Gemeinschaft* of their thick cultural-national identity into a contractual *Gesellschaft* of liberal individualism, democratic theory is obliged to be cross-cultural and comparative, and it must be open to the possibility of an indigenization of democracy. Finally, Kateb's claim that "[t]he possibly nonindividualist experience of democracy outside America must be treated circumspectly"[66] must be rejected. There is no Democracy, only democracies. Democracy of *chŏng*ish citizenship is in this respect not oxymoronic. In my view, and for many ordinary Koreans as I believe, *chŏng*ish citizenship is the most culturally relevant and politically practicable model for Korean democracy. And it is this form of democracy that Koreans might want to take pains to consolidate.

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[66] Kateb, *Inner Ocean*, p. 77.

CHAPTER 7: CONCLUSION

Particularity and Universality

This study began by asking the question of what would be the culturally relevant and politically practicable condition upon which Korean democracy can flourish and Korean individuals can entertain both strong individual (moral and political) agency and empowered citizen identity particularly in its post-Confucian cultural context. Two directions were established for the purpose and have guided this study: first, to approach such a political and cultural condition in terms of "civil society"; second, to provide theoretical accounts of the distinctive character and compelling practice of the post-Confucian civil society in contemporary Korea by way of a cross-cultural comparison with the liberal-individualistic civil society that has been a critical constituent of liberal democracies in the West since the Enlightenment, and one that has thus become a universal, yet procrustean, model for the new democratic civil societies of the third wave. Correspondingly, there were two particular concerns in this study: first, following Tocqueville's lead, to understand democracy as a form of social life rather than a form of government as many empirical political scientists do; second, to recast the process of democratic transition and consolidation—primarily a "political" phenomenon in the political science literature, in light of cultural change that includes complex processes of acculturation between the elements of the traditional Korean *Gemeinschaft*, having been intact at large over the authoritarian periods, and those of the contractual *Gesellschaft*, gushed in after an abrupt

democratization. The search for and vindication of a post-Confucian civil society throughout the study was my own way of resolving these two critical concerns.

As we have seen, my key argument was that *chŏng* as a quintessential feature of Korean *Gemeinschaft* could meet the cultural challenge of Western individualism and its contractual culture by creating a uniquely Korean and post-Confucian type of civil society—a "*chŏng*ish civil society." Special attention was placed on how Korean democratic consolidation as a process of acculturation was indeed accompanied by and capable of a *chŏng*-induced democratic and liberal-collectivistic civil ethos (i.e. *uri*-responsibility) that I find is indispensable to invigorating collective self-determination and democratic citizen-making of the Korean people.

Even though this study set out to search for a Korean model of democratic civil society, I must stress that it also attempted to provide coherent accounts for distinctive political theoretical questions such as democratic transition and consolidation, liberal nationalism, and participatory democracy from the post-Confucian cultural perspective. But this far-reaching theoretical quest may raise an important problem reminiscent of the particularist-universalist tension with which I have grappled in Chapter 5. This is the question of whether it is valid to draw a general theory of post-Confucian civil society from a particularity of the Korean case. After all, isn't *chŏng* a particularly Korean asset, and hence by definition lacking in other post-Confucian societies, like Taiwan or Japan? Indeed, in Chapter 3 I conceptually distinguished post-Confucian civil society from Confucian civil society, with Taiwan in mind as a comparative counterpart. Then, one may legitimately ask where my intention actually lies: Is it to advocate a cultural relativism of Korean

national democratic theory? Or to advance a Confucian critique of liberal individualism, and hence to champion an alternative ideal of universalism?[1]

Admittedly, this study began as a defense of the Korean democratic practice and a search for the possibility of the Korean model of democratic civil society, rather than a comprehensive cultural critique of Western liberalism from the Confucian perspective. To be sure, a great deal of East Asian apologists of Asian Values were drawn to the second strategy over the last decade—not merely because that was the easiest way to highlight East Asian cultural identity, promote cultural nationalism, or, at worst, justify the authoritarian political systems of their home countries. But it was primarily because they failed to formulate a constructive normative political theory that could contribute to proactively rebuild a form of Confucian democracy or any other political alternatives in its own right. Thus, in their enthusiastic commitment to a cultural challenge to Western liberalism, many East Asian scholars unwittingly (or sometimes intentionally) made the mistake of simplifying the rich tradition of Western liberalism solely in terms of "individualism"—yet of the kind Tocqueville criticized by calling it "selfishness", not the kind which he was ambivalent towards.[2]

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[1] In my view, this particularist-universalist tension is endemic in recent "Confucian Democracy" quests. See Bell, *Beyond Liberal Democracy*; David L. Hall and Roger T. Ames, *Democracy of the Dead: Dewey, Confucius, and the Hope for Democracy in China* (La Salle, IL: Open Court, 1997); Tan, *Confucian Democracy*.

[2] In his celebrated chapter on "Individualism," Tocqueville distinguishes individualism from selfishness as follows: "Selfishness is a passionate and exaggerated love of self that brings man to relate everything to himself alone and to prefer himself to everything. Individualism is a reflective peaceable sentiment that disposes each citizen to isolate himself from the mass of those like him and to withdraw to one side with his family and his friends …" Tocqueville, *Democracy*, p. 482. Recently, there have been increasing demands for a subtler reading of Tocqueville's idea of individualism. See Villa, "Individualism."; Charles Taylor, *The Ethics of Authenticity* (Cambridge, MA: Harvard

That is to say, moral individualism that undergirds the backbone of modern liberal civil society has rarely been presented as a valid counterpart of comparison.[3]

East Asian apologists neglected the fact that modern liberalism grounded in moral individualism has its own image of moral community and the moral qualities indispensable to its sustenance. In other words, the inextricable connection between moral individualism and civil society and civility (which I examined in Chapter 2) was not given sufficient attention. While pinpointing the negative aspects of Western individualism such as atomism, social anomie, alienation, egoism, destruction of family values, and yet dismissing what Talyor calls the ethics of authenticity and the virtue of civility inherent in modern individualism, the previous Asian Values debates waged by East Asian scholars fell short of maintaining the balance of comparison and the rigor of criticism. If concepts like Asian Values and Confucian Democracy are to be held dear only as alternatives to the decadence of liberal individualism in its celebrated emphasis on human relationship, sociability, civic virtue, family values,

University Press, 1991). The reason Tocqueville had to be ambivalent towards modern individualism was because it could easily dry up public virtues, eventually relegating to selfishness, notwithstanding its own uniquely modern moral quality.

[3] For instance, Chaibong Hahm, *Talgeundae-wa yugyo* [Postmodernism and Confucianism] (Seoul: Nanamchulpan, 1998); Chaibong Hahm, "Family versus the Individual: The Politics of Marriage Laws in Korea," in Bell and Hahm, *Confucianism for the Modern World*; Henry Rosemont Jr., "Rights-Bearing Individuals and Role-Bearing Persons," in Mary I. Bockover (ed.) *Rules, Rituals, and Responsibility* (La Salle, IL: Open Court, 1991). Or, on the other extreme, the very opposite endeavor has also been the case: that is to unearth the values of human rights and liberal individualism in the Confucian tradition. See D. W. Y. Kwok, "On the Rites and Rights of Being Human," in Wm. Theodore de Bary and Tu Weiming (eds.), *Confucianism and Human Rights* (New York: Columbia University Press, 1998). But, both interpretations share the received belief that modern liberalism (or modernity in general) is committed to the value of rights-bearing individualism without thoroughly examining its far-reaching moral implications.

and so forth, what then is its theoretical and practical use when western liberal scholarship is vigorously rediscovering the value of civility and liberal virtues?[4]

The potential charge of "cultural relativism" or "cultural universalism" upon this study must be discarded. For it is premised on a misguided assumption that Western liberal and East Asian Confucian cultures are mutually incommensurable, and thus that the only alternative available to the latter that has long suffered the political and cultural domination by the former is either to recede to the claustrophobia of cultural relativism (and nationalism) or to entertain the hubris of Confucian universalism to replace Western liberalism. Notwithstanding differing political expressions, both ideas are rooted in the same twisted image of the West.

Another no less important reason that the previous Confucian political studies were entangled in such a stark dichotomy was that they were not as empirically grounded as they were politically motivated.[5] Even though early champions of Asian Values like former Singapore Prime Minister Lee Kuan Yew pretended that the Confucianism they cherished was the natural outgrowth of their cultural-political entities, their concern was singularly maintaining the authoritarian government they then entertained as the surest vehicle for economic development. For instance, compared with other post-Confucian societies, Singapore was the least Confucian in its cultural characteristic, and the Confucianism Lee propagandized was one of

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[4] Berkowitz, *Virtue and the Making of Modern Liberalism*; Cahoone, *Civil Society*; Galston, *Liberal Purposes*; Macedo, *Liberal Virtues*; Shils, *The Virtue of Civility*; Nathan Tarcov, *Locke's Education for Liberty* (Lanham, MD: Lexington Books, 1998).

[5] Most famously, Fareed Zakaria, "Culture is Destiny: A Conversation with Lee Kuan Yew," *Foreign Affairs* 73:2 (1994), pp. 109-126.

ideological manufactures by the government—hardly embedded in the hearts of the Singapore people.[6]

On the one hand, there is a misconceived binary of Western liberalism versus Eastern Confucianism and the accompanying dichotomy of cultural relativism and cultural universalism; on the other hand, an authoritarian agenda of the previous (state-centered) empirical justifications of "Asian Values." In order to overcome the discrepancy, this study called upon a proactive reconstruction of a model of East Asian democracy upon a live political culture manifested in the habits and engraved in the heart of an ordinary East Asian.

Perhaps this does not fully exonerate this study from what social scientists call the problem of generalization—a leap from a single Korean case study to a general theory of post-Confucian civil society in East Asia. However, this methodological suspicion can be valid only if I purported to use the Korean cases as a "scientific" method, one that aims to draw a causal inference by examining the relations between independent and dependent variables. I never intended the Korean cases to be an independent variable purely for an explanatory purpose. Rather, my principal methodological guide was an Aristotelian "evaluative explanation," in which empirical explanation and reflective evaluation (and normative prescription) are entwined. My *general* theory of post-Confucian civil society, therefore, is to be approached only against the backdrop of a *particular* Korean national-cultural politics.

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[6] To be accurate, what Lee Kuan Yew practiced is much closer to Legalism, rather than Confucianism. Recently, Hahm and Paik attempted to justify Lee's feigned Confucianism in terms of "Legalistic Confucianism" that according to them originated from Xunzi. Hahm and Paik, "Legalistic Confucianism." But, in my judgment, the fact that Xunzi's political theory is more realistic than, say, Mencius' does not make his Confucian commitment "Legalistic."

Of course, we can still compare Korean politics with Taiwanese politics or Korean civil society with Western civil society to better understand or improve Korean polity, but this does not mean that a reflective evaluation of Korean politics must be directed under some external and/or transcendental criteria. A reflective evaluation of any political entity must be conducted primarily under its preexisting political configuration and cultural tradition. It is especially so for a country like Korea, where cultural and political identities have been and still is deeply entwined.

The Problem of Objectivity and the Politics of Regret

This last point may lead to a serious liberal challenge concerning the nature of political philosophy itself. If every political culture has its own distinctive core[7] and every political entity has to be evaluated with reference to that very politico-cultural core, which is the central position of the method of "evaluative explanation," how can we secure an objective ground upon which to cast a critical eye on the existing culture-politics matrix? Using my particular Korean case, the criticism can be phrased as follows: If a *chŏng*ish civil society as an empirical reality, vindicated with some evidence, can be affirmed as a prescriptive normative ideal, how can we criticize it? Or how can it be epistemologically possible that we can detect the wrongs of our national politico-cultural community without assuming an existence of a certain transcendental, universal, or objective ground? In this regard, William Galston's following statement is highly suggestive.

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[7] The distinctive core of a particular political culture has been the persistent concern of the political scientist Lucian W. Pye. See, among many his works, *The Spirit of Chinese Politics* (Cambridge, MA: Harvard University Press, 1992) and *The Mandarin and the Cadre: China's Political Cultures* (Ann Arbor: University of Michigan Press, 1988), especially ch. 1.

When we attend to these phenomena [the actual phenomena of society], we cannot but noticing way in which moral and social thought breaks through the bounds of specific community practices, not in response to some external and exorcisable metaphysical need, but rather in accordance with its own inner and inescapable activity.[8]

Galston advances his reasoning with a classical metaphor: we all live in Plato's cave. But instead of searching for the way out, which does not exist, he advises that we settle down to the real business of describing the shadows on the walls of the cave, to cast new ones, or to make our subterranean abode more decent and commodious.[9] But such a cave is hardly a sphere where coherent agreement prevails. The reality is that around core social principles to which the overwhelming majority of a particular community subscribes, there always exist tensions amongst beliefs held within communities. Galston calls such intrasocial tensions inescapable social contradictions. A few critical examples of such contradictions include tensions between core principles and its actual practices, tensions between core principles themselves, and tensions between differing ideas of interpreting and applying principles not perceived as controversial.[10]

It is this experience of practical contradiction that gives rise to the demand for increased coherence of both practice and belief. And this, according to Galston, draws us to the need of political philosophy.

Political philosophy as I understand it is in the consequence of the interaction of the two basic phenomena just described: the inner contradictions of practice and belief on the part at least of reflective individuals within particular societies.[11]

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[8] Galston, *Liberal Purposes*, p. 24.

[9] *Ibid.*, p. 23.

[10] *Ibid.*, pp. 25-26.

[11] *Ibid.*, p. 29.

What is important is that reflection is promoted "not by some exogenous and dispensable metaphysical itch but by the inner contradictions of daily life."[12] We may call it an "embedded reflection"—as opposed to Rawls's "reflective equilibrium," a philosophical gaze transcendental to the particular cultural, political, or moral context.[13]

Galston is not alone in this track of political philosophy. Indeed, Walzer in his classic 1981 essay "Philosophy and Democracy" has touched the same issue. Like Galston, Walzer begins his argument with the tension between philosophy (the realm of truth) and democracy (the realm of opinions)—the political equivalent to Plato's cave.[14] In Walzer's judgment, the philosopher concerned with the unchanging and single truth "is and must be an outsider; standing apart, not occasionally (in judgment) but systematically (in thought)." [15] If one wants to be a political philosopher, he must detach himself from it, not physically, but intellectually and sometimes, morally. Only then, can he be heroically empowered with contemplation and analysis—two intellectual tools of radical detachment.[16]

The problem with these philosophical methods, however, is that it fears citizenry fellowship. More problematic is that the philosopher, a total stranger to the

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[12] *Ibid*., p. 30.

[13] For one of the powerful criticisms of Rawls's method of reflective equilibrium, see Jürgen Habermas, *The Inclusion of the Other*, pp. 60-61.

[14] Walzer writes, "Truth is one, but the people have many opinions; truth is eternal, but the people continually change their minds. Here in its simplest form is the tension between philosophy and democracy." Michael Walzer, "Philosophy and Democracy," *Political Theory* 9:3 (1981), p. 383.

[15] *Ibid*., p. 379.

[16] *Ibid*., p. 380.

political community, is likely to have an extreme ambition. While he is preoccupied with an authoritative business of philosophical (re)founding and/or social engineering, he hardly has a taste for political bargaining and mutual accommodation that aims at a modest and pragmatic improvement of the existing political system.

In stark contrast, according to Walzer, the essence of democracy lies in the discursive capability of the people (i.e. citizens), which enables such bargaining and accommodation. Democratic sovereignty that is pivoted on common citizenship, says Walzer, "is always sovereignty somewhere and with regard to some things, not everywhere and with regard to everything."[17] Certainly, democratic decision is not immune to criticism. After all, democracy is predicated on the free exchange of differing, sometimes conflicting, opinions. But such criticism is by no means generated from a philosophical "nowhere" (hence, by implication, a point of "everywhere"). In democracy, a critic is not so much a detached philosopher but an engaged citizen. Democracy, in other words, is self-regulative and subject to self-criticism.[18]

But in precisely what sense can democracy be self-regulative? Democrats like Walzer and Barber demand more democracy to cure democracy's own illness. But

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[17] *Ibid*., p. 385.

[18] No one has provided a more enthusiastic rejoinder to Walzer than Benjamin Barber when he compares: "While philosophical question may take the form "What is true and how do we know it to be so?" and a moral question the form "What is right and how do I act in accord with the good?" a political question takes the form: "What shall we do when something has to be done that will affect us all an we wish to be reasonable, yet we disagree on means and ends and are without independent grounds by which we might arbitrate our differences?" This formulation makes clear that the real political problem is one of action under conditions of uncertainty, not one of truth or even justice in the abstract." Barber, *The Conquest of Politics*, p. 206.

how can this tautological reasoning be a real help for democracy's worst nightmare –

a mob rule, or in Tocqueville's (and Mill's) famous language, a tyranny of majority?

In the last pages of *Strong Democracy*, Barber tries to resolve this very problem:

> The uncertainty of all knowledge and the foibles of women and men—which may but do not necessarily lessen with their transformation into citizens—impose on the strong democrat a responsibility to institutionalize regret: to build into his reforms limits on the will to change and to build into mechanisms of public choice limits on all political will.[19]

In the same spirit, Walzer is convinced that "on the democratic view, it is right

that they [citizens] make the laws – even if they make them wrongly."[20] Controversial

as it may seem, Walzer's Rousseauian argument should be read only against the

backdrop of democracy's commitment to institutionalize regret—a collective will to

rectify.[21] And of course, such regret is possible only when ardently engaged

democratic citizens are also reflective individuals who are keenly aware of the

inevitability of social contradictions within their political community.

The Judicialization of Politics and the Ascendance of Liberal Hegemony

On one level, the overarching concern of these three democratic theorists seems to

concentrate on one of the most unresolved and agonizing subjects in the history of

Western political thought—the perennial tension between philosophy and politics

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[19] Barber, *Strong Democracy*, p. 308.

[20] Walzer, "Philosophy and Democracy," p. 386.

[21] Walzer interprets the central message of Rousseau's controversial claim of general will as this: "The argument has the effect of making law a function of popular will and not of reason as it had hitherto been understood, the reason of wise men, sages, and judges. The people are the successors of gods and absolutist kings, but not of philosophers. They may not know the right thing to do, but they claim a right to do what they think is right." *Ibid.*, p. 383. Also see Baber, *The Conquest of Politics*, pp. 203-210.

(especially democratic politics); and thus the nature, or even the possibility, of political philosophy.[22] Yet, what indeed propelled them to revisit such a heroic question was the practical problem America faced—that is, the invasion of philosophy into democratic politics in American public discourses. As a matter of fact, all three authors have advanced and refined their democratic political theories by wrestling with the contemporary phenomenon of the philosophization of politics championed by John Rawls, author of *A Theory of Justice* (if not as the author of *Political Liberalism*),[23] where such a phenomenon is reflected in his problematic concepts like original position, veil of ignorance, and reflective equilibrium. All these concepts are based on the liberal assumption that the right precedes the good and that the state is an ultimate defender of individual rights and a neutral bystander regarding the contending claims of the good.

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[22] Especially, this subject caught the hearts of two giants in contemporary political philosophy, Leo Strauss and Michael Oakeshott. For Strauss' position, see Leo Strauss, "What is Political Philosophy?," in *What is Political Philosophy? and Other Essays* (Chicago: University of Chicago Press, 1988) and for Oakeshott's, see Bhikhu Parekh, "Oakeshott's Theory of Civil Association," *Ethics* 106:1 (1995), pp. 163-168.

[23] Despite *Political Liberalism*'s famous catchphrase "Political, Not Metaphysical" (an article bearing this as a title was originally published in *Philosophy and Public Affairs* 14:3 (1985), pp. 223-251), whether Rawls's neutral liberal position has fundamentally changed is still controversial. It seems that Sandel, one of great critics of Rawls's earlier work, and Habermas still remain unconvinced, while Rorty and Galston, once critics, are welcoming Rawls's "political" turn (although Galston still has certain reservation). See Sandel, *Liberalism*, pp. 184-218; Habermas, *Inclusion of the Other*, pp. 75-101; Richard Rorty, *Contingency, Irony, and Solidarity* (Cambridge: Cambridge University Press, 1989), pp. 57-58; Galston, *Liberal Purposes*, pp. 118-139.

Practically, what worries these theorists most regarding the ascendance of political philosophies *a la* Rawls[24] is the judicialization of politics in America. For judicial review has increasingly been functioning as a final and undisputed arbiter of political conflicts, helping to circumvent (often prolonged) discursive democratic processes in both legislature and civil society.[25] To the democrats, in the predominant liberal legal and political theory and practice, judges occupy a special status—as a living embodiment of unencumbered, free, and autonomously reflective individuals in the original position that Rawls idealized for theoretical (yet far from actual political) convenience. Thus, at some point, Walzer had to complain that "[t]he tension between judicial review and democracy directly parallels the tension between philosophy and democracy."[26]

What, then, are the political implications of the discussions thus far on Korean democracy? Two points can be made. First, in post-transitional Korea the judicialization of politics that is in effect a legal disguise of the conquest of politics by philosophy has been well underway, curtailing the democratic power of party politics and, more seriously, discouraging active political debates amongst citizens on important political and moral issues in civil society.

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[24] Most famously, see Bruce Ackerman, *Social Justice in the Liberal State* (New Haven: Yale University Press, 1980); Ronald Dworkin, *Taking Rights Seriously* (Cambridge, MA: Harvard University Press, 1978).

[25] Sandel observes that in America the Court has come in recent decades to view the Constitution as "a neutral framework of rights within which persons can pursue their own ends, consistent with a similar liberty for other," rather than read it as endorsing a particular moral or religious or economic doctrine that is alleged to have underpinned the American political community. Sandel, *Democracy's Discontent*, pp. 28-54.

[26] Walzer, "Philosophy and Democracy," p. 388.

In Korea, the Constitutional Court was established as the crucial element of the new Constitution that reopened the way to direct presidential election in the course of settling the 1987 crisis that we have observed in Chapter 3. According to Article 111, the Court is given the power to: 1) review the constitutionality of statues; 2) rule on the final disposition of impeachment cases brought against high-ranking officials, including the president; 3) dissolve political parties for having unconstitutional purposes or engaging in unconstitutional activities; 4) adjudicate jurisdictional disputes between state and agencies; and 5) rule on constitutional petitions. To be sure, the Court has played a remarkable role, especially in the formative period of democratic transition as Hahm and Kim have well documented. Not only has the Court stood by what the general public considered to be progressive causes, for example, striking down laws authorizing the censorship of films and attorney-client communications and restricting the scope of application of the National Security Law, but it has also improved the electoral process and promoted greater political accountability by striking down the election law that had prevented the freedoms of political participation and expression as well as electoral fairness. Moreover, in a series of subsequent rulings, the Court has firmly upheld the inviolability of private property rights against the intrusive practices of the developmental state.[27]

But the most salient feature of Korea's Constitutional Court over the last decade has been that it has emerged as a liberal sanctum of human rights. The Court

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[27] For a detailed account of the active role that the Court played in the periods of democratic transition and consolidation, see Chaihark Hahm and Sung Ho Kim, "Constitutionalism on Trial in South Korea," *Journal of Democracy* 16:2 (2005), pp. 31-33.

is now aided in part by the system of constitutional petitions, which may be filed by any citizen claiming the violation of his or her constitutional rights. What is worth questioning, however, is whether or not the Korean constitutional rights can immediately translate in terms of universal human rights. First of all, why Korea entertained a glorious wedding between democracy and constitutionalism in the transitional period is not hard to understand. During that period, it became self-evident that the historicity and the political legitimacy of the 1987 constitutional system was painfully achieved by Koreans' life-risking struggle against the authoritarian forces served by non-democratic elements in the old constitution. In other words, Koreans cherished the 1987 Constitution by identifying it as the incarnation of their collective political—and also "cultural" for the reasons that I have shown in Chapter 3—identity, which is the very democratic definition of the constitution according to Sheldon Wolin.[28]

Therefore, when the Court ruled for human rights in the name of constitutional rights in the earlier period of democratic transition, such a conceptual confusion scarcely constituted a critical problem. Just having been freed from authoritarian rule, the people tacitly agreed that the Court had an impending political agenda that they commonly endorsed—to protect the citizens who have suffered or might suffer political injustice. Now, when democratic consolidation has progressed well, the Court's confusion between human rights and constitutional rights poses a critical cultural challenge to Korean national cultural-political identity, of which the

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[28] Wolin, *The Presence of the Past*, pp. 8-31.

Court does not seem to be aware.[29] The Court's recent decision to strike down the family law that maintained the traditional Korean Confucian family structure based on the family head system is the case in point. Pressured by liberal feminists upholding gender equality on the one hand, and committed to the liberal principles of rights to individual freedom and to private happiness on the other, the Court raised the hands of liberals on the issue that was still being vigorously contested in civil society.[30]

This is not to suggest that the old family law must be valued in itself simply because it has come down as tradition. The attention should rather be drawn to the fact that the Court has emerged as a trusted neutral (while in actuality liberal) arbiter regarding controversial moral, political, and cultural issues, of which far-reaching implications go beyond the domain of the legal, narrowly understood. Moreover, the idea that the Court's definition of "civil" authoritatively dictates what forms the social meaning of "the civil" in Korean civil society is quite uncivil. What is worse, the Court's implicit liberal assumption that civil society begins when the traditional family structure is deconstructed is misguided, not to mention lacking in historical consciousness and cultural commitment. For as we have seen, this particular understanding of civil society, to which values like individual autonomy, value pluralism, and gender equality are central, underpins only one of many practices of

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[29] On some important constitutional decisions towards such a trend, see Chaihark Hahm, "Negotiating Confucian Civility through Constitutional Discourse," in Hahm and Bell, *The Politics of Affective Relations*.

[30] For the political and philosophical implications of the new family law in Korea, see Sungmoon Kim, "Family, Affection, and Confucian Civil Society: The Politico-Philosophical Implications of the New Family Law in Korea," *International Studies in Philosophy* 39:4 (forthcoming in Winter 2007).

civil society. To see the Constitutional Court in terms of a magic apparatus of *deus ex machina* in Euripides' tragedy, which brings otherwise complicated human conflicts to a sudden and fantastic resolution, is to make the Court equivalent to Plato's Nocturnal Council, the authoritative league of all-seeing philosophers. Thus understood, in the consolidating Korean society, the ascendance of the legal (and the philosophical) over the political threatens to seriously curtail the citizens' democratic discursive capacity and the national cultural-political collective identity of the Korean people.

However, a far-more serious threat endangering Korea's *chŏng*ish civil society is coming from the ascendance of liberal hegemony in every nook and cranny of Korean society, beyond the Constitutional Court. This is the second point I want to make.

In a sense, the recent liberal decisions of the Court can be understood to be a faithful reflection to the law of the drastic cultural and moral transformation, or the "cultural liberalization," ushered in after the democratization of Korean society. What is most distinctive in this transformation is that it has dramatically weakened the traditional Confucian social semiotics and ethics, while enthusiastically embracing liberal norms and ideals supported by the rights discourse in their stead. And thus, in various public settings in Korea, the justifications based on freedom of personal consciousness and right to private happiness are gaining more purchase than those based on collective cultural identity and the public good. In this social milieu, a misconceived belief has been unwittingly entrenched that democracy is by nature a liberal democracy – the political system devoted to safeguard individual rights. That

is to say, democracy and liberalism, originally distinct social practices, have become too intermingled to conceptually separate. Oftentimes, arguments upholding collective identity and the commonality of the people are mistaken to support the old authoritarian and pathological slogans of national identification and cultural purity and, accordingly, easily cast under the suspicion of nationalism, as we have observed in Chapter 5.

But what is more troubling from a democratic perspective is a certain philosophical stance the self-claimed liberals often take: From a 7-year old 1st grader's right to his or her hair length to a 20-year-old college student's freedom of expression in the library; from a teenager's right to keep a cell phone on at school to a prisoner's right to happiness. The liberals are indeed untiring in re-founding the Korean society on the unalloyed liberal individualistic footing, which they believe to be the core of an authentic democracy and civil society. Yet, this unflinching zeal for social engineering is what any self-conscious democrat must refrain from. Since such liberals do not approach Korean society from within its particularist cultural, historical, and moral context (hence thinking from "nowhere"), their philosophical enthusiasm is abstract and far from practicable. It is rather subversive because it attempts to radically uproot or deracinate *chŏng* culture and other Confucian cultural heritages from the existing Korean society. Such zeal is uncivil because it prevents a meaningful and productive discussion between the dissenting parties. Last but not least, the liberal aspiration for radical social change inherently discriminates because it tends to see the non-liberal "ordinary" Koreans, still embedded in *chŏng*ish

relations, as heteronomous and thus a target of self-transformation (i.e. individual modernization), and by implication as a second-class citizen.

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Civil society is a complex middle ground between *Gesellschaft* and *Gemeinschaft* and for non-Westerners living in the rapidly westernizing world, it may exist somewhere between Western and their indigenous ways of life. In any case, civil society as a public sphere mediating between the private sphere and the state is essentially a social practice rather than a fixed or reified social entity, which can and should be culturally rearticulated, reformulated, and even reinvented. The ethical project of the cultural reinvention of civil society is especially critical to non-Western societies like South Korea, that despite remarkable capitalization and the relatively firm institutionalization of democracy, the corresponding ethical civil society has yet to be articulated. As John Dewey was convinced, and I believe Confucius would agree with him, if democracy is not the political regime per se, but is a form of social life in its most profound sense, and accordingly, if what is central to democratic living is not just voting but citizenship, the centrality of civil society to democracy is self-evident, for it defines the nature and the quality of citizenship. It is for this reason that Koreans should take pains to maintain and further ameliorate their own ethical civil society that is politically practicable and culturally relevant, instead of hastily replacing it with rights-based and interest-seeking civil societies as the liberal-pluralist account of civil society dictates. In this respect, the value of the cultural

practice of *chŏng* and *uri*-responsibility in Korean society for its democratic empowerment is simply immense.

GLOSSARY

1. Korean

chŏng	정
goun chŏng	고운정
in chŏng	인정
kukka	국가
miun chŏng	미운정
mu chŏng	무정
seyehwa	세계화
simin undong	시민운동
uri	우리
uri chaegim	우리 책임

2. Chinese

ce yin zhi xin	惻隱之心
ci rang zhi xin	辭讓之心
dao	道

dao tung	道統
Daxue	大學
fu	夫
hao jie zhi shi	豪傑之士
i	義
li	禮
li	理
Lunyu	論語
pifu	匹夫
qi jia	齊家
ren	仁
shi fei zhi xin	是非之心
si wen	斯文
tian	天
tian dao	天道

tian li	天理
tian ming	天命
tian xia	天下
wang tung	王統
wen	文
xiao	孝
xiao di	孝弟
xing	性
xiu wu zhi xin	羞惡之心
yifu	一夫
zhi	智
zhi quo	治國
Zhongyong	中庸

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