COMMENTARY APRIL 2020

## Korean Democracy is Sinking under the Guise of the Rule of Law

Gi-Wook Shin

nce again, Senator Bernie Sanders is whipping up a storm in the U.S. presidential race. A self-described "democratic socialist," he is rallying the progressive wing of the Democratic Party behind him with a bold campaign pledge that includes universal single-payer health insurance, expanded construction of affordable housing, a \$15 minimum wage, tuition-free public college, and a wealth tax. He has an unshakable base of fervent supporters—last year, his campaign raised approximately \$96 million from five million individual donors.

Senator Sanders is criticized for holding radical political views that limit his ability to appeal to the wider electorate. Nevertheless, he is still creating a sensation by riding on a wave of anti-Trump sentiment. Antipathy toward President Donald Trump—known for his "America First" ideology and disparagement of immigrants and minorities—is being expressed as support for Sanders. Anger and resentment among white voters drove Trump into the White House; now, a corresponding outrage against Trump policies undergirds Sanders' base of support. As of this writing, it appears highly unlikely that Senator Sanders will be chosen as the Democratic Party's presidential candidate. Nevertheless, the opposing bases of support for President Trump and Senator Sanders clearly show the deepening of political polarization in American society today.

#### **FALLING PREY TO AUTHORITARIAN TEMPTATIONS**

Political polarization is hardly confined to the United States. It is a global phenomenon that is evident in western and southern Europe (the United Kingdom, France, and Spain), the former Soviet bloc (Hungary and Poland), South America (Venezuela and Brazil), and across Asia (the Philippines and India), and it comes on top of an already existing economic polarization. Both the spirit and standards of democracy are under attack. This is exacerbated by the rise of chauvinistic populism, which

also threatens the existing liberal international order. The "end of history" proclaimed the final victory of liberal democracy after the end of the Cold War, but it is nowhere to be seen today. Rather, we are witnessing a worldwide democratic recession.

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South Korea is no exception to this trend. On the right, there is the so-called *Taegukgi* brigade, named after Korea's national flag, waved by adherents at protests to express their patriotism; on the left, there are the *Moon-ppa*, a label used to refer to President Moon Jae-in's zealous supporters. There are anti-Moon rallies in Gwanghwamun Plaza and pro-Moon rallies near the Supreme Prosecutor's Office in Seocho-dong. This represents a politics of extreme confrontation, which is fast becoming South Korea's new normal. Moreover, there is growing mistrust between individuals and between groups. A Manichean logic of good and evil is becoming prevalent, as is an emphasis on ideological purity and moral superiority. The symptoms of democratic decline are evident in every corner of Korea

The global decline of democracy is a matter of great concern among intellectuals in Europe and the United States. According to Freedom House, a global human rights NGO, in 1980 less than 30 percent of countries worldwide were democracies; in the mid-1990s, this increased to more than half of all countries as a result of the "third wave" of democratization. However, after reaching a peak of 62 percent in 2006, this figure has steadily declined, shrinking to 48 percent in 2019.

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There have been periods of decline in the past, too, but the present democratic recession is marked by several characteristics. First, the leaders who are gradually dismantling democracy were elected to that position through democratic procedures. In other words, democracy is backsliding because of leaders who were legitimately elected, not because of radical events, such as a military coup or a communist revolution.

Hugo Chávez in Venezuela, Recep Tayyip Erdoğan in

Turkey, and Rodrigo Duterte in the Philippines all gained power by democratic means before regressing into authoritarianism. Viktor Orbán, who had once called for the withdrawal of Soviet troops during communist rule in Hungary as a young pro-democracy activist, was himself not free from authori-

tarian temptations after entering office. These leaders regard political rivals as their enemies, point to the elite as the epitome of evil, and mock the press as "fake news." This tendency is visible even in the United Kingdom, with its hallowed tradition of democracy, the United States, with its celebrated history of democracy, and India, which has long been regarded as a model of democracy in Asia.

Second, even as the procedural legitimacy of the rule of law is being honored, democratic norms and the spirit of democracy are being undermined, even destroyed. Steven Levitsky and Daniel Ziblatt, both professors of political science at Harvard University, make a sharp observation on this trend in their book, *How Democracies Die*. According to their analysis, the procedures of the rule of law are insufficient to defend democracy if the core democratic norms of mutual tolerance and forbearance are not also adhered to.

Political polarization is all but inevitable if hate and confrontation overpower tolerance and compromise, and if the exercise of power slides from impartiality toward abuse. In the United States, the politics of hate and confrontation gradually took root with the appearance of Newt Gingrich as Speaker of the House in the 1990s and the emergence of the Tea Party movement in the 2000s, culminating in the Trump Era of the mid-2010s.

## APPEALING TO THE PEOPLE AS WARRIORS AGAINST GREAT EVILS

The third characteristic is the fusion of political polarization with chauvinistic populism, which is drawing explosive popular support. Trump is insistent in his calls for "America First," while Boris Johnson spearheads the Brexit movement. Jair Bolsonaro is well known as a far-right nationalist. There are also religious fundamentalists, including Narendra Modi (Hinduism) and Erdoğan (Islam). These leaders, who are

damaging democratic norms, are earning widespread support by appealing to chauvinistic sentiments. Despite suffering an impeachment crisis in which he was charged with abuse of power and obstruction of Congress, Trump maintains a robust approval rating of 40 percent. Duterte, who openly uses fear as a political weapon, has a sky-high approval rating of 80 percent.

These political leaders portray themselves as warriors

who are fighting great evils on behalf of the common people. They do not hesitate to use ethnic or religious minorities and immigrants as political scapegoats. Moreover, they are skilled in their use of political methods to stoke popular sentiment, and they dismiss

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expert opinion as simply representing the interests of the elite.

Fourth, Vladimir Putin's Russia and Xi Jinping's China are accelerating the democratic recession by expanding their influence across the international community. As can be seen in the scandal surrounding Russia's interference in the 2016 U.S. presidential election, Moscow is intervening in the domestic politics of other countries. Beijing is also enlarging its economic and cultural influence with its Belt and Road Initiative and by establishing Confucius Institutes worldwide. By doing so, it seeks to disseminate a discourse that proclaims the superiority of the Chinese model of governance over that of Western countries, including the United States.

Putin and Xi not only provide a template of prolonged one-man rule for other authoritarian leaders, but are also providing assistance to those regimes. Once a staunch U.S. ally, the Philippines has distanced itself from the United States and the European Union since Duterte entered office, moving closer to China and Russia instead. A report by the National Endowment for Democracy uses the term "sharp power" to describe these two countries' use of subversive means to pressure other countries and advance their own interests.

Finally, the protective shield around liberal democracies is thinning at the same time the use of sharp power is growing. The current global state of affairs bears similarities to that of the 1930s, when democracies crumbled under the threat of fascism and Nazism. During that era, democracy was destroyed by leaders such as Mussolini and Hitler, who likewise came to power through democratic procedures. The result was a devastating war with a catastrophic loss of life, a crisis that was overcome when the United Kingdom and the United States—among others—joined forces, making a last stand for democracy.

Today, the United States and the United Kingdom are not free from the global decline of democracy. Larry Diamond, a

colleague at Stanford who has studied democracy for decades, argues in his recent work *Ill Winds* that U.S. leadership is critical in stopping the trends of totalitarianism emanating from China and Russia. It is questionable, however, whether the United States has the power and resolve to do so as long as Trump remains in the White House. Instead, he is creating an atmosphere that encourages the rise of Little Trumps in Brazil, the United Kingdom, and the Philippines.

### MISAPPROPRIATING THE CANDLELIGHT LEGACY

The Moon administration came to power after an unprecedented political crisis in South Korea. A massive wave of so-called candlelight protests swept the country at the end of 2016, resulting in the impeachment of then president Park Geun-hye in March 2017. When Moon Jae-in took office the day after the May 2017 election, his administration had a golden opportunity to capture the people's aspirations for a mature democracy and take decisive steps to consolidate South Korea's democracy. There were also high expectations because key figures in Moon's regime had been pro-democracy activists in the 1980s. The administration appeared to respond to this popular demand. It took encouraging steps to realize the spirit of participatory and deliberative democracy that was embodied by the candlelight protests. The Blue House created an official national petition website, and it assembled a public opinion committee to deliberate on the controversial issue of nuclear power plants.

However, the petition website has become muddied by partisan demands, and the role of the committee was limited to barely supplementing the representative democracy. The Moon administration is instead sinking into democratic decline, taking steps that exacerbate political polarization, erode democratic norms, and appeal to chauvinistic nationalism. Let us consider a few examples.

Polarization and a Politics of Good and Evil The first signs of democratic decline usually appear when those in power demonize the political opposition and seek to eliminate it. Perhaps the most prominent example of the current administration's degradation of the democratic norm of mutual tolerance is its campaign of "eradicating deep-rooted evils" from Korean society and politics. The regime's new ruling elite, intoxicated by an outdated sense of moral superiority, prides itself on having come to power through a "candlelight revolution." It proclaimed that it would eliminate reactionary elements once and for all and change the mainstream of South Korean society.

The South Korean people yearned for a new era of co-existence and concordance with less economic, social, and ideological polarization. Rather than responding to this popular aspiration, however, the ruling elite displayed great arrogance. Proclaiming themselves as the only rightful heirs of the candlelight legacy, they labeled the political opposition as "deep-rooted evils" to be eliminated and denounced the

conservative press as "fake news." There is nothing new in Korean politics about an administration differentiating itself from its predecessor and rooting out past corruption. However, justifying such actions with a Manichean logic of good and evil, while aggressively attacking the other side as a "great evil" or a "reactionary force," is typical of attacks on democratic norms that have appeared elsewhere.

The current ruling elite claimed themselves to be uniquely qualified to reform society by standing in solidarity with the weak and disadvantaged. However, the political firestorm sparked by the appointment of Cho Kuk as justice minister showed in no uncertain terms that they were also part of the elite. Cho, who holds a doctorate from UC Berkeley, was a

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law professor at Seoul National University before joining the Moon administration as its first senior secretary for civil affairs at the Blue House. Widely known as an outspoken progressive intellectual, he had also been active in civil society and frequently stressed the need to reform the prosecutors' office. A plethora of corruption allegations involving Cho and his family emerged before and during his confirmation hearings at the National Assembly. The prosecutors' office investigated these allegations and charged Cho and his wife, against the wishes of the Blue House and the ruling Democratic Party. The ruling elite did not humbly submit to legitimate criticism about Cho, let alone respect legal investigations, and instead denounced them as reactionary. A National Assembly member who belonged to the ruling party was openly critical of Cho's appointment; he was soon branded as belonging to "anti-reform" forces because he had been a prosecutor before entering politics. Under mounting public pressure, Cho resigned as justice minister after only a month in office.

For several weekends, there were massive, dueling rallies in Seocho-dong and Gwanghwamun Plaza—the former seeking to protect Cho, the latter in opposition. This is sadly a dismal self-portrait of today's South Korea, which is only becoming ever more extreme in social and political polarization. Instead of seeking tolerance and compromise, South Korean society continues to fragment under a pervasive atmosphere of mistrust and conflict between individuals, groups, and generations. As violence begets violence, there is now a greater likelihood that the conservatives will begin a new

campaign of "eradicating deep-rooted evils" if they regain power. Demands by the political opposition to impeach the president may become the new normal.

### POLITICAL INTERFERENCE IN THE COURTS

Undermining the Separation of Powers The courts are the last line of defense for the rule of law. The current administration has abused its administrative power to "eradicate deep-rooted evils" in the judicial branch, thereby violating the spirit behind the separation of powers and rapidly politicizing the court. A judge who acted as the secretary for a group of progressive-minded lawyers within the courts was directly appointed as the secretary of legal affairs for the president at the Blue House's Office of Civil Affairs. Another judge who played the same role, and who was only three months into retirement, was later appointed as his successor.

South Korea's Prosecutors' Office Act forbids the appointment of prosecutors to positions at the Blue House. A loophole in the Act, which allowed for recently retired prosecutors, was closed by the current administration in March 2017 by the stipulation of a one-year wait following retirement before former prosecutors can be appointed to the Blue House. Judges require a higher degree of political independence than do prosecutors. Nevertheless, the Blue House pushed ahead with the secretarial appointment on the grounds that there were no relevant laws regarding judges. While it may not have been illegal, the appointment undermined the independence of the

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judicial branch. (An amendment to the Court Organization Act prohibiting the appointment of judges to the Blue House was belatedly enacted in February 2020.)

It is largely believed that these individuals spearheaded the effort to "eradicate deep-rooted evils" in the judicial branch, which included the arrest of a former chief justice of South Korea. Among legal circles, there are voices that lament the court's subordination to political authority and the trend of judges paying heed to political considerations. A former judge, who now teaches as a law school professor, confessed to the author that "as someone who once belonged to the court, such a series of events was truly unbearable to watch. It was one embarrassing incident after another."

When judges who openly called for the "eradication of deep-rooted evils" in the court retire and then immediately run for the National Assembly as candidates of the ruling party, it also undermines the separation of powers. In announcing their candidacy, these former judges invariably emphasize that they are uniquely qualified to reform the judicial branch. On the contrary, such actions can only increase the danger that the judicial branch will fall under the sway of political forces. Moreover, if judges who are associated with particular decisions (such as the one on compensating victims of Japan's wartime forced labor) or particular issues (such as the alleged "blacklist" of judges kept by the Supreme Court during the Park Geun-hye administration) immediately enter politics, there will be questions about political motives behind their rulings. This could throw the fairness of court rulings in question and raise doubts about judicial independence.

This kind of precedent runs the risk of motivating judges with political ambitions to issue rulings based on political considerations instead of on legal principles, undermining the integrity of the court. Furthermore, appointing a former speaker of the National Assembly as the prime minister may not violate any laws, but it is hardly consistent with the intent of the constitution, which stipulates the separation of powers as a principle of government.

## CHANGING THE RULES OF THE GAME AND DOUBLE STANDARDS

Changing the Rules of the Game The realization of popular sovereignty through free and fair elections is the foundation of any democracy. Election laws are thus "rules of the game" that are essential to upholding democracy. If a powerful actor unilaterally changes these rules to its own advantage, it is difficult for others to accept the results that follow. The intent of the 2012 amendment to the National Assembly Act, which stipulates a 60 percent threshold for passing any major legislation, was precisely to prevent such unilateral action. Previously, the speaker could directly bring a bill to the floor for a vote, enabling the majority party to push through legislation by itself. The current ruling party, however, bypassed the main opposition party and worked with minority opposition parties to form an ad hoc "4+1" consultative body that passed a new mixed-member proportional election system. In response, the main opposition party countered with a filibuster, even resorting to the use of physical force. The situation deteriorated to the point where criminal charges were brought against National Assembly members in both the ruling and opposition

One could accept the intent of the new electoral law—that is, to better represent the popular will by making it easier for minority parties to gain seats through the new proportional system—as perfectly valid. The passage of such a law could be fully legitimate in terms of legal procedure, too. Even so, altering the rules of the game without the other side's consent, especially that of the main opposition party, violates the spirit of democracy. Powerless to stop the electoral reform, the main opposition party subsequently formed a bizarre "satellite" proportional political party, the likes of which have never

been seen before. The ruling party initially attacked this as an underhanded political tactic. However, it soon claimed that unstoppable "popular militias" were rising up to defend the progressive cause. As of this writing, the ruling party has also formed a satellite proportional party. The original intent of adopting a mixed-member proportional system is being rendered irrelevant as all actors outdo each other in finding ways to circumvent the rules. Some may argue that there are no problems with the current state of affairs, since everything was done within the boundaries of the law. Through their actions, however, both the ruling and opposition parties have ignored democratic norms and damaged the spirit of democracy.

Abuse of Power and Double Standards Since time immemorial and in countless regimes, those in power have been tempted to wield that power as they please. Democracy, however, becomes more robust when those in power show

forbearance and exercise their authority judiciously. Following the impeachment crisis, however, the Moon administration has been anything but restrained in deploying its power to eliminate opponents. It took the extraordinary step of appointing Prosecutor Yoon Seok-

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ryul, who had been demoted by the previous administration, as the chief of the powerful Seoul Central District Prosecutors' Office. In this position, Yoon was to lead the comprehensive prosecutorial campaign to "eradicate deep-rooted evils" that included the arrest and prosecution of former president Lee Myung-bak and former chief justice Yang Sung-tae. Moreover, the administration created an "eradication" task force in each government ministry and agency, including the Foreign Ministry and National Intelligence Service. These task forces singled out key officials and scrapped major national policies from the previous administration, deeming them to be unforgivable errors that undermined national interests. The excessive interrogation and punishment of officials in charge of policy implementation greatly diminished the morale of civil servants. As ideological loyalty took precedence over competence, the respect for professionalism among public officials has crumbled.

Furthermore, the blatant use of double standards became apparent in this process. Those in power claim to be following the zeitgeist when taking steps to restrain and check the omnipotent power of the prosecutor's office. They also claim that measures to protect the human rights of the accused are long overdue and should have been implemented sooner. Those measures included eliminating the customary practices of publicizing criminal charges, barring the press from interviewing summoned individuals as they appear at the prosecutor's office, and prohibiting the deliberate leveraging of

the press to influence public opinion. It is difficult to accept the sincerity of such acts, however, if such practices are freely used against political opponents and withheld from allies. As Yoon Seok-ryul, who is now the prosecutor general, began to investigate allegations of corruption among the ruling elite, the administration acted through Justice Minister Choo Mi-ae to change the organizational structure of the prosecutor's office. It also tied Yoon's hands by demoting key prosecutors who were in charge of the investigations under his direction. The administration may have the legal authority to take such actions but doing so infringes upon the independence of the prosecutor's office.

As Brazilian dictator Getúlio Vargas once said, "For my friends, anything; for my enemies, the law." The repeated use of such a double standard weakens the foundation of the rule of law. If the Moon administration truly respects the spirit

of the candlelight protests as they claim, it should allow the prosecutor's office to thoroughly investigate allegations of Blue House interference in the 2018 Ulsan mayoral election, for which over a dozen individuals—including several secretaries to the president—have already been indicted.

The administration, especially President Moon, should also take full responsibility for the results of the investigation. Prosecutor General Yoon, who was once regarded as the symbol of reforming the prosecutor's office early in Moon's term, has now become the administration's biggest headache. It only has itself to blame, for the administration failed to show forbearance in its exercise of power.

### **MOON-PPA CYBERTERRORISM**

Chauvinistic Populism Provoking anti-Japanese sentiment by using rhetoric such as "Admiral Yi Sun-sin's twelve ships," serving "shrimp from the Dokdo Islands" during a state banquet for President Trump at the Blue House, instigating a boycott of Japanese products, and labeling the main opposition party as "homegrown Japanese collaborators" are all typical examples of chauvinistic populism. By doing so, the ruling elite sought to avoid political blame for mismanaging the economy and neglecting the bilateral relationship with Japan by shifting public opinion toward a misguided patriotism.

I Yi Sun-sin was a legendary naval commander known for his sixteenth-century victories against Japan in the Imjin War. In the midst of an escalating diplomatic row with Japan in July 2019, Moon praised Yi and said his "patriotic spirit" lives on in South Korea. The Dokdo/Takeshima Islands, a.k.a. the Liancourt Rocks, are controlled by South Korea, but that sovereignty is disputed by Japan, so the claim of serving shrimp caught in those waters was Moon's deliberate dig at the Japanese.

twenty-first-century democracy would instigate the public by appealing to nationalist symbols like the uibyeong (civilian militia who rose up against foreign invasion) and the Tonghak Peasant Revolution of 1894. Such efforts to mobilize the public cannot be understood without considering the role of the so-called *Moon-ppa*, who are extremist supporters of President Moon. They do not hesitate to engage in a kind of cyberterrorism against individuals or groups who hold contrasting opinions by firing a barrage of text messages or online comments. When a judge issued a ruling that was not to their liking, they indiscriminately doxed him by posting his personal information online. They engaged in ad hominem attacks against a merchant who gave his frank assessment of the "god-awful" economy when the president visited his store. National Assembly members who hold differing opinions on key issues are subject to a tsunami of text messages. Such actions are reminiscent of Mussolini's Black Shirts, who did not hesitate to use violence against political opponents. The events surrounding the appointment of Cho Kuk as justice minister reveal that facts are not important for such zealous supporters. To them, there is only a black-andwhite logic of allies and enemies.

It is hard to believe that a high-level official in any

When populism is on the rise, political logic and emotional appeals take center stage, expert opinions are dismissed, and rational debates become difficult. For example, when there were plans to sharply raise the minimum wage per the campaign pledge, some economic experts voiced concerns, arguing that "the minimum wage should be increased incrementally to account for Korea's high proportion of self-employed individuals, even if it is imperative to reduce [economic] polarization." The Moon administration dismissed this view as reflecting that of a "privileged few." Consequently, as a result of the minimum wage hike, self-employed individuals faced enormous difficulties, and irregular workers, who should have been protected, lost their jobs. There were no easy fixes in sight in the face of this ironic outcome.

When the issue of COVID-19 first emerged, doctors immediately called for a temporary ban on Chinese entry into South Korea. The Moon administration ignored this request, bizarrely claiming that "China's difficulties are also our own." South Korea's society is now paying a tremendous social, economic, and psychological cost due to public fear and anxiety over the coronavirus pandemic. Instead of issuing an apology, the administration is rushing to China's defense.

The same holds true in the foreign policy and national security realms, including inter-Korean policy. The Moon administration proclaimed that North Korea had made the strategic decision to denuclearize. It is now beyond any doubt that this was a misjudgment, but they refuse to acknowledge it as such. Rather, the administration dismisses the criticism from experts as the statements of "anti-peace" forces. The carefully orchestrated display of Moon and Kim Jong-un taking a stroll

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across a bridge during their first summit in the spring of 2018, as well as the sight of Moon, Kim, and Trump meeting at Panmunjom in June 2019, may have succeeded in appealing to the public's emotions. The results of this policy, however, have been catastrophic. Even as it is criticized for having the worst diplomatic and national security policy of any Korean administration, the Blue House refuses to change course.

Last month, the ruling Democratic Party went so far as to sue a professor for writing an op-ed calling on readers to vote for "any party but the Democratic Party" in the upcoming legislative election on April 15. The emergence of "pro-Roh, anti-Moon" intellectuals on the left is telling. As a close friend and key policy advisor of former president Roh Moo-hyun, Moon served in several senior positions at the Blue House during Roh's term in office, including chief of staff. There is a great deal of overlap between Roh's supporters and Moon's supporters, but prominent progressive figures, disappointed with its anti-democratic attitudes and measures, have turned their backs on the Moon administration. As political polarization worsens and pressure from extremist supporters grows increasingly strident, intellectuals are choosing to remain silent or engage in self-censorship. Voices of reason and conscience, which are necessary in a democratic society, are growing quieter.

## A SOCIETY IN TATTERS— WHO WILL SOUND THE ALARM?

The signs of democratic backsliding are now emerging everywhere in South Korean society. These symptoms cannot be simply dismissed as the growing pains of democratization. Each one, taken individually, is couched in some degree of procedural legitimacy under the law, and the pace and intensity of each development are incremental. Yet, that greatly increases the risk of danger, as illustrated by the Korean expression "to become soaked by a light drizzle without noticing." If we do not pay close attention to these subtle symptoms of democratic decline, there may be an unbearable cost to pay in the future. The gradual erosion of democratic norms across multiple spheres could, one day, suddenly come together to sink South Korean democracy into a deep slump.

Even experts were initially skeptical of fears that democratically elected leaders could turn toward authoritarianism. These concerns have now undeniably become a global trend. The United States and the United Kingdom, once regarded as the last bastions of democracy, are falling into a democratic recession. China and Russia, who present new models

of authoritarianism, are expanding their influence among the international community. The external environment is anything but favorable. In this context, there should be a thorough investigation of the allegations of Chinese interference in online forums—through the use of ethnically Korean Chinese citizens—that have recently stirred great controversy in South Korea.

Can the country overcome the wave of democratic recession that is sweeping across the globe? South Korean democracy was forged in a bloody struggle and sacrifice of people against authoritarian repression. To defend it, the black-and-white logic that divides the country into allies and enemies must be cast away before it is too late. Koreans need to deeply reflect on democratic norms and the meaning of democracy. They must also demonstrate a firm resolve to act in accordance with those ideals.

The current Moon administration should especially be wary of the possibility that it could go down in history as the main culprit in the erosion of Korean democracy. To reiterate, procedural legitimacy is not enough to protect liberal democracy. It is crucial for democratic norms to be internalized and adhered to in practice. Only this will enable South Korea to overcome the politics of extreme confrontation that has torn the country apart along ideological, class, and generational divides. Nothing else will end the politics of anger and resentment, and nothing else holds the power to revive a politics of concordance. If South Korea is to avoid backsliding from democracy to authoritarianism, the upcoming April 15 legislative election must sound a clear alarm against all those who damage its democracy, regardless of their party affiliation and irrespective of their ideology. In the end, it is up to the voters to deliver the final verdict.

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