

South Korean court disbands opposition party

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South Korea's Constitutional Court issued a ruling last Friday disbanding the small opposition Unified Progressive Party (UPP), citing government claims that the party supported North Korea. The court decision, instigated by President Park Geun-hye's government, is an attack on basic democratic rights, aimed at silencing political criticism and opposition.

The ruling, televised live, was read out by Constitutional Court Chief Justice Park Han-cheol. He declared that the UPP "with a hidden agenda to adopt North Korea's socialism, organized meetings to discuss a rebellion. The act goes against the basic democratic order of the Constitution."

The pretext for disbanding the UPP came from a recording made on May 12, 2013 by South Korea's intelligence agency, the National Intelligence Service, supposedly capturing UPP and trade union members speaking in favor of attacking the government if war with North Korea began. The government proceeded to concoct a story in which 130 people, led by UPP lawmaker Lee Seok-ki, created a pro-North Korean group, called the "Revolutionary Organization" (RO), within the party for the purpose of overthrowing the government.

Lee was arrested in September 2013 and charged with plotting and inciting an insurrection, two separate crimes that violated the country's draconian National Security Act. He was convicted this February on both charges and given 12 years in prison. On appeal in August, the Seoul High Court cleared Lee of plotting a rebellion, but found him guilty of incitement, cutting his jail time to nine years. Lee appealed to the Supreme Court, where a decision is expected in January.

From the beginning, the government's claims did not hold water. The supposed evidence gathered at the May 2013 meeting appeared to be little more than jokes about attacking the government with BB (low-powered air) guns. During Lee's appeal trial, the court was

unable to conclude that the RO actually existed, saying: "It cannot be concluded that there were even the general contours of an agreement on the time of the insurrection or the division of labor, nor can it be concluded that the plotting proceeded into external preparations."

Nevertheless, the Park administration sent a request to the Constitutional Court to disband the UPP on November 5, 2013, on the basis that some UPP members had plotted the violent overthrow of the government.

The Constitutional Court is the only body that has the authority under the country's constitution to disband a political party. Last week's ruling was the first time that it has done so since its establishment in 1988. The court is comprised of nine judges selected by the president, including three from candidates proposed by the National Assembly, and three from candidates recommended by the chief justice.

The constitution states that a total of six judges are needed to approve a measure such as dissolving a political party. In the decision to ban the UPP, the justices ruled 8 to 1. The decision, which took effect immediately, stripped the five UPP National Assembly members of their seats. UPP members are banned from forming similar parties.

The court's decision has provoked criticism internationally. Last weekend the Venice Commission requested a translation of the 347-page ruling. The commission, to which South Korea belongs as a member, advises countries on constitutional matters. Amnesty International's East Asia Research Director Roseann Rife commented: "The ban on the UPP raises serious questions as to the authorities' commitment to freedom of expression and association."

About 1,000 people participated in protests in South Korea following the court's decision. In a statement to supporters, UPP leader Lee Jeong-hui said: "Today

marks the demise of our democracy.” She continued: “Alas, President Park Geun-hye has returned to the dictatorial leadership style of her father, and the Constitutional Court has unlatched the door leading us to totalitarianism.”

South Korea has a long history of US-backed military dictatorships. In 1958, the US-backed dictator Syngman Rhee dissolved the Progressive Party of Cho Bong-am. Cho ran against Rhee in the 1956 presidential election and was subsequently arrested as a spy under the National Security Act, the same law that is being employed against the UPP members today. Cho was executed in 1959. In 2011, the Supreme Court found Cho innocent of the charges leveled against him.

President Park’s father, the military dictator Park Chung-hee, used kidnapping, torture and murder to rule South Korea from 1961 until his assassination in 1979.

In 1987, in the face of nationwide protests of students and workers’ strikes, the military junta was forced to hold a direct presidential election. This partial “democratisation” reflected the requirements of the bourgeoisie for an end to national economic regulation, the closer integration of the country into globalised production and a more sophisticated means for controlling social tensions.

Much of the repressive apparatus remains in place, including the intelligence agencies and laws such as the National Security Act, which bans any support or sympathy for North Korea. The Constitutional Court was established as part of the new “democratic” window-dressing, while still enshrining anti-democratic powers such as to disband political parties.

The whipping up of “red” scares, branding opponents as pro-communist and pro-North Korea, has a long history in South Korea, particularly under military rule. Those anti-democratic methods have been revived under President Park and her predecessor Lee Myung-bak, from the same right-wing Saenuri Party.

Neither the government nor the Constitutional Court has offered evidence that the UPP, or one of its factions, is pro-North Korean. Like virtually every South Korean political party, the UPP calls for the reunification of the Korean peninsula. It proposes talks between Pyongyang and Seoul but, at the same time, condemns North Korea over human rights’ violations.

In a bid to defuse criticism, the UPP made clear in 2012 that it did not oppose South Korea’s military

alliance with the United States, calling for the withdrawal of US forces only “if North Korea achieves denuclearization.” UPP lawmaker Park Won-suk stressed that “our stance is often misconceived that we are calling for a termination of the Korea-US alliance and for the US government to pull back its forces.”

Since its formation in 2000, the UPP has promoted itself as a left-wing, anti-capitalist party. Until 2011, it was known as the Democratic Labor Party (DLP) and served as the political wing of the Korean Confederation of Trade Unions (KCTU). Before the 2012 general and presidential elections, the DLP merged with smaller groups to form the UPP. While the UPP and KCTU split from one another, the two remained allies. The now disbanded party has always been committed to capitalism.

The DLP and UPP both served as “left” appendages of the main opposition Democrats, now known as the New Politics Alliance for Democracy (NPAD). The UPP formed a political alliance with the Democrats, running joint candidates in the 2012 general election, and backed Democrat Moon Jae-in in the presidential election.

Despite voicing reservations over disbanding the UPP, the Democrats effectively backed the government’s claims when they overwhelmingly voted to approve the arrest of UPP lawmaker Lee Seok-ki last year for his alleged membership of the “Revolutionary Organization.” National Assembly members are immune from arrest while it is in session, unless the body votes to disallow immunity.

The court decision to disband the UPP is a sharp warning to the working class that the government will use even harsher methods to suppress any resistance to its austerity program and involvement in the US war drive.



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