North Korean Constitutions

- 1948 “Soviet” Constitution
- 1972 “Kim Il Sung” Constitution
- 1998 “Military First” Constitution
Up until 1966, the DPRK was a “regular” communist society in its Soviet Constitution

- The Korean Workers Party was the ruling party
- No other parties allowed (except the token Ch’ŏndogyo Tongudang”)
- Most powerful person the General Secretary of the KWP
- Central Committee of the KWP supreme policy making organ
  - Standing Committee and Political Committee most important within KWP
- The government administration’s role was to carry out the policies decided on by the KWP Central Committee
- KWP not mentioned in the constitution
  - Supreme People’s Assembly “highest organ of state power” elected every four years and supposed to meet twice a year
    - Presidium (standing committee of SPA) exercises power when SPA not in session
  - Cabinet with a Premier runs the country (how Premier is selected is not explicitly stated in the constitution)
    - Ministers serve under the cabinet
  - People’s committees are the “local organs of state power”
Changes in factional power over time

Chart Title

Axis Title

- Domestic
- New
- Kapsan
- Soviet
- Unknown
- Yanan

New Constitutions North and South in 1972

- Hotline established between Seoul and P’yŏngyang
- 1972.10.16 Martial Law in ROK
  - National Assembly dissolved, universities closed
  - 1972.10.27 New State Council
  - 1972.11.21 Yusin Constitution adopted by referendum
- 1972.12.28 First Session of 5th SPA adopts new “Socialist Constitution
  - Had been discussed in KWP Central Committee in October so that in December the SPA could rubber stamp it
Content of 1972 Socialist Constitution

- Kim Il Song made “President” (chusŏk)
- DPRK defined as “independent socialist state” guided by “chuch’ e*” and “democratic centralism”
  - *the creative application of Marxism-Leninism to the conditions of our country
- Ch’ŏngsallí Spirit, Ch’ŏllima Movement, Taean Work Method, state-led central planning all mentioned
- Means of production owned by state or cooperatives, but people have personal property (including produce of private plots)
- Chuch’ e in literature and science will transform socialist man
Structure of 1972 Socialist Constitution

- SPA “highest organ of state” that selects president
- CPC “highest leadership organ of state”
  - Draws up domestic and foreign policies
  - Directs work of peoples assemblies and committees and administration
  - Directs judicial, prosecutorial, and military issues
  - Appoints and removes cabinet
- Administrative council = cabinet under CPC
- Local people’s committees
- Courts and Procurator’s Office
- Capital P’yŏngyang (had been Seoul)
Types of authority (Weber)

• Traditional--“it has always been that way”
  • This begins in the patriarchal household, and when this expands to a polity in which offices evolve out of the household you have “patrimonialism”
  • The idea that the state is just the family writ large is an example of this
• Rational-legalistic--law of the nation-state implemented through bureaucracy
• Charismatic--"resting on devotion to the exceptional sanctity, heroism or exemplary character of an individual person, and of the normative patterns or order revealed or ordained by him.”
  • In English charisma means:
    • (1) compelling attractiveness or charm that can inspire devotion in others
    • (2) a devinely conferred power or talent
    • It comes from the Greek *kharisma* that means “gift of grace”
• Examples: Hitler, Stalin, Kim Il Sung but also Roosevelt, Churchill
Problems with charisma (according to Kwon)

- Weberian idea of charisma—that “divinely” ordained ability to inspire devotion and loyalty, and ability to make “everything change”
- This charisma cannot be long-lasting
- The problem for North Korea (as defined by Kwon) is that this kind of charisma cannot be sustained over the long term
  - It’s like electricity, and the battery cannot last forever
- Main problem—how do you sustain charisma when the full transformation (unified Korea under communism) was unattainable during the lifetime of the charismatic leader (Kim Il Sung)
- Answer: you figure out a way to “routinize” charisma
  - Kwon and Chung argue that the North Korean “theater state” is an attempt to routinize Kim Il Sung’s charisma
Lack of attention to agency in Kwon

- Classic case of “theater state” (Geertz’s Negara in Bali) was already in place when Geertz made his analysis, so he didn’t have to ask where it came from
  - i.e. synchronic rather than diachronic analysis was fine
- In North Korea, however, we know the DPRK didn’t start out as a theater state in 1948, so the issue of agency in its creation is crucial
  - It is not adequate to say “North Korea” created the “theater state”
  - Kim Il Sung did not create it either
- The theater state was created by Kim Jong Il
  - In order to justify his succession to his father, Kim Jong Il promulgated an aesthetic of revolutionary family charisma that must be continued by himself
  - This didn’t “just happen” but was a conscious decision by Kim Jong Il in order to assure his succession to his father
- Kim Jong Il’s attempts to secure his succession to his father introduced (with his father’s condoning) special, or “distorted”, or uniquely North Korean (depending on your point of view) aspects into North Korean society