Contents

Greetings

It is a great pleasure and honor for me to welcome the participants on behalf of the Japanese-German Center Berlin, and to thank them for coming from far and near, from different regions of the world, to take part in our conference "Aspects of Democracy—Preconditions, Paths of Development and Contemporary Issues."

The Japanese-German Center Berlin since more than twenty years organizes conferences and workshops on a wide range of subjects—on topics from sciences and technology, from political, economical, social, and cultural spheres.

"Democracy" still is, or once again is, a topic of immediate interest, equaly in terms of domestic policies as well as in terms of international relations. Everybody is talking about democracy, but is everybody talking about the same subject? Aren't there quite different ideas of democracy?

There is the French politician Tocqueville, who in the early ninteenth century described the young U.S.-American democracy as a model for civilized nations; there are the principles of the Japanese society of the 1950s, afterwards often called "The Era of Peace and Democracy"; there is the 1960s German Federal Republic, when Willy Brandt talked about "Mehr Demokratie wagen" (struggle for democracy). Are they talking about the same thing?

Stressing the term "democracy" obviously arouses strong emotional reactions. On the global stage, protagonists often call for "democracy" or "democratization,"
- as if everybody had the same idea about it,
- as if only positive connotations were involved,
- as if a global community would accept it, or
- as if nobody would show any suspicion, and
- as if therefore on this bases any demand could be raised.

But people not always mean democracy when they talk of democracy. Or, at least, one should know that we are possibly talking about different aspects without knowing or showing exactly what we are talking about. That there are obviously different ideas of democracy, resulting from different historical and social backgrounds, should be kept in mind.

It is now about two years ago that Professor Seifert proposed a joint workshop on the Japanese philosopher Maruyama Masao, who is most prominently responsible for the Japanese's idea of democracy since 1945. The Japanese-German Center does not aim to be part of the specific and narrowly defined discussions of experts. Rather we aim to take important results of those discussions and link them with problems of society, that is, we aim to be an interface between experts and society. Therefore Professor Seifert's original proposal was transformed into a more comprehensive and universal topic.

This conference in some respect is a premiere: Since April 2006 there is an arrangement between the Japan Foundation and the Japanese-German Center to cooperate closely in intellectual and cultural exchange. As a result we shall jointly organize a conference each year, working together from the beginning and discussing openly every detail. This conference is the first attempt of this remarkable cooperation.

During the last months there was a huge amount of e-mail-exchange between Berlin (JDZB), Tōkyō (JF) and Heidelberg (Prof. Seifert) as well as direct conversation. We soon agreed that after the expert's workshop on Maruyama there should be a conference to show the wide range of ideas of democracy and to discuss about different aspects of democracy: Is this a monolithic idea or maybe comprises different but equally good ideas? Or, are those "only" different aspects? Is there a common basis for the varieties? And where are the limits of a universal validity?

Those questions are of great interest, especially as they will be discussed by internationally acknowledged experts who will talk about Japan and Germany, Poland, Turkey, Iran and Korea, thus about totally different political and social situations.

Last but not least I'd like to thank the University of Heidelberg and Prof. Dr. Wolfgang Seifert for their precious cooperation in this conference and also in the upcoming publishing process of the conference papers. And we gratefully thank the Japan Foundation, for not only generously supporting this conference but also making possible the publication of the conference papers through financial aid.

UEDA Kōji
Deputy Secretary General
Japanese-German Center Berlin

Greetings[1]

The theme of this international symposium is, I believe, quite pertinent in the context of Asia-Europe relations for at least two reasons.

Firstly, democracy in Asia has tended to be regarded by many people in Asia and Europe as something, which was planted or grafted in Asia's political soil by Europeans. In recent years, however, there has been a growing body of opinion, particularly in Asia, which asserts that the concept of democracy is inherent in Asia, which asserts that the concept of democracy is inherent in Asian political traditions as well. In other words, an increasing number of Asians, at least among certain intellectual circles, no longer regard democracy as "made in Europe." This is perhaps due to the breadth and depth of democracy achieved in some countries in Asia, notably Japan. Ironically, stripping democracy of its certificate of origin has made it universal.

In the context of intellectual dialogue between Asia and Europe there is nevertheless one point to which we should address ourselves seriously. This is the degree to which, and the modality by which, we should treat democracy simply as an institutional concept. Many people tend to equate democracy with free elections and a political system in or by which freedom and human rights can be safeguarded.

Yet what about the personality and moral qualifications of political leaders? In addition to the institutional aspect, Asian political traditions have attached a great deal of importance to the moral integrity and ethical purity of individual politicians, as a means of guarding against potential abuses of power. Should we regard such traditions simply as a vestige of the past or as a useful complementary element to the institutional aspect of democracy?

These and other thought-provoking questions form, I believe, part of the intellectual foundations of this gathering. I sincerely hope that this meeting will be a stimulation and fruitful one for all the participants.

---

[1] Mr. Ogoura's Greetings were conveyed by video-message.

I would like to close my greetings by offering, last but not least, sincere gratitude to those who have worked hard for the realization of this conference.

OGOURA Kazuo
President
The Japan Foundation

Introduction

At first, I would like to express my heartfelt gratitude that this conference, as well as the preceding workshop we hold yesterday in Japanese on problems of translating the political thought of Maruyama Masao into Western languages, could be realized by the cooperation and generous support from the Japan Foundation and the Japanese-German Center Berlin (JDZB). In particular, I want to thank Mr. Komatsu from the Japan Foundation, Prof. Ueda and Mr. Ikuta from the JDZB, and Ms. Satô, from the Berlin Office of The Japan Cultural Institute in Cologne (Japan Foundation) at the JDZB.

When the Japanese political scientist Maruyama Masao (1914–1996) died ten years ago, in 1996, he had already enjoyed international reputation as eminent scholar of the history of political thought in Japan as well as a profound political thinker for a long time. Maruyama's insight into the preconditions of democracy in a society that had overcome authoritarian rule provides criteria that are still valid today in assessing political institutions and procedures of democratic political systems. His writings not only make us understand the political development of Japan, but also help to analyze the political process of other societies, which have equally experienced the transition into democracy in the past, or which will have to face the challenge in the future. This conference is held on occasion of the tenth anniversary of the death of this eminent thinker.

Today, political scientists are confronted with the fact that various distinct forms of democracy exist in the world so that it is no longer possible to claim one model as the legitimate one. Nor does the ideal of democracy seem to be fully realized in any specific region of the world. However, the question still arises, which preconditions and processes shaped the particular forms of democracy—such as the comparatively recent democracies of Japan and Germany, for example—and made them develop the distinct characteristics they show today. As for the most direct form of implementing a democratic system from outside, Japan and Germany after World War II both experienced an "import" of democratic institutions and procedures. Yet, for democracy to take root in those countries, it was not sufficient to merely "import" its institutions and form. In addition, there

had to be a fundamental change of political consciousness and way of thinking in the mind of the people and the ruling elite as well. This process, however, poses many questions: What is it that causes such a fundamental change of mentality? Who can stimulate this process? And what are the means to realize it? Is the change just the result of a "re-education" by administrative bodies of occupational forces, or what and who else is involved? The democracies of Germany and Japan today differ in many aspects, which is not only due to the particular environment of the respective countries in the global setting of the Cold War. Unquestionably, domestic politics must have played an important role, as well. Thus, we should draw lessons from the "import" of democracy in both countries (which were "late-developers," according to some approaches in history and political science), so that we shall be able to develop valid criteria for evaluating similar attempts of democratization in other parts of the world today.

This conference is dedicated to the clarification of the above questions, being fundamental problems of "developing democracies." During the conference, we shall try to define some key elements of today's democracies (or evolving democracies) in different political and religious cultures by examining premodern preconditions for the evolution of democratic rule. Special attention will be directed to the question of strong and weak "democratic traditions" in the history of the respective countries, as this is a crucial point, for example, in Eastern Europe and in Germany. A decisive step toward modern democratic systems seems to be the recognition of a rational view of politics or—in a broader perspective—a rational view of the social order as a whole. Although it might not be easy to integrate this aspect, an attempt should be made to trace back the evolution of rational thinking in politics to the point where it found its groundbreaking expression in the writings of political thinkers. The comparison of what different writers in the traditions of Christianity, Confucianism or Islam (of the latter, both branches, Sunna and Shi'a, should be taken into consideration) thought with regards to a rational view of politics might provide us with hints for the understanding of one of the important preconditions of democracy. Furthermore, we should address the question, which external stimuli are acceptable in the process of development of democracy, and what kind of foreign influences are unacceptable. This question is linked to problems of intervention and also of occupation after defeat in a war. We should also touch on the question of how the various forms of democracy cope

with dangers from within, e.g. growing political apathy of the electorate, censorship towards media under certain conditions, and the credibility and authenticity of politicians, all of which have an impact on the active and affective participation of citizens in politics. The assertion of some Western leaders and political scientists that one must strive for building up democratic systems in hitherto non-democratic states seems odd to some extent, considering the fact that established democracies are showing deficiencies, such as a falling voting rate or political apathy of the electorate. Therefore, we should observe dangerous cases and tendencies in "established democracies," as well.

As for the structure of the conference, the connection of political science with the historical dimension should allow us to *go beyond quantitative models* that have little or nothing to do with the particular historical path of development taken by each country. So we planned to have two speakers for each case, that is each country, but unfortunately because of various reasons we could not fully realize this concept. I hope you will understand that.

Wolfgang SEIFERT
Centre for East Asian Studies
Institute of Japanese Studies
University of Heidelberg

The Role of Western Occupational Forces in the Making of the German Constitution

Frank R. PFETSCH
University of Heidelberg

My contribution is situated in the framework of five much broader considerations.

First, the relevant question still is how to develop a democracy in former dictatorial states? What prerequisites must exist and what strategies should be adopted? What is the impact of internal forces and what that of external interventions? Is it possible to implant a democratic regime from outside as is attempted by the occupational forces in Iraq or Afghanistan?

Second, should the regime change come from above through the elite or should the process of democratic constitution making come from below, from the people? How much basic democratic participation should exist either by the involvement of a broad spectrum of the population or by adopting the constitution through referenda?

Third, my conviction is that there have to exist roots of democratic procedures in the country of concern and that in most cultures such roots do exist. These roots have to be developed in a proper framework.

Fourth, institutions are important in every political system in order to secure law and order. Two fundamental minimal principles must be fulfilled in order to secure a liberal democratic regime: securing of human rights and the balance of power among the various elements of the institutional framework.

Fifth, although institutions are important, polity has to have a "soul," a mentality, values and norms, which go beyond institutions.

Coming now to the German situation after World War II I would like to report on my findings in a project, which I conducted in the eighties at the University of Heidelberg.

Up to the election and/or the establishment of German political institutions military administrations were the highest governing bodies

in occupied Germany. Directives, orders and instructions were the legally binding framework of action.

The constitutional processes started in 1946 in the three occupied zones (not considering here the Russian zone) with fourteen *Länder* (states). German politicians were elected on the basis of rules laid down and approved by the occupation forces but taking into account traditional German rules. Hence, the constitutional process in the *Länder* was initiated well before (in 1946) the constitutional process in the then Federal Republic (in 1948/49). Both processes were closely linked. Representatives in the federal constitutional organs were more or less identical with the representatives in the state bodies. Therefore Both processes have to be looked at together. However, the interests and orientations of the three occupying powers can be seen more clearly in the *Länder*, since the framework given for the federal constitution was defined rather broadly. As an example I quote the constitutional policies of the United States; the British and the French policies are analyzed in two books mentioned as references.

In September 1946 the Office of Military Government for Germany (U.S. Zone) issued a document in which the main requirements for a democratic regime were stated. Six points resume the political conception of the U.S. Military Governor for occupied Germany.

I. U.S. policy requires that the German people be permitted increasingly to govern themselves.
II. Adoption of Land Constitutions Will Change Civil-Military Government Relations.
III. Specific Restrictions Which Will Continue to be Imposed upon Civil Governments. Those restrictions are:
   a. All international agreements regarding Germany which have been or may be concluded;
   b. All present and future quadripartite policy decisions, laws and regulations;
   c. All basic policy decisions of the U.S., British Bipartite Board;
   d. The rights of an occupying power under international law.

The specific occupation purposes of the U.S. Government which, in addition to those set forth above, consist of the following basic tenets:

1. ***Democracy***: All levels of German government in the U.S. Zone must be democratic to the extent that:
   (a) All political power is recognized as originating with the people and subject to their control;
   (b) Those who exercise political power are obliged to renew their mandates regularly . . . ;
   (c) Popular elections are conducted under competitive conditions . . . ;
   (d) Political parties must be democratic in character . . . ;
   (e) The basic rights of the individual including free speech, freedom of religious preference, the rights of assembly, freedom of political associations, and other equally basic rights of free men are recognized and guaranteed;
   (f) Control over the instrumentalities of public opinion, such as the radio and press, must be diffused and kept free from governmental domination;
   (g) The rule of law is recognized as the individual's greatest single protection . . .

2. ***German governmental systems*** must provide for judiciary independent of the legislative and executive arms . . .

3. ***Intergovernmental Distribution of Powers***: German governmental structure shall be federal in character (*Bundesstaat*), and the constituent units thereof shall be States (*Staaten* not *Länder*). The functions of the government shall be decentralized within that structure to the maximum degree consistent with the modern economic life. U.S. policy concerning the relationship between levels of government requires that:
   (a) All political power is recognized as originating with the people and subject to their control;
   (b) Power shall be granted by the people primarily to the States (*Staaten*), and subsequently only in specifically

enumerated and limited instances to the federal government;

(c) All other grants of governmental power by the people shall be made to the states;

(d) All powers not granted by the people shall be reserved to the people;

(e) A substantial number of functions shall be delegated by the States of the local governments . . .

(f) Governmental powers may not be delegated to private or quasi-public economic bodies;

(g) Pending the establishment of a federal government, the popularly responsible governments and *Landtage* of the States shall act as the people's agents for the conferring of powers requiring central execution . . .

4. ***Economic unity***: Economic unity through the establishment of German central administrative agencies, particularly in trade, industry, food and agriculture, finance, transportation and communications, is a controlling objective of our occupation.

IV. ***Subsequent functions*** of the Military Government will be limited to: Observation, Disapproval of . . . activities as it may find to clearly violate those objectives, Removal of public officials whose activities are in violation of those objectives.

V. ***Subsequent directives*** will implement the foregoing statements insofar as modifications or revisions in Military Government practices may be required.

VI. The ***Land Directors of Military Government*** will advice the appropriate German officials of the content of this directive."

In practice the implementation of these conditions was commented by German lawmakers positively as follows (I quote what I think to be a representative voice, the speaker of the Wuerttemberg-Badische Constitutional Committee, Wilhelm Keil, in October 1946):

"This constitution does not result on our own initiative, but it is nevertheless our work. The instruction to prepare a draft constitution was given by the Military Government. The Military Government also prescribed the dates for the various stages of the preparatory process. These dates were on a rather short term. We would have preferred to have more time for such important deliberations. But on the whole we were free in developing the draft. From the beginning we were told to elaborating a constitution the way we think it should be. There were numerous discussions on specific points with representatives of the Military Government; but never demands and instructions were given concerning the content of the draft. In all these cases mutual clarifications, clearing up misunderstandings and suggestions were possible, thus offering the opportunity to reconsider our thoughts." (my translation)

Later on the Six-Power Conference in London mentions only generally about the constitution of the central state (*Grundgesetz*): the German Republic should be federal in character; West Germany should be included in the European Recovery Program; and the Ruhr region should be under international control, whilst free movement of goods and persons should be assured immediately. These declarations formed the foundation of the so called *Frankfurter Dokumente* of July 1948, which formulated the principles by the three military governors (U.S., British, French) for the German polity. They, too, are general in character: the first part of the document empowered the *Ministerpräsidenten* (the chief executives of the *Länder*) to call a constituent national assembly; the second part proposed the (re-)consideration of the *Länder* borders and the third part announced the principles of the occupational statutes. The only substantial condition states that the future German state should be federal in character.

As to procedural as well as substantial issues I would like to list my main points by way of seven theses:

1. The constitutional process in Germany (as well as in Japan) has to be seen in the international framework of the time. This frame changed during the second half of the forties from common occupation by the allies to the forming of an Eastern bloc and the alliance of the three Western powers. The bloc building accelerated the establishment of the German state and its inclusion into the Western alliance system as a necessary entity.

2. The foreign policies of the three Western powers show some differences, which characterized their policy strategy. The *United States* in 1947 promoted the reconstruction of a German state as a corner stone of their Western alliance system. The idea of a federal system of democracy together with a free market economy prevailed. The *French* wanted the central German state as weak as possible by empowering the *Länder* as a buffer against a possible powerful Germany on their eastern borders. They favored what I call a "dissociated federalism" for the German state. The *British* wanted to export their Westminster model of democracy (majority voting system, separation of political and administrative functions, political personnel recruited from the Parliament, local government), and supported earlier than the French the establishment of the German state (*Bizone*). In the end the great victorious power determined the state building process in Germany after 1945/46.

3. The influence of the occupying forces was limited as to substantial issues of the constitutions. All three agreed to the principles of liberal democracy, elected representative organs, responsible governments, preservation of civil liberties, and division of power. These principles were on the whole shared by German politicians.

4. The main contribution of the occupying power was the initiation, organization and promotion of the constitutional processes in the *Länder* as well as in the *Bund*. The Western powers reinforced—where not already given—democratic procedures and principles.

5. With all three powers the main consideration was that the constitution-making should look like a German product and not like a *Diktat* by the occupying forces. A failure in the constitution-making would be considered as a failure of their foreign policies. Hence, in no *Land* and especially not in the Bonn Republic there was a transplantation of external constitutional principles *pure et simple*.

6. However, interventions in the constitutional process can be observed on all levels, *Länder* as well as central constituencies. But they referred mainly to procedural rather than to substantive questions. Where the occupying powers tried to impose corrections, modifications, or guidelines they were removed later on if

not compatible with German traditions. On the whole, the conceptions for a representative parliamentary democracy of the occupying powers and that of German politicians were almost identical and converged in principles. Especially the concept of federalism (the only principle laid down in the Frankfurt documents) was in the tradition of German state building.

7. Contrary to Japan, German experts gave advice to the American administration. Emigrants and others working for the occupation power like Kurt Horkheimer, Herbert Marcuse, Hans Speier, or Carl Joachim Friedrich proposed plans and furnished ideas how to cope with post-war Germany.

8. I have termed the role of the occupying forces as that of a *catalyst,* accelerating the process without being affected. The various constitutions after 1945 cannot be considered as imposed by foreign powers, as it was the case in Japan, but rather an evolution of democratic procedures and principles from former experiences (Weimar Republic) and taking into consideration also the Nazi failures as a learning example. Democracy in Western Germany after the war was—as often written—by no means imported and imposed from outside.

9. Democracy was not imported by the allied forces. It was rather the interrupted democratic tradition of the Weimar Republic, which provided the model for the democratic reconstruction of Germany. The main contribution of the military allied powers consisted in destroying Nazism and by this paving the way (giving the opportunity) to build a democratic regime.

10. It was said that the German Republic was the result of two opposing models, that of totalitarian Nazism and that of totalitarian Socialism/Stalinism. While the first model certainly holds up to empirical evidence the second does only partially. The beginning of East-West bloc building did not occur until the end of 1947 or beginning of 1948, thus the Cold War could not have had an impact on the constitutional processes that started already in the end of 1945 and beginning of 1946 in the various Länder of the occupied zones.

11. In summary I see three forces leading to the constitutions of the German federation:

    a) Destroying Nazism through military force (unconditional surrender).

    b) Elite change, especially as to the political elite that stood in the tradition of the Weimar Republic.

    c) The role of the occupying forces was to initiate, organize, and control the political process leading to constitutions without imposing their will upon substance. The best way to describe the function of the Western occupational forces would be that of a catalyst.

Reference

Pfetsch, Frank R.: Ursprünge der Zweiten Republik. Prozesse der Verfassungsgebung in den Westzonen. Opladen: Westdeutscher Verlag, 1990.

Pfetsch, Frank R.: Verfassungspolitik der Nachkriegszeit. Theorie und Praxis des bundesdeutschen Konstitutionalismus. Darmstadt: Wissenschaftliche Buchgesellschaft, 1985.

Solidarność and Democracy: A Complicated Relationship

Jerzy HOLZER

On the surface the question is simple. Solidarność (Solidarity) fought against a dictatorial, some people prefer to call it totalitarian, regime. It fought for more civil liberties, more freedom of conscience, of speech, of organization, and for the rule of law. All these are surely democratic values. But two questions come to mind: did it fight for democracy or for democratization? And was Solidarność democratic itself, as a political and social body, in all its elements?

The concept of democratization has a long history. It started with the beginning of Communist rule in Poland. The Communists introduced a dictatorship but in the same breath they were speaking of democracy—the people's democracy. One can make jokes about it. "What is the difference between a people's democracy and democracy? The same as between an electric chair and a chair." But something important remains: the term democracy was not tabooed by the Communists as it was by the Nazis or Fascists. Furthermore, since 1956 the people's democracy was several times democratized. All those leaders of the Polish Communist regime, such as Gomułka and Gierek and Kania in 1980, according to their words, introduced more democracy in Poland.

So, how different was Solidarność? The opposition, which was organized before it, did not conceal the fundamental opinion that it preferred democracy. But in their mind the Polish situation, internally and especially geopolitically, did not allow for a system change in the country. The existing system was not democratic, but equipped with some limited attributes of autonomy. To go too far meant to risk a loss. According to this theory the one and only method was a long march. Step by step, a little more of liberty, a little more of law, a little more democracy was to be introduced.

The birth of Solidarność was not foreseen by the opposition of the seventies. It was not a step but a great leap towards democracy. Solidarność was able to harness the energy of the masses and created an element of civic society. The independent trade-union stood for

the institution of pluralism within the system, which was perhaps not totalitarian at that time, but nevertheless uniform and guided by a totalitarian ideology.

But these developments did not mean a fundamental change of the political program. Solidarność, or at least its most influential team of leaders and advisers, did not expect an overthrow of the Communist system. In other words, it did not expect the introduction of democracy in Poland in the near future. They were happy with only a partial (and very limited) democratization of the nondemocratic system. The Soviet bloc still existed, Soviet (and not only Soviet) troops stood by to invade Poland, the Polish corps of officers and police were indoctrinated and therefore more intimidated by Solidarność than by the danger of foreign aggression. This situation was volatile and turbulent.

The members of Solidarność wanted to preserve and consolidate their unexpected achievements. The most important achievement was Solidarność itself, its organization, its independence, and its legalization. Any step backward meant the deadening of enthusiasm and the beginning of defeat. It was a new version of "permanent revolution," which would not have a chance to win until the international situation changed.

Solidarność 1980–1981 did not fight for democracy, but the forces of the Communist regime fought against the newly emerged elements of democracy, which did not fit into the system. In the end they dismantled them. The former communist motions of democratization of Gomułka or Gierek did not harm the foundation of the system, the Communist monopoly of public activities, but Solidarność was an independent organization, it had to publish its papers and to protest against the violation of existing law. The letter of law was all the times superficially democratic, but only as long as nobody in Poland could publicly inform about abuses of power that did not count.

For sixteen months the so-called first Solidarność was legal but resolved itself to a conflict with the Communist regime, which did not concern democracy but only its elements. These conquered elements were permanently attacked. Finally martial law suppressed them and the regime, at least for some time, gained a victory.

Was the first Solidarność democratic itself? The answer could be yes as long as we are speaking about the rules of the organization. Although on different occasions the leaders disregarded these rules,

this disregard was rather exceptional and to some degree resembled the situation of a besieged fortress. But the answer is more complicated when we are speaking about the different groups and persons who were active in Solidarność.

It was a very heterogeneous organization combining a variety of people. Some of them, perhaps the majority, had a more or less specifically democratic outlook on political life. The others were only against the Communist regime, either without definite political opinions or with opinions, which were not communist but in no way democratic either.

Extreme leftists and Trotzkists were on the political margins. But there were a great number of nationalists of all shades. Some of them combined national sentiment with a democratic view. A considerable number of them, however, revived the ideology of the prewar nationalists and anti-Semites or of extreme clerical movements, and, of course, were in no way democrats. They wanted liberties for themselves, to preach their ideas and to establish their organizations. They had a common interest with other members of Solidarność to fight against the Communists, but even at that time they did not abstain from fighting within Solidarność, on a second, internal front.

When the authorities declared Solidarność illegal it changed its attitude towards democracy on two levels. There was a pragmatist tendency, with a self-limited program of a partial democratization that appeared to be as much lacking real foundation as the dream of a perfect democracy. And there was a programmatic attitude—either a fundamental change or nothing—that gained a bright popularity. Its supporters did not believe in a quick realization. Maybe in some years, maybe in some decades, full democracy would be a more realistic solution of Polish problems.

The other plane was the internal one, the one within Solidarność itself. As long as it had been legal, the applicability of democratic rules of organization survived. But the democratic internal life of an illegal organization was impossible in practice. The last legal leadership of Solidarność ceased to exist. Some people were sent to prison for a long time, some emigrated, some subordinated to martial law. The illegal organization created new leaders. The consequence of all these actions was a far-reaching disintegration of Solidarność. This, too, affected the most popular group of leaders and advisers—with Wałęsa at the top.

This disintegration was only in part connected with ideological differences, which had existed while Solidarność was legal, and were exposed through the fragmentation of the organization. Sometimes personal quarrels had been momentous but they were legitimated by ideological arguments. Nobody openly questioned democracy as a goal, but differences of opinion relating to future solutions intensified, and many views were rather far from a democratic vision.

And then the situation changed again. At first it was *perestroika*, which influenced the Polish question. Soviet *perestroika* was not a program of democracy, it was a program of democratization. The leadership of the Polish Communist party, burdened by the economic crisis and deprived of Soviet support, hesitated but finally decided to look for an agreement with Solidarność. The former Polish advocates of democratization, disappointed by the introduction of martial law, returned to this idea. Only a relatively small group of hard-liners would not accept the negotiations with Communists.

The Solidarność politicians were divided. In public opinion Wałesa was the only one who had a political mandate. He decided who was worthy of participation in the new developments and who was not. In one sense it was democratic, since it was accepted by a large majority of Solidarność followers. But the method of forming the Solidarność delegation for negotiations at the Round Table 1989 was nondemocratic, because its members were not elected but appointed. Many important representatives of the legal Solidarność who were at odds with Wałęsa did not join the delegation.

Was there an alternative? The impossible task of cobbling together a deeply divided delegation, with the participation of persons who either made a rivalry in concessions or in inflexibility?

The fundamental weakness of Solidarność based on its heterogeneity, emerged. The illegal organization in competition with the more or less homogenous Communist system could accept only similar rules: a uniformity of position. The Round Table could not be pluralistic, it could be only bilateral. It does not compare to the Hungarian Round Table that was pluralistic, but the delegation of Communist Party was at that time fragmented. This was not the case during the Polish Round Table.

The resolutions of the Round Table did not introduce democracy but some elements of it, i.e. democratization. The representatives of Solidarność did not want more because they thought in terms of geopolitics, as the politicians in the United States and in Western

Europe did. It was not the misjudgment of a political idea, rather of a political perception. Nobody, or nearly nobody, understood perfectly at that time the fundamental changes in the European situation, the weakness of the Soviet Union, the shift towards dissolution in the Communist bloc.

Polish democracy emerged, not out of decisions by Solidarność or the Round Table, but as a consequence of the forming of mass consciousness by Solidarność. The vast majority of the Polish electorate voted against Communism, for Solidarność and for democracy. It did not matter that the elections were only partly democratic. They were to be a plebiscite, and the Communists had only one alternative: sheer force. But they did not have sufficient forces and would have needed Soviet military support, which they were refused. Otherwise capitulation was for the Communists the only possible outcome. At first a limited capitulation, but in a dictatorial system it inevitably led to the dissolution of the regime.

The long march shrank to a relatively short one. Solidarność needed only ten years to demolish the Communist system and to introduce democracy. Neither the former opposition nor the Solidarność had planned a developments at this rate; it was the consequence of two unexpected events: the establishment of Solidarność in 1980 and the rejection of the Communist system in 1989. But above all it was the consequences of the activities of the opposition and Solidarność, which propagated the superiority of democracy to that of dictatorship.

What allowed democracy to win? There were two outstanding factors. First, despite the presence of nondemocratic forces within Solidarność the majority of leaders and followers wanted to establish a democratic regime. Second, the European democratic environment influenced the Polish situation. The Polish people became convinced that democracy was a path to liberty, to international security, and—perhaps more decisively—to prosperity. And the Polish people were convinced, too, that integrating Poland with the international structures of the democratic world, like NATO and the European Union, was the best solution for the future of Poland.

The historical part of Solidarność as a *Sammelbewegung* fighting for democracy was coming to an end. It was now time to build up Polish democracy, although Solidarność, which did not solely consist of democrats, was to split soon. It became a trade-union with a rightist leanings, but its wishes to cut a figure in politics met with defeat. It is

perhaps the most important victory of Solidarność that after winning the bilateral battle with Communism it did not replace it, but rather opened up the political scene for a pluralistic democracy.

The Historical Preconditions of the Polish Democratic Federalism (1795–1918)

Maciej GÓRNY

Polnische Akademie der Wissenschaften, Berlin

In this short article I will try to follow some of the most visible motifs of Polish political thought in the 19th century, that is the federalist idea. I will characterize its democratic entourage as well as its disability to catch up to the rules of modern democracy. Further I will focus on its connection to the modern national idea both in Poland and in other prospective members of an East-Central European federation.

Let me start with some basic factual introduction. Till late 18th century the Polish-Lithuanian Commonwealth was one of the largest states in Europe. It used to be a complicated, federal structure ruled by parliament and a king, who was chosen by the assembly of nobles. Lands and districts could enter the Commonwealth voluntarily and its political system secured local rights on costs of the efficiency of state policy. A characteristic feature of this land was a considerably high number of nobles, reaching—according to various authors—from seven to even ten percent of the whole population. High percentage of nobles means also that a considerable part of them did not possess much more than their title forming in fact a noble proletariat. The rest of the country population was deprived of most of the rights. The 18th century witnessed decline and gradual fall of Poland's political system that was turned into loose structure of informal connections between magnates, having often bigger impact on the country's policy than a king, and of foreign powers financing their own parties. At that point the Polish-Lithuanian state became a laughing stock of the enlightened Europe, a shocking example of anarchy. However, an attempt to change this situation by strengthening the state structures collapsed in effect of Russian military intervention. A last attempt to break through to independence, the Kościuszko uprising, was unsuccessful and the year 1795 marked the formal end of the independent Polish-Lithuanian state.

This nonexistent state proved to be quite a tempting object of political plans, projects and fantasies. It is only apparantly a paradox:

in fact the less hope can be attached to the vision of one's independence, the more ambitious and unrealistic plans for the future are getting. It is striking that one of the most common ideas that accompanied the projects of the renewal of the Polish statehood was the idea of national and ethnic multiplicity, whose most elaborated form was seen as a political federation. This union was usually seen as reuniting all the nationalities of the former Polish-Lithuanian Commonwealth first and foremost Poles, Lithuanians and Ruthenians (Ukrainians and Byelorussians). Furthermore, according to many authors, it should bound together some other mostly Slavic nationalities that were perceived as close relatives and "younger brethren" of Poland. Interestingly enough, such a Slavic federation was supported at the same time by those Polish authors, who rejected the very proj??ect of revitalizing Polish statehood. We can easily find federalist motifs in conservatives, pro-Russian Slavophiles, socialists of national and internationalist color, or liberals. I will concentrate on this manifold group of political projects and statements that combined the project of an international union with firmly convincing in its democratic and voluntary character, in freedom and equality as its main features. Finally I will try to answer the question how important this federalism was within the project of the political reconstruction of Poland.

In the period between the collapse of the Polish statehood and the Congress of Vienna, Polish federalism was dominated by the idea of a Slavic brotherhood.[1] Many people connected their hopes with Adam Czartoryski, closest friend of Czar Alexander I and Russian minister of foreign affairs. Czartoryski planed the restoration of Poland's bound with Russia by eternal, though voluntary friendship. His famous *Mordplan gegen Preussen* was one of the practical effects of his deepest convictions about the future Polish-Russian union.[2] In 1803 Czartoryski postulated either the reestablishment of Poland or uniting

---

[1] Marceli Handelsman, *Adam Czartoryski*, vol. 1, Warszawa 1948, p. 65; Leszek Kuk, *Stanowisko opinii publicznej Wielkiego Księstwa Poznańskiego wobec wątków rusofilskich i panslawistycznych w polskiej myśli politycznej do schyłku lat sześćdziesiątych XIX wieku*, in: *Polska myśl polityczna na ziemiach pod pruskim panowaniem*, ed. Sławomir Kalembka, Warszawa-Poznań-Toruń 1988, p. 111.

[2] Jerzy Skowronek, *Adam Jerzy Czartoryski wobec problemów niemieckich w epoce napoleońskiej*, in: *Ideologie, poglądy, mity w dziejach Polski i Europy XIX i XX wieku*, eds. Jerzy Topolski, Witold Molik, Krzysztof Makowski, Poznań 1991, pp. 134–136.

all the former Polish areas within the borders of Russia.[3] It was not the only federalist project that was born under the influence of this Russian minister and Polish count. In many aspects analogous writings to the Czar were prepared by collaborators of Czartoryski in Russian diplomatic service, by the Italian Scipione Piattoli and the Russian Wasilij Fjodorovich Malinovskij. All those plans shared several characteristic tendencies: the idea of European balance of power (that demands the reestablishment of Poland for the sake of European peace), the Slavophile tendency, and—last but not least—full subordination to the cause of Russia that is of the Romanov dynasty.[4] Further diplomatic career of Czartoryski was blocked but he continuously delivered plans that bound together the sake of Poland and Russia, mostly on the cost of Prussia.[5]

Many Polish authors, especially just after the defeat of Napoleon's empire and the creation of the Polish Congress Kingdom (under Russian control) interpreted the future Slavic brotherhood in an antique frame stating that the culturally advanced Poles are predestined to bring Western civilization to Russia just as ancient Greeks brought its civilization to the Romans, military conquered but culturally winning.[6]

Probably the main problem of the Russian party on the Polish political scene was that its adherents, though distinguished, were by no means numerous. Finally it proved to be weaker and less popular than the French party. The newly established Warsaw Duchy, as a semi-independent Napoleon's ally, was a place where the new version of political futurism was born: the plans for a Slavic federation under Polish leadership and French control. Most prominent author of this genre, Stanisław Staszic, saw the future of whole Europe as a powerful and peaceful union of free states under Napoleon's rule.[7] Poland's

---

[3] Adam Jerzy Czartoryski, *Pamiętniki i memoriały polityczne 1776–1809*, ed. Jerzy Skowronek, Warszawa 1986, p. 533.

[4] Ibidem, p. 567n.

[5] See: *Polska w latach 1795–1864. Wybór tekstów źródłowych do nauczania historii*, ed. Izabela Rusinowa, Warszawa 1986, pp. 43–45

[6] Ryszard W. Wołoszyński, *Polacy w Rosji 1801–1830*, Warszawa 1984, pp. 21–22.

[7] Staszic soon sharpened the tone of his political statements. In a booklet published anonymously in 1809 he wrote that the historical shift of ethnicities from the East to the West is already over and that the Napoleonic wars open a new phase of the movement in opposite direction. The new Europe shall be dominated by "Gaulolatins" and Poland's sake is in cooperating with the victorious power. Thus Staszic calls for increasing Polish founds for the army

role was to bring the lights of the French civilization to the other Slavic peoples.

Napoleon's defeat even strengthened the Slavophile tendency of Polish federalism. Author of ambitious visions of a French Europe, Stanisław Staszic, this time reformulated his idea as a union of Poland and Russia that will peacefully attract all the European countries.[8] Along with the birth of the idea of Slavic reciprocity that used widely Herderian ideas about the fate of certain nations as Poles and Czechs in the Habsburg empire, scientific historical and Slavic studies developed that always had a clear political meaning, especially when led in one of the German Territorial States.[9] Since the 1820s the idea of two Slovaks, the poet Jan Kollár and the linguist Pavol Jozef Šafárik, that the Slavic peoples are in fact speaking the same language, seemed more and more popular. Polish citizens of Austria and Prussia participated in several conspiratorial groupings that tended to rejoin Polish lands under Russian rule as a beginning of an all-Slavic union.[10] Meanwhile the idea of a European balance of power lost its privileged position within the federalist agenda. Now the argumentation of the authors followed a metaphysic path of a national mission of Slavic peoples as developed in the works of the Polish pre-romantic philosophers and Hegelians Józef Maria Hoene-Wroński, Bronisław Trentowski and August Cieszkowski.

Soon another historical fact deeply influenced Polish political thinking. In 1830–1831 continuously shrinking space of political freedom in the Congress Kingdom culminated in the November Insurrection. After its bloody defeat there was hardly any possibility for Polish politicians to build political projects that would connect the Polish cause with the Russian. It seemed that the hostility between two Slavic nations almost completely closed ways for future reassessments. One of the most interesting Polish political thinkers of this period, a scientist and a soldier Wojciech Bogumił Jastrzębowski published—slightly before the collapse of the uprising—his *Constitution for Europe*. His experience at war led him to formulations

---

of the Warsaw Duchy—[Stanisław Staszic], *Do Seymu. Co się z nami stanie? Co nam we wszystkich działaniach na pierwszey uwadze mieć należy*, Warszawa 1809.

[8] Stanisław Staszic, *Myśli o równowadze politycznej w Europie czytane w Wydziale Literatury Towarzystwa Przyjaciół Nauk w roku 1815 w miesiącu sierpniu*, in: Stanisław Staszic, *Pisma filozoficzne i społeczne*, ed. Bohdan Suchodolski, vol. 2., Warszawa 1954, p. 301n.

[9] Marceli Handelsman, *Adam Czartoryski*, vol. 1, Warszawa 1948, p. 129.

[10] Stanisław Wasylewski, *Życie polskie w XIX wieku*, Kraków 1962, p. 58.

that in their pacifistic tendency the pan-European ideas resemble those from the period between the wars. As a radical federalist Jastrzębowski wanted to liquidate state as such, giving political rights to the nations, even those that don't live on a specific territory (he included also Jewish Diaspora). Any military education, commemorating of wars and battles as well as national symbols referring to aggressive creatures (such as lions or eagles) should be forbidden.[11]

The defeat of the November Insurrection caused the emigration of politically active man to the west, mostly to France. Many of them, representing almost the whole spectrum of political life, lived in poverty devoting their free time to politics. It is no wonder that the deeper humiliation of those troublesome foreigners was, the broader and more fantastic their political plans for the future were getting. The best established group gathered around count Adam Czartoryski and led Polish foreign policy with its own net of diplomats all over Europe.[12] One of its main aims in foreign policy was to emancipate south Slavic nationalities within the Ottoman empire to cut their ties to Russia and to block political input of Russian pan-Slavism.[13] The long-term strategy was to bring back Polish independence by using all possible ways of diplomacy.

But there were also less moderate Polish emigrants that saw the future of Poland in the cooperation of revolutionary peoples, and not of international powers. For Joachim Lelewel as well as for Adam Mickiewicz Poland's role in history was the first stage of the battle for freedom of nations. Naturally their beliefs in the political shape of the continent based on the democratic principles of equality and freedom for all nations.[14] Nevertheless, there was always something peculiar in the federalist plans of Polish democrats (and many of them went even further, joining western socialist movement). In many cases the

---

[11] Wojciech Bogumił Jastrzębowski, *Traktat o wieczystym przymierzu między narodami cywilizowanymi. Konstytucja dla Europy*, ed. Franciszka Ramontowska, Warszawa-Łódź 1985, pp. 203–220.

[12] Marceli Handelsman, *Adam Czartoryski*, vol. 2, Warszawa 1949, p. 41. The broader analysis of Czartoryski's foreign policy gives Hans Henning Hahn, *Außenpolitik in der Emigration. Die Exildiplomatie Adam Jerzy Czartoryskis, 1830–1840*, München-Wien 1978.

[13] See: Joachim Kühl, *Föderationspläne im Donauraum und Ostmitteleuropa*, München 1958 pp. 13–37.

[14] Joachim Lelewel, *Polska, dzieje i rzeczy jej*, vol. 20, Poznań 1864, p. 421 quoted after: Andrzej Wierzbicki, *Lelewel i Ojczyzna*, in: *W kręgu historii, historiografii i polityki*, Łódź 1997, p. 48.

former Slavophile tendency remained along with the patterns of humanity and democracy. Thus even when all nations should be equal, some of them were meant to play a peculiar role in the divine plans. The apple of European eye was the future Slavic federation under the—often declared as spiritual more than political—supremacy of Poland.

At this stage all plans of future international cooperation had to face the practical problem: if the Slavic federation was to be created, where should be its future borders. The overwhelming majority of—not only emigrant—Poles thought it quite obvious. The Slavic federation should clearly base on the legacy of Polish-Lithuanian Commonwealth in borders from the period before partitions. That meant that Lithuanian, Byelorussian and Ukrainian lands and their inhabitants were perceived as belonging to the same, Polish nation. Meanwhile already in the 1820s some Polish authors noticed the birth of competing national identities. The answer of the majority of Polish democrats to the new challenge resembled the way revolutionary France got rid of its particularism: there simply could not be any other nationality besides the Polish one. Any other is seen simply as a regional variant of Polish nationhood.[15]

One of the most striking ways to theoretically strengthen ties between Poles and Ukrainians was Franciszek Duchiński's ethnographic theory created in the 1840s. According to Duchiński, Russians were simply not Slavs. They belonged to the Turano-Mongolian ethnic group, and this anthropological fact found its equivalent in their political culture. In contrary, Byelorussians, Ukrainians and Poles (as well as other Slavic nationalities) were linguistically, culturally, and ethnically so close, that their coexistence in one state seemed quite natural. Interestingly enough, Duchiński's theory met sympathy and even enthusiasm not only in the circles of Polish emigrants but also in France and in England, especially during the Crimean wars. Furthermore, in the 1870s the French government revised the guidelines for school education and for several years all French children were taught according to Duchiński's theory, that Russians were not Slavs.[16]

---

[15] „Nowa Polska" March 1835; quoted after: Sławomir Kalembka, *Prasa demokratyczna Wielkiej Emigracji. Dzieje i główne koncepcje polityczne (1832–1863)*, Toruń 1977, p. 168.

[16] Duchiński's ideology from the Ukrainian angle was analysed by Ivan L. Rudnytsky, *Essays in Modern Ukrainian History*, Harvard 1987, pp. 27–50.

This kind of "Slavic addiction" of the Polish political thinkers could lead also to different kinds of radicalism. Some ex-insurgents decided to realize their political plans with Russian support, gradually leaving democratic principles that usually accompanied Polish federalism.[17] This usually led to a "national apostasy" and Poles who saw the future of their state and of Europe under the Russian control usually closed their eyes on orthodox and conservative Russians. Probably the most interesting example of those life stories is Adam Gurowski. Gurowski took part in the November Insurrection. During the period of his emigration he joined the democrats but already in 1834 he published an open letter in the "Allgemeine Augsburger Zeitung" saying that he wishes to ask the Czar for amnesty, criticizing the uprising and the very idea of an independent Poland. In his writings one can find almost the complete pan-Slavic ideological machinery that then served Russian political thinkers such as Danilevskij. Russia was perceived as centralized, powerful, and free of Western mental diseases.[18] But Polish pioneers of Russian pan-Slavism found themselves in a tragic position, severely condemned by their compatriots and perceived as not trustworthy by Russians. It was not easy to convince the Czar and his *chynovniki* that one is already free from the democratic, Jacobin pest.[19]

The Spring of Nations entered Europe at a point, when many Polish emigrants felt already exhausted and deeply disappointed. It brought new hopes and a new wave of political plans. Polish military personnel participated in almost every European military conflict in 1848–1849, quite often playing leading roles. Adam Mickiewicz initiated the forming of a Polish military unit in Italy, whose political agenda—formulated by the poet—combined democratic and European conviction with the belief in the peculiar role to be played by Slavic peoples, above all by Poles.[20] Meanwhile Poles participating in the Slavic Congress in Prague believed to have solved the Polish-Ukrainian conflict in Galicia and pledged for a free and democratic Central European federation that should be open also for non-Slavic

---

[17] Wiesław Caban, *Droga Józefa Przecławskiego do ugody z Rosją*, in: *Między irredentą a kolaboracją. Postawy społeczeństwa polskiego wobec zaborców*, ed. Sławomir Kalembka, Norbert Kasparek, Olsztyn 1999, p. 81.

[18] Ryszard W. Wołoszyński, *Polacy w Rosji 1801–1830*, Warszawa 1984, pp. 232–233.

[19] Ibidem, p. 233.

[20] Adam Mickiewicz, *Dzieła*, vol. 12, ed. Stefan Kieniewicz, Warszawa 1997, pp. 10–11.

nations (by which they obviously meant Hungarians).[21] On the other hand, Czech organizers of the Congress as well as some Polish Galician politicians concentrated on the federalization of Austria. Two of the Galicians, Antoni Zygmunt Helcel and Jerzy Lubomirski, prepared the so called *Act of the Austrian-Slavic union* that was the first of many political programs connecting the Polish cause with the House of Habsburg.[22]

The collapse of the democratic movement all over Europe tempered Polish enthusiasm for a democratic Slavism. The Crimean War, too, was hoped to cause another Polish uprising. In 1857 radical conspiratorial politician and émigré Henryk Kamieński published in Paris his *Rosja i Europa. Polska. Wstęp do badań nad Rosją i Moskalami* (Russia and Europe. Poland. An introduction to the research on Russia and Muscovites). The book was an intelligent description of Russian everyday life and culture, based on the author's experience from the time of his forced stay in Siberia. But it also included a political agenda characteristic for the period that brought so many disappointments for the Polish political thinkers. Kamieński stated that the unconditioned help given by Polish emigrants to every fair European case did not meet gratitude. In contrary, the more democratic and radical the Poles were, the easier it would be for the Czar and European conservative circles to blame them in front of all Europe for the will of destroying peace and order on the Continent. It is high time—so Kamieński—to stop playing this game and to state clearly: If the West doesn't help us we will join Russia and flood Europe together with millions of Cossacks.[23] Its enough when the Czar starts to act reasonably to create a Russian-Polish union that sooner or later will smash the decadent West. It was not clear whether by using this argument Kamieński cried for the last time for Western help or really pled for joining the Cossacks. In any case, disappointment with the European developments was quite common.

Another attempt to refresh the idea of the Slavic democratic federalism failed as Revolutionary Commune in London (Gromada Rewolucyjna Londyn) under its leader Zenon Świętosławski tried to

---

[21] *Slovanský sjezd v Praze roku 1848. Sbirka dokumentů,* ed. Václav Žáček, Zdeněk Tobolka, Praha 1958, pp. 361–365. The original text was written in German, which was the official language of the Slavic Congress in Prague.

[22] Ibidem, pp. 379–383.

[23] [Henryk Kamieński], *Rosja i Europa. Polska. Wstęp do badań nad Rosją i Moskalami*, Paris 1857, second edition: Warszawa 1999.

instigate a conspiracy in Prussian Poland. Unfortunately, the whole conspiratorial net was almost from the very beginning infiltrated and even co-developed by Edmund Bärensprung, the president of Prussian police in Poznań, and the whole enterprise culminated in Prussian arrest.[24] In the light of such bitter failures the federalist agenda gradually loosed its attraction. In the eve of the January Uprising 1863 the majority of the politically active Poles did not see beyond the plan to reestablish Polish statehood.

But even the failure of another Polish insurrection (1863–1864) did not cause an immediate end of the lively political debates concerning the future of Europe. In contrary, the new wave of political emigrants produced dozens of surprisingly optimistic proclamations that based on the belief in revolutionary solidarity of all nations. Authors like Józef Hauke-Bosak or Ludwik Bulewski saw again the freedom of Poland as a stage on the way to free the whole continent.[25] Almost none of them seemed to notice the fiasco of all attempts for a Polish-Ukrainian cooperation during the uprising but followed the traditional path of Polish political thought in the 19th century that saw a Polish Ukraine as the fundament of Polish and European freedom. It was in the late 1860s that Polish authors started to question openly the axiom of political thought: the borders before the first partition of Poland. At that point more and more people, some of them connected with the Russian revolutionary movement, bit by bit turned away from the clearly national viewpoint and adopted the rules of class struggle.[26]

---

[24] Zbigniew Fras, *Prowokacja E. Bärensprunga na tle działalności policji państw zaborczych (do 1865 r.)*, in: *Polska – Kresy – Polacy. Studia historyczne*, ed. Stanisław Ciesielski, Teresa Kulak, Krystyn Matwijowski, Wrocław 1994, pp. 44–61; on Bärensprung see also: Urszula Kalembka, *Władanie Hohenzollernów na ziemiach polskich w zwierciadle publicystyki Wielkiej Emigracji*, in: *Publicyści późniejszego romantyzmu wobec rządów zaborczych i spraw narodowościowych na ziemiach dawnej Rzeczypospolitej*, ed. Sławomir Kalembka, Toruń 1998, pp. 30–32 and Sławomir Kalembka, *Przed burzą. Wielka Emigracja w przededniu i wobec powstania styczniowego*, in: *Powstanie Styczniowe 1863–1864. Wrzenie, bój, Europa, wizje*, ed. Sławomir Kalembka, pp. 177–180.

[25] *Granice Rzeczypospolitej Polskiej*, "Rzeczpospolita Polska" 2/1869; quoted after: *Radykalni demokraci polscy Wybór pism i dokumentów 1863–1875*, ed. Felicja Romaniukowa, Warszawa 1960, p. 76.

[26] Józef Tokarzewicz, *Panslawizm*, "Gmina" 7/1867; idem, *O federalizmie (korespondencja „Gminy" z jen. Mierosławskim)*, "Gmina" 8/1867; Jarosław Dąbrowski, *Do obywatela Bednarczyka i jego politycznych przyjaciół*, "Niepodległość"

Meanwhile, since early 1860s, the situation of Poles in Austria was getting better. This lead the liberal and conservative parts of the Polish émigrés to support plans that joined Polish future with the Habsburg dynasty.[27] One can say that the old Austro-Slavic ideology of František Palacký finally entered Polish political life.[28] But within the wide circles of non-German adherents of the federalization of the monarchy Poles formed a peculiar group, since they often saw Austria not as a goal of their political attempts but as a potential enemy of Russia and thus somehow descendant of the old Polish Kingdom. It was not rare that Polish politicians (as Stefan Buszczyński) presented plans that tended to turn the Habsburg monarchy into a Slavic state, without non-Slavic nationalities but with the remaining parts of the pre-partitions Poland.[29]

Around 1871 when the main potential ally of Poland failed the war against Prussia, two main trends of the Polish federalist idea remained active. The pro-Austrian plans were confronted by the conservative pan-Slavic idea that was shifting between the mirage of all-Slavic brotherhood and denationalization in the Russian empire. However, the main weakness of Polish pan-Slavists was most probably that their efforts to make a deal with Russia almost never met any meaningful response from the ruling circles of the Romanov monarchy. Their readiness to compromise that sometimes led them to abandon the very idea of Polish nationhood, too often remained wishful thinking.[30]

From the end of 1870s three main modern political trends were forming on the Polish territories: the nationalist, agrarian, and socialist

---

1867; quoted after: *Radykalni demokraci polscy Wybor pism i dokumentow 1863–1875*, ed. Felicja Romaniukowa, Warszawa 1960, passim.

[27] *Mowa Xięcia Władysława Czartoryskiego miana na posiedzeniu Towarzystwa Literacko-Historycznego w Paryżu dnia 3go Maja 1866 roku*, Paris 1866, p. 15.

[28] *Austria monarchia federalna*, in: Paweł Popiel, *Pisma*, vol. 1, Kraków 1893, p. 89.

[29] Wilhelm Feldman, *Dzieje polskiej myśli politycznej 1864–1914*, Warszawa 1933, p. 69.

First Partition 1772, Second Partition 1793, Third Partition 1795–1914 (*ed.*)

[30] Jan Sobczak, *Próba polsko-rosyjskiego pojednania u schyłku XIX stulecia*, in: *Między irredentą a kolaboracją. Postawy społeczeństwa polskiego wobec zaborców*, eds. Sławomir Kalembka, Norbert Kasparek, Olsztyn 1999, pp. 153–155; Andrzej Szwarc, *Od Wielopolskiego do Stronnictwa Polityki Realnej. Zwolennicy ugody z Rosją, ich poglądy i próba działalności politycznej (1864–1905)*, Warszawa 1990 and 1996; Jan Sobczak, *Polskie fascynacje młodym cesarzem Mikołajem II. Geneza jego wizyta warszawskiej we wrześniu 1897 r. i próba polsko-rosyjskiej „ugody"*, "Mazowieckie Studia Humanistyczne" 1996/1.

movements. The socialist movement was a federalist project per se, since the socialist future belonged to the peaceful cooperation of all people and the disappearance of borders. But how could these goals be achieved? Within Polish socialist movements two main tendencies represented two possible answers to the national question. The social-democratic movement denied the need to reestablish the Polish state-hood whereas the Polish Socialist Party saw it as an essential condition for a happy future. Main socialist thinkers tried to solve the question whether the class struggle should always have priority over the national program.[31] The more national wing of the socialist party (including future national leader Józef Piłsudski and Leon Wasilewski) followed the traditional anti-Russian program of the Slavic federation that should be built on the corpse of the empire.[32] Developing during next decades, especially after the 1905 revolution, this division within the socialist movement led finally to the forming of separate socialist and communist parties.

The 1905 revolution in Russia encouraged many members of the Polish middle-class living in Russia to enter the political life by supporting political projects that once more tried to solve the Polish-Russian conflict. Among the most influential were Aleksander Lednicki, a Moscow lawyer, and the brilliant scientist Jan Baudouin de Courtenay. Lednicki refreshed the idea of the Polish-Russian union with clear anti-German undertones, while Baudouin de Courtenay rejected the very idea of a Slavic federation. According to my knowledge, he was the first among Polish political thinkers who openly labeled this idea as a racist one. He wished a federalist Russia that would be a fatherland for both Slavic and non-Slavic nationalities.[33]

During World War I almost every path of Polish 19th century federalist thought found its place on one or the other side of the front. Pan-Slavists of any kind supported Russia, the strong pro-Austrian sentiment bound together Galician conservatives and social-ists, and there was also a pro-German wing of Polish political debate.

---

[31] Quoted after: Karol Grünberg, *Polskie koncepcje federalistyczne 1864–1918*, Warszawa 1971, p. 63.

[32] [Leon Wasilewski] L. Płochocki (St. Os...arz), *We wspólnem jarzmie (o narodowościach przez carat uciskanych)*, London 1901, p. 9. See: Adolf Juzwenko, *Leon Wasilewski's Hopes for Federalism*, in: *Wilsonian East Central Europe. Current Perspectives*, ed. John S. Micgiel, New York 1995, pp. 56–59.

[33] Jan Baudouin de Courtenay, *Autonomja Polski. Odczyt wygłoszony w sali Muzeum techniczno-przemysłowego w Krakowie 9 lipca 1906 roku*, Kraków 1907, p. 23; idem, *Ze zjazdu autonomistów czyli przedstawicieli narodowości nie-rosyjskich*, Kraków 1906

Many plans again referred to the union of all nationalities of the pre-partitions Poland.[34] But all fighting powers formulated their generous (though not detailed) plans of reestablishing Poland as a part of a federation with Russia, Prussia or Austria.

From 1915 to 1918 the defeat of all the powers that took part in the partitions of Poland finally made it possible to put life into the Polish federalist ideology. In fact, most of the Polish politicians at the end of the war tended to see the reestablishing of the Polish-Lithuanian (and Ukrainian) Commonwealth as a natural consequence of the independence of Poland. One of the most popular political slogans that appeared on that occasion was "freedom and equality."[35] The problem was that the other potential side of such a federation did not want to reestablish unions of any kind but to build its own Ukrainian, Lithuanian, Latvian and even Byelorussian national state.

Now, the constant presence of the federalist idea within the mainstream of Polish political life leads many authors to assumption that democratic federalism was in fact a crucial part of the political agenda and a kind of unification of the best traditions of the gentry democracy and the modern state. If so, one can say—and it is often claimed—that the Polish political thinkers of the 19th century went far beyond the average intellectual level of the time offering a post-national solution of the most painful problems of our continent. This type of argumentation was widely used in the process of Poland's entering the European Union.

I think that creating such a unification does not have any solid factual basis neither in the history of the gentry democracy of the Polish-Lithuanian Commonwealth, nor on the Polish federalist ideology of the 19th century. The latter appears in many political programs and pamphlets but it very seldom builds the main part of the political agenda. If we read the complete texts, we can easily observe that the passages concerning the federation are placed in the last sections, being a kind of "progressive millenarism." What seems much more important is the precondition of those plans: foremost the reestablishing of the Polish statehood. The general statement that all the nations or all Slavic nations should be somehow united refers to the far future. The main goal of the day is always Poland. At that point

---

[34] Józef Lewandowski, *Federalizm. Litwa i Białoruś w polityce obozu belwederskiego (XI 1918 – IV 1920)*, Warszawa 1962, pp. 46–48.

[35] L. A., *Problem Litwy podczas wojny. Zbiór dokumentów, uchwał, odezw itp.*, Warszawa 1918.

almost all authors have to make a statement (and, if they don't do it, isn't that a kind of statement, too?) concerning the future borders of Poland. Does the federalist idea refer also to the lands and people's of the old Commonwealth, or is it a unit that cannot be further divided?

Thus the idea to reestablish a Polish-Lithuanian Commonwealth appears a tricky one, situated somehow in-between the generous internationalism and the revisionist ideology of the nationalist type. The nationalities question that was hardly noticeable in the late 18th century, became a crucial point in the politics during the next century. The democratic traditions of the pre-partitions Polish political system were already "forms without substance" to borrow the formulation from the Romanian national discourse.[36] They had lost their meaning long before they could be fulfilled.

It certainly does not mean that each author mentioned above played with the slogan of federalism to hide their nationalist goals and to exploit Ukrainian and Byelorussian peasantry. There is no reason to question their sincerity. They simply in most cases ignored the nationality question, or rather ignored the development of any other East-Central European nation beside the Polish one. Thus only rarely can we rightly treat Polish federalist texts as a contribution to the all-European federalist discourse that sees beyond one's own state and nation. The general level of their federalist reflection leads to the assumption that democratic federalism is rather a motif of Polish 19th century political language than part of the fundament of Polish political thought.

---

[36] Titu Maiorescu, *În contra direcției de astăzi în cultura română*, in: Titu Maioescu, *Opere*, vol. 1, București 1978, p. 150.

A Doctrine in the Making? *Velayat-e faqih* in Post-Revolutionary Iran[*]

Katajun AMIRPUR

The way how Iranian clerics are acknowledged as religious authorities, or themselves lay claim to such a position, has undergone fundamental changes since the Islamic Revolution, specifically in the period after Ayatollah Khomeyni's death in 1989. The same is true of the functions performed and the range of powers held by clerics, first and foremost the *marja* as *primus inter pares*. Not surprisingly, the arguments used to support their claims to religious authority (and political power) have also changed. This paper will discuss both the arguments employed by post-revolutionary Iranian clerics in favor of *velayat-e faqih* (the rule of the Supreme Jurisconsult) and those of its critics. In terms of individual authors, I will focus on the arguments put forward by Ayatollah Mohammad Taqi Mesbah Yazdi, one of the theoreticians of the official Iranian position, and the viewpoints of Iran's most outstanding dissident on the subject, Hoseyn Said Montazeri.

One of the crucial points distinguishing modern Shiite Islam from Sunni Islam consists of the fact that it has a clergy that is hierarchically organized.[1] This clergy became the highest non-governmental author-

---

[*] This article was already published in: "Speaking for Islam," edited by Gudrun Krämer and Sabine Schmidtke, Brill, Leiden 2006, pp. 219–240. It is reprinted here by kind permission of Koninklijke Brill Publishers.

[1] After 15 to 17 years of study, the student receives permission to issue legal opinions (*fatāwā*). From this point on he is a *mujtahid* and entitled to bear the title of *hujjat al-islam* ("evidence of Islam"). If he can attract a large following, and if a number of scholars of equal or higher rank recognize his authority, they will at some time begin to address him with the title of *Ayat Allah* ("sign of God"). Every *mujtahid* who is recognized by several *maraji al-taqlid* ("sources of emulation," sg. *marja al-taqlid*), who has a large number of "followers" (*muqallid*, i.e. a believer who has chosen a "source of emulation"), has authored a collection of legal opinions and written a "practical treatise" *(risalat tausi al-masail;* pers. *resale-ye amaliye)*, a treatise on ritual obligations, can himself become a "Source of Emulation." In terms of its theoretical foundations, the institution of the *marja* was elaborated by Mortaza Ansari (1800–1864). Cf. Juan R. Cole,

ity in Iran with the victory of the *usuli* school over the *akhbari* school in the nineteenth century. From then on, all believers had to choose a "source of emulation" *(marja-e taqlid)*.[2] Renowned clerics were thus not only able to build up a large following: By the same token, large sums of money were placed in the *marja*'s hands, for the ordinary Shiite believer is obliged to pay the Imam's share *(sahm-e emam)* to his "source of emulation," who manages it on behalf of the Imam during the period of the Great Occultation *(gheybat-e kobre)*. (Previously, the believers had paid the Imam's share to the local mullah.) The larger a cleric's following, the more funds he has at his disposal, and hence the more power—financial as much as social—he is able to wield.[3] This element of religious taxation secured some scholars a high degree of financial autonomy vis-à-vis the state, a factor which enabled those at the top of the Shiite hierarchy to play an important role in politics, as became apparent in the tobacco protest of the 1890s.[4] Still, Shiite clerics in Iran and Iraq were mostly quietists in the first part of the

---

"Imami Jurisprudence and the Role of the Ulama. Mortaza Ansari on Emulating the Supreme Exemplar," in *Religion and Politics in Iran. Shi'ism from Quietism to Revolution*, ed. Nikki R. Keddie, New Haven/London 1983, pp. 33–46. He was also the first generally recognized *marja*. In subsequent years, several supreme "sources of emulation" were often recognized because agreement could not be reached on one single *marja*. The last generally recognized *marja* was Grand Ayatollah Borujerdi between 1949 and 1961.

[2] For an overview, see Ahmad Kazemi Moussavi, "The Institutionalization of Marja-i Taqlid in the Nineteenth Century Shiite Community," *The Muslim World* 84 (1994), pp. 279–99; idem, "The Establishment of the position of the Marjaiyyat-i Taqlid in the Twelver-Shiii Community," *Iranian Studies* 18 i (1985), pp. 35–52; see also Cole (n. 1 above).

[3] The clerics use these funds mainly for the theological colleges and their students' alimony—but only for those students who study jurisprudence. Clerics who specialize in fields other than Islamic law cannot become a *marja*, no matter how great their knowledge. This does not imply that they are not accepted as religious authorities, but rather that they are not entitled to receive a share of the Fifth (and the Imam's share). For example, Allama Tabatabai (1892–1981), author of the Quranic commentary *al-Mizan iI tafsir al-Quran*, was one of the most highly esteemed scholars of his time. His commentary was a seminal work in Shiite Quranic exegesis, and his philosophical works are counted among the most influential in the Shiite debate on materialism. Still, he did not receive any part of the Imam's share since he had neither a collection of legal treatises to his name, nor did he teach law.

[4] See Ann K. S. Lambton, "The Tobacco Regie. Prelude to Revolution," *Studia Islamica* 22 (1965), pp. 119–57.

twentieth century[5]; the majority held chiliastic expectations of salvation, maintaining that, until the return of the Twelfth Imam, any kind of rule—even the rule of the clergy—could be but illegitimate. Awaiting the coming of the Imam-Mahdi, they withdrew from active participation in the affairs of the state—as their predecessors had done in previous centuries.[6]

One of the most outstanding personalities contesting this attitude was Ayatollah Ruhollah Khomeyni (1902–1989), who articulated his opposition while living in exile in Iraq in the 1960s and 1970s. In his view, the Shiite scholars (or to be more precise, the jurisconsults among them) are not only the sole authority for interpreting revelation (i.e., the Quran), but they are also responsible for having its injunctions implemented. As a result, the clergy must not only be involved in politics, but must assume political leadership.[7] Khomeyni pointed out that only the most learned of all jurisconsults, the universally accepted *marja*, is capable of leading the Muslim community. Article Five of the Iranian Constitution prescribes the Supreme Jurisconsult's Rule *(velayat-e faqih)*. It states that the deputy of the Twelfth Imam *(nayeb-e emam)* and his representative on earth is to be "the jurisconsult capable of leadership," who is "accepted and acclaimed as Islamic leader by the majority of the population"—a much debated point lately.[8] The debate revolves around a number of questions: who is qualified and legitimized to be this leader, by whom he is to be legitimized, and how is the population to be involved, raising the issue of popular sovereignty.

This paper does not deal with those intellectuals, scholars and activists who are fundamentally opposed to the concept of velayat-e faqih: they can be found among secularists as well as among quietist clerics.[9] Even in Khomeyni's time, the concept **of velayat-e faqih** was

---

[5] Jean-Pierre Digard, Bernard Hourcade and Yann Richard, *L'Iran au XXe siècle,* Paris 1996, p. 172.

[6] Ann K. S. Lambton, "Quis custodiet custodes. Some Reflections on the Persian Theory of Government," *Studia Islamica* 22 (1956), p. 133.

[7] Ajatollah Chomeini, *Der islamische Staat,* translated from the Persian and edited by Nader Hassan and Ilse Itscherenska, Berlin 1983, p. 59ff.

[8] Botschaft der Islamischen Republik Iran (ed.), *Verfassung der Islamischen Republik Iran,* Bonn 1980, p. 27.

[9] It is difficult to ascertain just how high the number of quietists among the Shiite clergy is at any given moment in time. Wilfried Buchta maintains that in the 1990's, the majority of the Iranian clergy was opposed to *velayat-e faqih*. In supporting his view, he cites data given to him by an employee of the

not without its critics. Jean-Pierre Digard, Bernard Hourcade and Yann Richard even claim that most scholars based in Qom were opposed to velayat-e faqih at that time.[10]

How to Qualify as *Vali-ye faqih* and Whose Standards Are to Be Met?

In March 1989, Khomeyni disavowed Grand Ayatollah Hoseyn Ali Montazeri (b. 1922), his designated successor in the position of *vali-ye faqih* and leader of the revolution *(rahbar)*[11], and dismissed him from public office.[12] However, no adequate replacement could be found for Montazeri, because the clerics willing to serve in this function were no "source of emulation," and the "sources of emulation" were not willing.[13] In response to this situation, Khomeyni ordered that Article 109

"Committee for Defending the Rights of the Shiite Marjaiyya" (*Lajnat al-difa an lajna al-marjaiyya al-shia*). This Committee is an underground organization dedicated to non-violent resistance against clerical rule. It claims to have about 1.000 members, most of them Arabs and Iranians. No official figures are available on the ratio of political to non-political clerics in Iran, and it is difficult to ascertain whether the Committee's figures are correct. According to the Committee, of a total of 20 Grand Ayatollahs, who rank a step below the "Absolute Source of Emulation" (*marja al-taqlid al-mutlaq*, arab.; *marja-e taqlid-e motlaq*, pers.), the primus inter pares who is accepted by all other *ayatollahs*, 14 lived in Iran in the 1990's. With the exception of Hoseyn Ali Montazeri all of them are said to oppose the concept of *velayat-e faqih*. See Wilfried Buchta, "Ein Haus mit vielen Herren. Divergierende Machtzentren in der Islamischen Republik Iran," *Orient* 39 i (1998), p. 70.

[10] Digard et. al., *L'Iran,* p. 172.

[11] Khomeyni's successor is also addressed as leader of the revolution (*rahbar*), as the Iranian religious establishment maintains that the Islamic Revolution is still ongoing.

[12] In a letter to Khomeyni Montazeri had criticized violations of human rights and blamed the government for the continuing economic problems, as well as the fact that investments were blocked. For Montazeri's biography, see Yann Richard, "Hoseyn-Ali Montazeri," *Orient* 26 (1985), pp. 303–306; N. Schahgaldian, *The Clerical Establishment in Iran*, Washington 1989, pp. 48–49.

[13] H. Teimourian, "The Mullah Goes Back to the Mosque," *The Middle East* (May 1989), p. 21. Shahrough Akhavi, "Elite Factionalism in the Islamic Republic of Iran," *The Middle East Journal* 41 ii (1987), p. 190. On the other hand, there are scholars who maintain that Montazeri, too, was not accepted as a *marja* at this time; see Maziai Behrooz, "Factionalism in Iran under Khomeini," *Middle Eastern Studies* 27 iv (1991), p. 609; N. Schahgaldian, *The Clerical Establishment*, p. 37. In the early 2000s,. Montazeri appeared to be widely recognized as *marja*. However, this may be largely due to his oppositional views.

of the constitution, which prescribed that the *vali-ye faqih* be a *marja*, a "source of emulation," be suspended.[14] This measure considerably lowered the level of religious qualification demanded of the holder of the highest public office. Khomeyni's reasoning now shifted to politics: he argued that instead of someone steeped in religious scholarship or well versed in juridical subtleties, the office of *vali-ye faqih* required a leader with sound political instincts, and that this person need not necessarily be a *marja*.[15] This was a sudden turn, given the fact that he had previously argued that only the universally accepted *marja* was capable of leading the Muslim community. To justify his new position, he now stated that he had always thought it sufficient for the Supreme Jurisconsult to be a mere *mujtahid*.[16] The relevant passage in the constitution was thus amended to read as follows: the indispensable qualification for the Supreme Jurisconsult is *agah budan be zaman*, "to be up to date politically and to be able to represent the Revolution's ideological foundations and goals."[17] According to Olivier Roy, this qualification also influenced the official titles of "Leader of the Revolution" *(rahbar-e enqelab)*, "Highest Authority of Leadership" *(maqam-e moazam-e rahbar),* or just "Leader," which is the title most often used to address Khomeyni's eventual successor, Khamenei.[18] In theory Khomeyni, too, held the title of "Leader of the Revolution," but he was rarely addressed as such. Because of his overwhelming authority he was called Imam, even though he referred to himself as *nayeb-e emam*, the deputy of the Imam. (Unlike the Sunnis, Shiites do not use this title for the leader(s) of prayer, but rather reserve it for the Twelfth Imam.) Critics have always targeted this practice—precisely because it might give rise to the impression that with Khomeyni the Twelfth Imam had returned. Ayatollah Shariatmadari was of the opinion that the title sounded blasphemous to Iranians, even when used for Arab clerics such as "Imam" Muhsin al-Hakim.[19]

---

[14] See Wilfried Buchta, "Die Islamische Republik Iran und die religiös-politische Kontroverse um die *marjaʿiyat,*" *Orient* 36 iii (1995), p. 453.

[15] Silvia Tellenbach, "Zur Änderung der Verfassung der Islamischen Republik Iran vom 28. Juli 1989," *Orient* 31 i (1990), p. 49.

[16] Tellenbach, "Zur Änderung der Verfassung," p. 49.

[17] *Qanun-e asasi-ye jomhuri-ye eslÁmI-ye IrÁn*, p. 32.

[18] Olivier Roy, "The Crisis of Religious Legitimacy in Iran," *Middle East Journal* 53 ii (1999), p. 206.

[19] Michael Fischer, "Becoming Mollah. Reflections on Iranian Clerics in a Revolutionary Age," *Iranian Studies* 13 (1980), p. 88.

Ali Khamenei (b. 1939) was appointed by the Council of Experts *(majles-e khobregan)*, the body charged with the task of selecting the *vali-ye faqih*, shortly after Khomeyni's death on June 3, 1989. Yet the fact that Khamenei does not combine the highest political and religious rank in his person, since he is not generally accepted as a "source of emulation," poses considerable problems. There are presently several scholars whose juridical qualifications far exceed Khamenei's. A powerful religious authority could thus challenge and undermine his claim to lead the Shiite community. This is perhaps why immediately after taking office Khamenei put his greatest rival Montazeri under house arrest. Khamenei is acutely aware of this situation, as is evident from his repeated attempts to elevate himself to the status of *marja-e taqlid*. After Khomeyni's death, most of the Shiites followed Grand Ayatollah Abu l-Qasim al-Khui as their *marja-e taqlid,* while some chose Grand Ayatollah Marashi Najafi or Grand Ayatollah Golpayegani.[20] After Khui's death in 1992, the al-Khui Foundation located in London opted for Golpayegani as his official successor.[21] Upon Golpayegani's death in 1993, Khamenei made the first move to unite the positions of *vali-ye faqih* and *marja-e taqlid* in his person: he arranged for Golpayegani to be honored with a state funeral in Tehran, planning to position himself as his successor by leading the prayers at the grave. Golpayegani's family, however, thwarted his plans and buried the deceased in Qom with only his closest relatives present. After Golpayegani family had publicly rebuffed him, Khamenei declared his support for Ayatollah Mohammad Araki (died 1994), a cleric who was not interested in politics, a move followed by twenty-four clerics from the middle ranks of the Iranian clergy who were counted among the "political clerics." The non-political faction of Qom's clergy refused to accept this move though; they nominated Grand Ayatollah Sadeq Ruhani (d. 1997), a student of Khui's, as *marja-e taqlid.* Ruhani called for the clergy's complete withdrawal from politics and was immediately arrested.[22]

---

[20] Rainer Hermann, "Von der Wirtschafts- zur Legitimationskrise. Die Ära Khamenei/Rafsanjani in der Islamischen Republik Iran," *Orient* 35 iv (1994), p. 559. For the political attitude of al-Khui, who opposed the *velayat-e faqIh*, see Yousif al-Kho'i, "Grand Ayatollah Abu al-Qassim al-Kho'i. Political Thought and Positions," in *Ayatollahs, Sufis and Ideologues. State, Religion and Social Movements in Iraq*, ed. F. Abdul-Jabar, London 2002, pp. 223–30.

[21] Hermann, "Von der Wirtschafts- zur Legitimationskrise," p. 560.

[22] Further information on this event is offered in Hermann, "Von der Wirtschafts- zur Legitimationskrise," pp. 541–64.

After Araki died in 1994, Khamenei again sought to become *marja-e taqlid*.[23] But many *ulama* and ordinary believers were incensed at Khamenei's attempts to have himself declared a "source of emulation" without having published a "practical treatise" (*resale-ye amaliye*), a necessary precondition to qualify as *marja*. Leading Iranian clerics, such as Khamenei's brother-in-law *shaykh* Tehrani, who was at that time exiled in Iraq, wrote a petition (and ran a high personal risk in doing so) demanding that Ayatollah Montazeri, *persona non grata par excellence*, be appointed Araki's successor. He maintained that Montazeri was the only qualified jurisconsult, being the most learned of all Iranian clerics and the only *marja* living in Iran.[24] Mehdi Karrubi, at the time member of the Council of Experts, and other high-ranking clerics, such as Ayatollah Khalkhali, supported this petition.[25] Others voiced their criticism as well: Mehdi Bazargan (d. 1995), first Prime Minister of the Islamic Republic and at the time leader of the semi-legal oppositional "Liberation Movement" *(Nehzat-e azadi)*, argued in an interview with the Persian Service of the BBC that the religious establishment of the Islamic Republic was trying to undermine one of the basic principles of the Shia, namely the more or less democratic way of choosing one's own religious authority. Bazargan complained that the unity of state and religion that existed in Iran was being exploited to force upon the population a *marja* chosen by officials—an act unprecedented in Shiite history.[26]

Having attracted scathing criticism from diverse quarters, Khamenei publicly stated that he had no interest in becoming Araki's successor for the Iranians.[27] At the same time though, he offered himself as the "source of emulation" to Shiites living outside Iran—an

---

[23] See Buchta, "Die Islamische Republik Iran und die religiös-politische Kontroverse um die *marjaîyat*," pp. 449–74.

[24] Although it is not necessary that Iranian Shiites choose an Iranian as their "source of emulation," nationality frequently plays a role.

[25] *BBC*, Persian Service 11/30/1994. Those who signed the petition expressed the opinion that Montazeri was undoubtedly the most learned and most qualified Shiite scholar of the time. Ali Tehrani was sentenced to a prison term of twenty years *in absentis* in December 1994. See *Ettelaat* 21/12/1994.

[26] *BBC*, Persian Service, 11/30/1994.

[27] W. Buchta's assessment that Khamenei managed to become accepted as Grand Ayatollah in Iran (see Buchta, "Die Islamische Republik Iran und die religiös-politische Kontroverse um die *marjaîyat*," p. 458) must be corrected: a substantial part of the population and the clergy do not even accept his claim to the title of *Ayatollah*.

obvious attempt to attain leadership over the Shiites living in the dias-
pora and to strengthen his position in Iran at least indirectly.

Another attempt made by Khamenei to establish his leadership
over the clergy was to gain personal financial control over the Grand
Ayatollahs: he suggested that all believers should pay the Imam's share
directly to his office and that he would then distribute the funds to the
Grand Ayatollahs to finance their theological colleges and students.
To grant Khamenei the right to receive "their" Imam's share would
have been tantamount to accepting him as the "Absolute Source of
Emulation." Khamenei's proposal was roundly rejected by several
renowned "sources of emulation" including Grand Ayatollah Yusuf
Sanei, who stated that he was neither interested in losing his inde-
pendence, nor was he in favor of the current politicized version of
religious leadership.[28]

Critics like Grand Ayatollah Montazeri view these attempts to
attain the position of "source of emulation" as a grave danger for the
idea of the *marjaiyya*.

"Well, is this not degrading the Shiite doctrine of the 'source of emu-
lation,' when the night after the death of Ayatollah Araki, they
brought a few people in the street of the Society of Seminary Teach-
ers, just like they do now, then three or four people came from
Tehran and, in fact, (those who were mentioning him [as the source of
emulation]) were not more then seven or eight people, and with hardly
seven people, they wanted to make him a source of emulation,
whereas he is not at the level of issuing edicts and being a source of
emulation? Hence, they degraded the doctrine of the Shiite source of
emulation; they made it childish, with a bunch of kids from [the
Ministry of] 'Intelligence' that they brought."[29]

One generation after the Islamic Revolution, scholars' titles, then, say
more about their bearers' position in the political hierarchy of Iran
than about their scholarship and their standing in the religious com-
munity or with their lay followers. In former times a scholar more or
less automatically turned into an authority after having educated
several generations of students. A scholar held in high regard rose to
the top of this hierarchy without being officially granted a title. Since
the Islamic Revolution, those who hold important political, not aca-

---

[28] *Iran Press Service*, 1/12/2000.
[29] *Keyhan*, London, 12/4/1997, p. 4.

demic, positions are granted a title. After Khomeyni's death, Khamenei was thus immediately declared the new Leader of the Revolution, and from that day on addressed as *ayatollah*.[30] This form of address was based on his new political position, not his learning. Hashemi Rafsanjani, the former Iranian President and influential head of the Expediency Council *(majles-e tashkhis-e maslehat-e nezam)*, is also addressed as *ayatollah*, at least in the media controlled by the conservatives. As Mohammad Mojtahed Shabestari*,* a leading reformist theologian, points out:

"It may happen that someone today is known as *hojjat al-eslam*, that there are political changes during the next two years, and he becomes Ayatollah. Or the other way around . . . someone is Ayatollah today, and, in the course of two years, because of yet other political changes, nobody calls him Ayatollah anymore."[31]

Divine Designation, Part One: The Power Only God Can Grant

Critics claim that by changing the constitution, Khomeyni has in effect abolished the *velayat-e faqih*.[32] This may be true regarding the juridical and religious qualifications the *vali-ye faqih* was originally intended to have. But the idea that the holder of this rank and office was to be granted absolute power actually gained in importance with the changes made to the constitution: The "*absolute* guardianship of the Supreme Jurisconsult" *(velayat-e motlaqe-ye faqih)* was now inscribed into the constitution. No longer empowered with simple guardianship, the position of the "Supreme Jurisconsult" was rendered absolute. To

---

[30] Udo Steinbach, "Die 'Zweite Islamische Republik'. Der Gottesstaat auf dem Weg in die Normalität," *Außenpolitik* 41 i (1990), p. 84.

[31] Mohammad M. Shabestari, personal communication to the author in December 1994.

[32] This is how the Iranian oppositional freedom movement puts it. See Nehzat-e azadI, *Tafsil va tahlil,* Tehran 1994. This attitude is shared by Mehrdad Haghayeghi, "Politics and Ideology in the Islamic Republic of Iran," *Middle Eastern Studies* 29 i (1993), p. 38. Linda Walbridge maintains a different stance. She believes that Khomeyni "did not divide the role of marja and wilayat al-faqih; rather he redefined the type of person who should serve in this dual capacity." Linda S. Walbridge, "The Counterreformation. Becoming a Marja in the Modern World," in *The Most Learned of the Shia. The Institution of the Marja Taqlid*, ed. Linda S. Walbridge, Oxford 2001, p. 234.

compensate for the lack of religious authority, the officeholder was given greater political powers, expressed in the term *motlaq*, which in this context represents a novelty in Shiite jurisprudence. The *vali-ye faqih* may thus be only one legal scholar among many—and not even a high-ranking one. But his political power is absolute, based not on his religious authority, but solely on his appointment to office.

The leading Iranian reform theologian Mohsen Kadivar[33] (b. 1959) characterizes Khomeyni's early ideas concerning *velayat-e faqih*—as formulated in the constitution of 1979—as "the general appointive authority of jurists." In contrast, he describes the new form of *velayat-e faqih*, as reflected in the revised constitution from 1989, as the "absolute appointive authority of the jurists."[34] Kadivar stresses that the difference between the two refers mainly to political authority. The "absolute appointive authority of the jurists" gives the Supreme Jurisconsult absolute authority, elevating his decrees (*hokm-e hokumati*) over those of the *sharia*: "The orders of the Supreme Jurists, according to this thesis, must not only be obeyed as a religious duty; they must also prevail, in cases of contradiction, over the state law and the sacred law alike."[35]

Interestingly, Khamenei was not in favor of this reading of the *faqih*'s power from the beginning. During a Friday Prayer in 1989 he said that the authority of Islamic government could only be exercised within the framework of the ordinances of the sacred law. Khomeyni reprimanded him for this attitude and stated that: "Government in the form of the God-given absolute mandate was the most important of the Divine commandments and has priority over all derivative Divine commandments . . . [It is] one of the primary commandments of

---

[33] Kadivar is involved in deconstructing *velayat-e faqih* by showing that there are other Shiite theories of the state. Nonetheless, Kadivar never made a frontal attack on *velayat-e faqih*. He rather demonstrated the historical evolution of Shiite political theory and concepts of the state, as well as the spectrum of different views on political rule in contemporary Shiite thought. Mohsen Kadivar, *Nazariyeha-ye doulat dar feqh-e shi'e*, Tehran 1998. Of equal importance is his book *Hokumat-e velai. Andishe-ye siyasi dar eslam*, Tehran 1998. For further information about Kadivar see Farzin Vahdat, "Post-revolutionary Discourses of Mohammad Mojtahed Shabestari and Mohsen Kadivar. Reconciling the Terms of Mediated Subjectivity," *Critique* 17 (2000), pp. 136–54.

[34] Quoted from Said Amir Arjomand, "The Reform Movement and the Debate on Modernity and Tradition in Contemporary Iran," *International Journal of Middle East Studies* 34 iv (2002), p. 729.

[35] Kadivar, *Nazariyeha-ye doulat*, pp. 108–9. Quoted from Arjomand, "The Reform Movement," p. 729.

Islam and has priority over all derivative commandments, even over prayer, fasting and pilgrimage to Mecca."[36] Said Amir Arjomand called this "the new theocratic absolutism," and, commenting on Khamenei's subsequent change of mind, concluded: "Khamenei not only understood the principles of the new theocratic absolutism but propounded them."[37]

Ayatollah Mohammad Taqi Mesbah Yazdi (b. 1934) is one of Khamenei's most fervent supporters, a member of the Council of Experts and the head of "The Imam Khomeyni Education & Research Institute."[38] He provided the basic argument to support Khamenei's claim to supreme religious authority, writing several books on the question of *velayat-e faqih*. In his opinion, the term *motlaq* means that Khamenei stands above the constitution. As his right to leadership is absolute, he can claim far more extensive rights than those explicitly set out in the constitution.[39]

But why does the leader have absolute rights? This is—according to Mesbah Yazdi—due to the fact that the *faqih* has been chosen by God himself. Only someone chosen by God has the right to rule.[40] Whether the people accept the *faqih* or not is irrelevant. He does not lose his legitimacy *(mashruiyyat)* if they refuse to offer him their recognition *(maqbuliyyat)*.[41] According to Mesbah Yazdi, the people may give the government some sort of, as he puts it, "objective reality," but their approval is not required for it to be legitimate.[42] "That is why, in the time of the Great Occultation, the government receives its legiti-

---

[36] Said Amir Arjomand, "Authority in Shiism and Constitutional Developments in the Islamic Republic of Iran," in *The Twelver Shia in Modern Times. Religious Culture and Political History*, eds. Rainer Brunner and Werner Ende, Leiden 2001, p. 310.

[37] Arjomand, "Authority in Shiism," p. 310.

[38] This institute, which is directly answerable to the *rahbar*, was originally founded to counter anti-Islamic propaganda. Information on the institute and its homepages is offered in Matthias Brückner, "Der *Ayatollah* im Netz – offizielle zwölferschiitische Websites," *Orient* 4 (2002), pp. 537-58.

[39] Mohammad Taqi Mesbah Yazdi, *Velayat-e faqih*, Qom 1999, p. 27. Khomeini, too, enjoyed considerable extra-constitutional powers. See in detail Asghar Schirazi, *The Constitution of Iran. Politics and the State in the Islamic Republic*, tr. J. O'Kane, London 1997, pp. 62–71, 97. Johannes Reissner, "Der Imam und die Verfassung. Zur politischen und staatsrechtlichen Bedeutung der Direktive Imam Khomeinis vom 7. Januar 1988," *Orient* 29 ii (1988), pp. 213–36.

[40] Mesbah Yazdi, *Velayat-e faqih*, p. 49.

[41] Ibid., p. 55.

[42] Ibid., *Velayat-e faqih*, p. 25.

macy from God and not from the people."[43] A government that does not have the people's support is still legitimate, as can be seen from the example of the fourth caliph, Ali: "Even though he was the only legitimate ruler, he had to wait for twenty-five years. The *mashruiyyat* remained valid nonetheless. The imams just could not realize their claim to authority."[44]

Mesbah Yazdi compares three different modes of legitimacy: popular will, the ethical values followed by the ruler, and rule by divine grace. In the Islamic Republic of Iran, the latter is the case. This, as Mesbah Yazdi tries to point out, provides an obvious advantage: while the people, if given a choice, might end up electing a bad government,[45] God will always choose the best one.[46] Mesbah Yazdi makes it clear that God is not arbitrary when choosing a *rahbar*. A *rahbar* must fulfill several prerequisites: he must know how to interpret the religious rulings (*ahkam*[47]) and have reached the grade of *ijtihad*. He must be an honest and pious person thoroughly familiar with society's problems and needs. He must also know how to move in international circles, and "be able to tell friends from enemies."[48] While only the Prophet, Fatima, and the Imams are infallible *(masum)*, the *rahbar* is *qarib be masum*—almost infallible, which is why he, coming closest to the fourteen Infallibles, has to lead society during the Great Occultation.[49] For this reason, all people are duty bound to obey him. It is the *faqih* who grants legitimacy to the actions of the people, not vice versa. A law is legitimate only because the *faqih* has approved it, not because it has been passed by a democratic assembly. According to Mesbah Yazdi, parliament has no function and can be immediately dissolved if the *faqih* is not satisfied with its work.[50]

Following Khomeyni, Yazdi claims that the *rahbar* can suspend certain pillars of religion like the pilgrimage, but he cannot change the *usull*, the principles of religion. Were he to do so, his authority or the right of leadership would be taken from him (*velayat az u salb misha-*

---

[43] Ibid., p. 21.

[44] Ibid., pp. 27ff.

[45] Ibid., p. 14.

[46] Ibid., p. 48.

[47] Ibid., p. 54.

[48] Ibid., p. 51

[49] Ibid., p. 56.

[50] Akbar Ganji, "Mashru'iyat, velayat, vekalat," *Kiyan* 3 xiii (1993), p. 26. In this article Ganji also describes his own attitude towards *velayat-e faqih*.

vad).[51] Mesbah Yazdi does not explicitly state how and by whom the *rahbar* would be divested of authority, but it can be safely assumed that it would be through God. The *rahbar* does not need to know, nor be able to do everything. Mesbah Yazdi's interpretation of the idea of *shura* (consultation among the believers) allows for the *rahbar* to consult specialists for advice; the final decision, however, is his alone to make, just like the Prophet.[52] Since—in theory—the *rahbar* may err, Mesbah Yazdi allows for criticism—in principle. The conditions he sets, however, make criticism almost impossible. For example, it must not play into the enemy's hands.[53] He further believes that a large number of *mujtahids* and their opinions lead to chaos, maintaining that the head of state should be followed in all political and politico-religious issues. Even if another *mujtahid* is wiser, it is *haram*—forbidden by religion—to follow him in these issues. Only in personal matters may other *mujtahids* be chosen.[54]

This is quite an unusual point of view, since the Shia commonly maintain that there can be several "sources of emulation" and everybody is free to choose the *marja* he prefers. But however unusual this position may be, Mesbah Yazdi is not alone in advocating it. Former Parliamentary President Nateq Nuri (who unsuccessfully ran for the presidency in 1997 for the conservatives) shares this opinion, stating that:

"It is necessary that different interpretations and points of view exist—but there has to be a focus on the *vali-ye amr's* [the leader's, K.A.] interpretation. If we really wish to know which point of view is true, we have to look at what the *vali-ye amr* has to say on the subject. I think it is wrong to say that so-and-so cannot be allowed to hold an opinion. By all means—let him hold an opinion. But there has to be a last word *(fasl al-khitab)*. There is nothing to be said against there being different interpretations, but if we want to know the right one, we have to ask the leader. The last word on the different interpretations of Islam is the leader's privilege. If we do not go by that, the result will be deviation."[55]

---

[51] Mesbah Yazdi, *Velayat-e faqih*, pp. 63f.
[52] Ibid., p. 64.
[53] Ibid., pp. 69f.
[54] Ibid., p. 68.
[55] *Resalat* 9/29/1999 as quoted in Akbar Ganji, *Talaqi-ye fashisti az din va hokumat*, Tehran 2000, p. 125.

Mesbah Yazdi also answered a question put forward by many critics: why is the *rahbar* not chosen for a limited period of time? According to him, the *rahbar* is to be the *noqte-ye thabet*, the fixed point of the system. Another question often raised is whether the *rahbar* may be corrupted by the fact that he cannot be voted out of office. Mesbah Yazdi counters this criticism by pointing out that this simply cannot happen in the case of the *rahbar*, just and pious as he is. Otherwise God would not have chosen him.[56]

Mesbah Yazdi presents *velayat-e faqih* as the only Shiite form of government, and insists on this being an undisputed truth. According to him, there is general consensus that during the Great Occultation, the clerics, or rather their *primus inter pares*, has to take over as ruler.[57] He maintains that different opinions exist only in questions of minor importance, such as how broad the powers of the *rahbar* should be.[58] Mesbah Yazdi holds that even in the traditions of the Imams, the *rewaytt*, the *faqih* is named as the Mahdi's representative,[59] and he also interprets the Quran as proof for his argument, citing Quran 4:59, "O ye who believe! Obey God, and obey the apostle, and those charged with authority among you." Classical Shiite interpretation maintains that *ulu al-amr*, "those charged with authority," designates the Imams, since to obey them means to obey God. Obedience should, by definition, be based on the correct understanding of divine law: therefore, those obeyed should be infallible, and these are the Imams. It would have been contradictory of God to ask believers to follow a deviant path. That is why, according to Yazdi, they never laid claim to the right to lead the Shiite community. In contrast, the Sunni reformer, Muhammad Abduh (d. 1905), interpreted *ulu al-amr* as "princes, rulers, *ulama*, commanders of the soldiery and all chieftains and leaders to whom people resort for their needs and public interests."[60] At the same time, Abduh did not believe them to be infallible. Khomeyni took a similar stance, but limited those who are "charged with authority" in the time of the Great Occultation to the *ulama*. He never claimed that this opinion was the Shiite consensus. While endorsing

---

[56] Mesbah Yazdi, *Velayat-e faqih*, pp. 72f.
[57] Ibid., pp. 18, 21.
[58] Ibid., p. 62.
[59] Ibid., p. 61.
[60] Quoted from Faleh Abdul-Jabar, "The Genesis and Development of Marja'ism versus the State," in *Ayatollahs, Sufis and Ideologues. State, Religion and Social Movements in Iraq*, ed. Faleh Abdul-Jabar, London 2002, p. 66.

this argument, Mesbah Yazdi went a step further, anchoring it histori-cally.[61]

What is remarkable in the context of Mesbah Yazdi's argumen-tation is the fact that in the Islamic Republic of Iran, the Supreme Jurisconsult is still elected by the Council of Experts—human beings after all. One could thus ask if it is not humans who in actual fact grant legitimacy to the *faqih*. But the conservatives have an answer in the ready: according to Mesbah Yazdi*,* the *faqih* is by no means *elected* by the Experts—he is *discovered (kashf)* by them, and this discovery is based on a message sent to them by God. Such an answer though cannot address further queries, such as why the appointment of someone who draws his legitimacy directly from God still has to be confirmed by the Council of Experts (as has been laid down in the Iranian constitution and as happened in 1998).[62] Nor does this answer explain why—at least in theory—the Council of Experts has the power to dismiss him from office. How is this to be understood? That God has sent the Experts a message that He now wishes to take sovereignty away from this particular person? It is also difficult to understand why the people, who appear to have very little to say in this particular interpretation of the *velayat-e faqih*, should be granted such an important right as the election of the Council of Experts, an election open to all Iranians over eighteen. How is it possible that humans, supposedly incapable of choosing one outstanding *mujtahid* from among a few, should be able to identify—from hundreds of clerics—the eighty-six experts who are to make up the Council of Experts? Once more, Mesbah Yazdi has an answer. In response to being asked why elections are still held in Iran—for, after all, the leader is appointed by God—, he said that: "In the times we are living in, and specifically since Western pressure is so strong, it is difficult to abolish a tradition like elections."[63]

---

[61] Hamid Mavani draws the following conclusion on the proofs furnished by KhomeynI: "In general, the tradition reports put forth by Ayatollah Khomeini suffer from weak chains of transmission (isnad), and the meanings he imposes on the text (matn) of the hadith are not consistent with the way they were understood by earlier jurists." Hamid Mavani, "Analysis of Khomeini's Proofs for al-Wilaya al-Mutlaqa [sic] (Comprehensive Authority) of the Jurist," in *The Most Learned of the Shia. The Institution of the Marja Taqlid*, ed. Linda S. Walbridge, Oxford 2001, p. 184.

[62] *Süddeutsche Zeitung* 2/7/1998, p. 6.

[63] As quoted in Ganji, *Talaqi-ye fashisti*, p. 108.

Divine Designation, Part Two: Its Effects Upon the Islamic
Republic's Political Reality

An incident in 2000 showed that Khamenei, too, subscribed to the
point of view that the people and their vote are not really important,
revealing in the process how he sought to compensate for his lack of
religious authority by repeatedly stating the claim that the constitution
enshrined his position as a leader with absolute rights. In August 2000,
Parliament—at the time dominated by reformers—scheduled a debate
on a new Press Law. Designed to protect journalists from judicial
arbitrariness, this law was to establish a clear definition of those
circumstances under which newspapers could be banned and journal-
ists imprisoned. Compared to the prevailing situation, this law would
have represented a marked improvement, or at the very least would
have meant clearer regulations for determining what was forbidden
and what not. However, Khamenei ensured that the bill was not even
discussed: he had the President of Parliament Mehdi Karrubi read a
letter asking Parliament to cancel any discussion about the bill. The
bill, so the letter stated, was contrary to Islam and any debate on it
unnecessary. This incident is revealing in two points: firstly, that
Khamenei ignored the constitution—for the constitution does not
grant the *faqih* the right to exercise his veto in such affairs, unless of
course one interprets the term "absolute guardianship of Jurisconsult"
to mean that he possesses this right. And that is the second point:
during Khomeyni's rule, Khamenei had already publicly declared that
he considered the Supreme Jurisconsult to stand above the constitu-
tion, and that the constitution itself depended solely on his signature.[64]
His conduct in this incident seems to have been directed towards
making this very point. Otherwise, his behavior is difficult to explain:
ultimately there was no need for him to embark on a course of direct
confrontation with the parliament, since the Council of Guardians,
ranking higher than the parliament, reviews all laws passed by parlia-
ment as to their compatibility with the Islamic character of the con-
stitution. The Council of Guardians would have almost certainly
rejected the bill. Maybe Khamenei took this step in order to demon-
strate what *motlaq* really means—namely that the Supreme Jurisconsult
indeed stands above the constitution and may veto any law. In January
2004, Khamenei himself commented upon this event and the role he
played. He said: "The Leader of the Revolution's power is God-

---

[64] Tellenbach, "Zur Änderung der Verfassung," p. 52.

given". Referring to the cancelled parliamentary debate, he said that the whole point of the system was that it is the Leader who is entrusted with the task of solving society's problems. He was completely in his rights to act as he had because the Leader is chosen by God. "No rule is accepted in the Iranian democracy but the one transferred to the Leader by God." And again: "God grants this rule to humans who are just and morally above all reproach, and accepted by the people."[65] Possibly, it is this Divine designation which, in the eyes of his followers, gives him the right to bear the title of *marja*.

Divine Designation, Part Three: Power to the People? Montazeri's Interpretation of *Velayat-e faqih*

The concept of *velayat-e faqih* has its critics and enemies. But it has its supporters as well, some of them offering quite different definitions of what *velayat-e faqih* entails. Some of the clerics in favor of the concept propagate a democratic reading. But how is it possible to arrive at such diverse definitions of the *faqih*'s rights and duties? All defenders of *velayat-e faqih* agree that God is the only sovereign. Opinions differ solely as to whom He has endowed with sovereignty until the Twelfth Imam's return. The position we have dealt with till now maintains that God has endowed the *vali-ye faqih* alone with absolute sovereignty.

Grand Ayatollah Hoseyn Ali Montazeri advocates a different stance. As previously mentioned, Montazeri had been expected to succeed Khomeyni as *vali-ye faqih*. After his dismissal, Montazeri withdrew quietly to teaching and his studies. He was kept under house arrest for a long period before this was enforced somewhat less strictly in later years. In 1997, as President Mohammad Khatami came into office, Montazeri returned to the political stage. At the time, he warned the newly elected President in an open letter not to tolerate any interference in his policies by Khamenei just because Khamenei thought himself to be above the constitution.[66] Following this public statement, the letter Khomeyni had written to Montazeri to force his resignation eight years previously was read for the first time in Parliament, the aim being to discredit Montazeri. In this letter Khomeyni

---

[65] Bahman Nirumand, "Iran-Report," ed. Heinrich Böll Stiftung 3 i (2004), p. 8.

[66] Hoseyn Ali Montazeri, "Letter to Mohammad Khatami," *Payam-e hajer* 17 ccxxviii (1997), pp. 5–7.

had characterized Montazeri—whom he had always referred to as "the fruit of my life"— as too "simple minded" (*sade*), saying that he was a disgrace to the Revolution and Islam, and that he had become a nuisance. In 1989 however, the public had merely been told that Montazeri had been deposed "for the good of the system and of Islam."[67]

Montazeri reacted to this public slandering a few days later by launching an open attack on Khamenei in a speech that received much attention. On the occasion of the birthday of Imam Ali, Montazeri addressed a few followers and supporters at his home, but the speech was later widely circulated on tapes, and parts of it were published in the Iranian press, the internet and abroad.[68] In the speech Montazeri explained that the fathers of the Iranian constitution (and he had been one of them) had never envisaged the establishment of a system such as the one that existed in Iran today. The Supreme Jurisconsult had been meant to merely act as a supervisor. The idea was that he should stand guard over the three powers of the state and see to it that they did not violate the principles of Islam; he was not supposed to interfere in state affairs. He was meant to take action only if and when society was about to "deviate from the path of Islam." Furthermore, the Supreme Jurisconsult was to be elected, and office was to be held for a specified term. It was beyond doubt, Montazeri claimed, that in 1979 a choice had been made for a republic, i.e. for a rule of, for, and by the people.[69]

Montazeri and Mesbah Yazdi differ on the question of who has been given sovereignty and on the question of who chooses the *faqih*. According to Montazeri, it is not God. God has authorized not just the *faqih*, but the people in their entirety—and it is the people who

---

[67] The letter was reprinted in *Montazeri – az ouj ta forud*, special issue of the magazine *Arzeshha*, ed. Mohammad Reyshahri, Tehran 1998, p. 20. Reyshahri is a fierce opponent of Montazeri. The magazine is the political mouthpiece of his fraction. The letter was first published in *Abrar* 11/22/1997, p. 2.

[68] The speech was reprinted in *Montazeri – az ouj ta forud*, special issue of the magazine *Arzeshha*, ed. Mohammad Reyshahri, Tehran 1998, p. 44-48; *Keyhan*, London, 12/4/1997, p. 4; www.dfn.org/Voices/iran/montazeri.com. Later he elaborated on this speech in more detail in his autobiography. The biography was first published in the internet under www.montazeri.com, an internet page that no longer exists (the author downloaded the autobiography in December 2000) and then, later, abroad: Hosayn Montazeri, *Khaterat-e Ayatollah Montazeri*, Essen ²2001.

[69] *Montazeri – az ouj ta forud*, special issue of the magazine *Arzeshha*, ed. Mohammad Reyshahri, Tehran 1998, pp. 44-48.

then choose the *faqih*. From this it follows that there has to be a social contract between the *faqih* and the people. As he puts it:

"In reality, there is a social contract between the people and the *vali-ye faqih*, and the constitution was drafted on that basis. Accordingly, his term may be limited and temporary, like that of the president or a member of parliament. And given that the *vali-ye faqih* is accorded responsibility to the people, he is not infallible. He must accept criticism and be responsible for his actions."[70]

Montazeri accused Khamenei of having twisted the constitution's original intentions. At no time, he stated, was it envisaged that the *vali-ye faqih* should stand above the constitution. Montazeri called what Khamenei established in Iran a dictatorship of the Supreme Jurisconsult. Moreover, Montazeri felt that the entire concept of *velayat-e faqih* had in the meantime lost its *raison d'être,* since the original idea was that the most learned of all scholars was to watch over the state. But through the "new definition" of the Supreme Jurisconsult's function, his office had become an institution uncannily resembling the Presidency. How, Montazeri asked, does the holder of this office differ in his qualifications from the President? Both have to be competent and possess a clear political vision. But what is the use of this new office if there is no difference to that of the President? Naturally, for Montazeri*,* there can be no difference, since he does not accept the reasoning of Khamenei's followers: that the Supreme Jurisconsult has divine legitimacy. Instead Montazeri says that, according to Shiite jurisdiction, the Twelve Imams were chosen by God—they alone, and no one else. Logically enough, no other person could lay claim to have divine legitimation.[71]

Criticism of the positions taken by Mesbah Yazdi and Khamenei is becoming more widespread, even at times from unexpected quarters. Grand Ayatollah Ahmad Bigdeli Azari Qomi (d. 1999), for example, was one of Montazeri's fiercest opponents. He was a member of the Council of Experts which voted Khamenei into the office of Supreme Jurisconsult, and, as editor of the newspaper *Resalat,* was one of the most vocal leaders of the group supporting Khamenei's claim to the office of *vali-ye faqih* in 1989. In numerous articles he defended Khamenei against those who pointed out the latter's lack of qualifica-

---

[70] www.dfn.org/voices/iran/montazeri.htm (6/13/2002).
[71] www.dfn.org/voices/iran/montazeri.htm (6/13/2002).

tions. Moreover, Azari Qomi was of the opinion that Khamenei should hold absolute power. That he was not a "source of emulation" should not be interpreted to mean that his power could be limited. Azari Qomi went so far as to state that even Khomeyni's decrees needed Khamenei's approval in order to still be valid after his death.[72] (Others, such as the defenders of the Rushdie Fatwa, maintained that everything Khomeyni said must be respected forever; although fatwas are usually no longer valid after the death of the *marja* who originally issued them.) In 1996, however, Azari Qomi publicly withdrew his support for Khamenei, stating that he thought him unfit for the office of *marja-e taqlid*.[73] It is likely that Khamenei's attempts to style himself *marja* caused this change of mind; such self-aggrandizement finds its critics even among Khamenei's former supporters. Shortly afterwards, Azari Qomi again criticized Khamenei, going so far as to suggest that Khamenei should limit his activities to politics and elect Montazeri to be his deputy in religious matters. If politics were not to change substantially, he stated, the people "will dump us in history's dustbin."[74]

The subject of the Supreme Jurisconsult's range of power is widely discussed. In June 2003, 148 members of the Iranian Parliament signed a declaration calling Khamenei's autocratic leadership and his claim to be ruling in God's name (and hence claiming to be infallible) an expression of unbelief *(kufr)*. The people, the declaration stated, have the right to judge their leaders' actions, to criticize them, and to dismiss them "if they are not content with them." Introducing "divine and absolute power" inspiring dread among the population was denounced as an "oppression of human dignity."[75]

Uncertain Authority and the Consequences

One thing becomes clear when analyzing the different definitions of the *faqih*'s rights and duties and his legitimacy. Besides the complete abolition of *velayat-e faqih*, which the supporters of democracy are demanding more openly than before, there exists another option, at least in theory: to turn the institution of the *velayat-e faqih* into a more democratic one. While this may even have been the original intention

---

[72] Schirazi, *The Constitution of Iran,* p. 78.
[73] Buchta, "Ein Haus mit vielen Herren," p. 59.
[74] The Iran Brief: www.iran.org/tib/public/4101.htm. 11/29/1997.
[75] Bahman Nirumand, "Iran-Report," ed. Heinrich Böll Stiftung, 2 vi (2003), p. 4.

of the fathers of the constitution, as Montazeri claims, Khamenei claimed God-given authority, and criticism of him is even called and punished as an "offense against the holy religious values" *(ehanat be moqaddasat-e dini)*.[76] Khamenei's lack of religio-juridical authority has probably forced him to look for a different mode of legitimation. Khamenei might thus be the only *marja* in Shiite history to have become a "source of emulation" due to his alleged divine designation and not because of his religious authority and knowledge of Islamic law. With this, the concept of *marjaiyya* has undergone a fundamental change.

References

Abdul-Jabar, Faleh (ed.), *Ayatollahs, Sufis and Ideologues. State, Religion and Social Movements in Iraq*, London 2002.

Abdul-Jabar, Faleh, "The Genesis and Development of Marja'ism versus the State," in *Ayatollahs, Sufis and Ideologues. State, Religion and Social Movements in Iraq*, ed. Faleh Abdul-Jabar, London 2002, pp. 61–89.

Akhavi, Shahrough, "Elite Factionalism in the Islamic Republic of Iran," *The Middle East Journal* 41 ii (1987), pp. 181–201.

Arjomand, Said Amir, "Authority in Shiism and Constitutional Developments in the Islamic Republic of Iran," in *The Twelver Shia in Modern Times. Religious Culture and Political History*, eds. Rainer Brunner and Werner Ende, Leiden 2001, pp. 301–32.

Arjomand, Said Amir, "The Reform Movement and the Debate on Modernity and Tradition in Contemporary Iran," *International Journal of Middle East Studies* 34 iv (2002), pp. 719–31.

Behrooz, Maziai, "Factionalism in Iran under Khomeini," *Middle Eastern Studies* 27 iv (1991), pp. 597–614.

Botschaft der Islamischen Republik Iran (ed.), *Verfassung der Islamischen Republik Iran*, Bonn 1980.

---

[76] Ebrahim Yazdi, the leader of the Liberation Movement was charged of having insulted Ali Khamenei in December 1997, his crime being described as an "offense against the holy religious values" *(ehanat be moqaddasat-e dini)*. See *Frankfurter Allgemeine Zeitung* 12/29/1997, p. 12.

Brückner, Matthias, "Der *Ayatollah* im Netz – offizielle zwölferschii-
    tische Websites," *Orient* 4 (2002), pp. 537–58.

Brunner, Rainer and Werner Ende (eds.), *The Twelver Shia in Modern
    Times. Religious Culture and Political History*, Leiden 2001.

Buchta, Wilfried, "Die Islamische Republik Iran und die religiös-poli-
    tische Kontroverse um die *marjaîyat*," *Orient* 36 iii (1995), pp.
    449–74.

Buchta, Wilfried, "Ein Haus mit vielen Herren. Divergierende
    Machtzentren in der Islamischen Republik Iran," *Orient* 39 i
    (1998), pp. 41–84.

Chomeini, Ajatollah, *Der islamische Staat*, translated from the Persian
    and edited by Nader Hassan and Ilse Itscherenska, Berlin 1983.

Cole, Juan R., "Imami Jurisprudence and the Role of the Ulama.
    Mortaza Ansari on Emulating the Supreme Exemplar," in *Religion
    and Politics in Iran. Shi'ism from Quietism to Revolution*, ed. Nikki R.
    Keddie, New Haven / London 1983, pp. 33–46.

Digard, Jean-Pierre, Bernard Hourcade and Yann Richard, *L'Iran au
    XXe siècle,* Paris 1996.

Fischer, Michael, "Becoming Mollah. Reflections on Iranian Clerics in
    a Revolutionary Age," *Iranian Studies* 13 (1980), pp. 83–117.

Ganji, Akbar, "Mashru'iyat, velayat, vekalat," *Kiyan* 3 xiii (1993), pp.
    22-29.

Ganji, Akbar, *Talaqi-ye fashisti az din va Hokumat,* Tehran 2000.

Haghayeghi, Mehrdad, "Politics and Ideology in the Islamic Republic
    of Iran," *Middle Eastern Studies* 29 i (1993), pp. 36–52.

Hermann, Rainer, "Von der Wirtschafts- zur Legitimationskrise. Die
    Ära Khamenei/Rafsanjani in der Islamischen Republik Iran,"
    Orient 35 iv (1994), pp. 541–64.

Kadivar, Mohsen, *Hokumat-e velai. Andishe-ye siyasi dar eslam*, Tehran
    1377/1998.

Kadivar, Mohsen, *Nazariyeha-ye daulat dar feqh-e shi'e*, Tehran
    1377/1998.

Keddie, Nikki R. (ed.), *Religion and Politics in Iran. Shi'ism from Quietism to
    Revolution*, New Haven / London 1983.

Kho'i, Yousif, "Grand Ayatollah Abu al-Qassim al-Kho'i. Political
    Thought and Positions," in *Ayatollahs, Sufis and Ideologues. State,
    Religion and Social Movements in Iraq*, ed. Faleh Abdul-Jabar,
    London 2002, pp. 223–30.

Lambton, Ann K. S., "Quis custodiet custodes. Some Reflections on the Persian Theory of Government," *Studia Islamica* 5 (1956), pp. 125–48; 6 (1956), pp. 125–46.

Lambton, Ann K. S., "The Tobacco Regie. Prelude to Revolution," *Studia Islamica* 22 (1965), pp. 119–57; 23 (1965), pp. 71–90.

Mavani, Hamid, "Analysis of Khomeini's Proofs for al-Wilaya al-Mutalqa [sic] (Comprehensive Authority) of the Jurist," in *The Most Learned of the Shi'a. The Institution of the Marja Taqlid*, ed. Linda S. Walbridge, Oxford 2001, pp. 183–201.

Mesbah Yazdi, Mohammad Taqi, *Velayat-e faqih*, Qom, 1999.

Montazeri, Hoseyn Ali, *Khaterat-e Ayatollah Montazeri*, Essen 2001².

Montazeri, Hoseyn Ali, "Letter to Mohammad Khatami," *Payam-e hajer* 17 ccxxviii (1997), pp. 5–7.

Moussavi, Ahmad Kazemi, "The Establishment of the Position of the Marjaiyyat-i Taqlid in the Twelver Shi'i Community," *Iranian Studies* 18 i (1985), pp. 35–51.

Moussavi, Ahmad Kazemi, "The Institutionalization of Marja-i Taqlid in the Nineteenth Century Shiite Community," *The Muslim World* 84 (1994), pp. 279–99.

Nehzat-e Azadi-e, *Tafoil va tahlil,* Tehran 1994.

Nirumand, Bahman, "Iran-Report," ed. Heinrich Böll Stiftung, 2 vi (2003).

Nirumand, Bahman, "Iran-Report," ed. Heinrich Böll Stiftung, 3 i (2004).

Reissner, Johannes, "Der Imam und die Verfassung. Zur politischen und staatsrechtlichen Bedeutung der Direktive Imam Khomeinis vom 7. Januar 1988," *Orient* 29 ii (1988), pp. 213–36.

Reyshahri, Mohammad (ed.), *Montazeri – az ouj ta forud*, special issue of the magazine *Arzeshha*, Tehran 1998.

Richard, Yann, "Hoseyn-Ali Montazeri," *Orient* 26 (1985), pp. 303–6.

Roy, Olivier, "The Crisis of Religious Legitimacy in Iran," *Middle East Journal* 53 ii (1999), pp. 201–16.

Schahgaldian, Nikola B., *The Clerical Establishment in Iran*, Washington 1989.

Schirazi, Asghar, *The Constitution of Iran. Politics and the State in the Islamic Republic*, tr. J. O'Kane, London 1997.

Steinbach, Udo, "Die 'Zweite Islamische Republik.' Der Gottesstaat auf dem Weg in die Normalität," *Außenpolitik* 41 i (1990), pp. 73–90.

Teimourian, H., "The mullah Goes Back to the Mosque", *The Middle East* (May 1989), p. 21.

Tellenbach, Silvia, "Zur Änderung der Verfassung der Islamischen Republik Iran vom 28. Juli 1989," *Orient* 31 i (1990), pp. 45–66.

Vahdat, Farzin, "Post-revolutionary Discourses of Mohammad Mojtahed Shabestari and Mohsen Kadivar. Reconciling the Terms of Mediated Subjectivity," *Critique* 17 (2000), pp. 136–54.

Walbridge, Linda S., "The Counterreformation. Becoming a Marja in the Modern World," in *The Most Learned of the Shi'a. The Institution of the Marja Taqlid*, ed. Linda S. Walbridge, Oxford 2001, pp. 230-46.

Walbridge, Linda S. (ed.), *The Most Learned of the Shi'a. The Institution of the Marja Taqlid*, Oxford 2001.

www.dfn.org/Voices/iran/montazeri.com.

www.dfn.org/voices/iran/montazeri.htm 6/13/2002.

www.iran.org/tib/public/4101.htm. 29/11/1997.

www.montazeri.com

The Rights of the People in Islamic Thought in Iran[1] (A Historical Perspective)

Mohsen KADIVAR
Tarbiat Modares University, Tehran

Rights of the people in every school of thought depend on the theory of legitimacy (election by the people or appointment by God) and the jurisdiction of power of governments (absolute or limited power) in the respective school.

Although some religious scholars have referred to some verses of the Holy Koran and the traditions of the prophet as the religious sources of rights of the people in the last one hundred and fifty years, these documents were not understood in this way previously. The first step of a modern approach to the rights of the people with some kind of Islamic justification could be seen in a short treatise, which was published in the 1860s, the "Yek Kalameh" (One Word), written by an Iranian diplomat in Paris whose name was Mirza Yousof Mostashar od-dowle Tabrizi. This one word was "Law." He translated the main points of the French constitution into Persian for the first time and tried to prove that these points are completely consistent with Islamic thought. The first Iranian constitution and its complementary (1907) were the first Iranian experience in combining the rights of the people with a moderate interpretation of Islam.

During the constitutional movement there was a great challenge about the rights of the people between two groups of Islamic scholars: the so-called constitutionalists who defended this term, and the Masro'eh-khah (the advocates of legitimate governance) who criticized it and supported dictatorship. The defenders of the rights of the people in the Najaf Seminary could be called the "political school of Khorasani." Molla Mohammad Kazim Khorasani was the greatest

---

[1] *Editors' note*: Unfortunately, due to circumstances beyond his control, Mr. Kadivar was not able to prepare a paper for this publication in time. For this reason, the editors decided to instead print the abstract of his lecture that Mr. Kadivar distributed at the conference.

scholar in Islamic thought at his time. The other members of this school were Sheikh Abdollah Mazandarani, Mirza Mohammad Hosein Tehrani, Mirza Mohammad Hosein Na'eini, and Sheikh Mohammad Isma'il Mahllati.

At this school the concepts of "natural rights," national rights, and religious rights were used for the first time in jurisprudential terms. In Khorasani's belief absolute kingdom is contradictory to Islam. On the other hand he rejected absolutely the guardianship of the jurisprudents and the priority or special rights of the jurisprudents in the public domain. Base of thought of this school about the governorship in the absence of the prophet and the infallible Imam is the right of the people. Khorasani emphasized "managing public domain is the right of wise Muslims and trustworthy believers what is called representative of the citizens or members of parliament now." The well-known treatise of this school is "Tanbih ol-Ommah va Tanzih ol-Mellah," which was written by Na'ini in 1909.

A famous scholar of the other interpretation of Islam that denied the rights of the people, freedom, equality of citizens, and law or any ruling out of religion was Sheikh Fazl ol-llah Nouri. He believed that Shari'ah (Islamic jurisprudence) is perfect and that we as Muslims don't need those "Western matters."

The constitutional kingdom didn't prove to be true except during the time of the prime ministry of Dr. Mohhamad Mossadegh (1950–1953). He emphasized on the rights of the citizens practically and failed because of his great challenge with the King in this case.

One of the fundamental aims of the Islamic revolution in 1978 was to preserving the rights of the people. Iranians remember very well many statements of Ayat ol-llah Khomeini defending the rights of the people against the King. The third chapter of the constitution of the Islamic Republic of Iran (1978) is a good example as a document on the rights of the people. But at the same time both the founder of the Islamic Republic and its constitution stressed on "Velaya-e Faghih" (the guardianship of the jurisprudent) and "Velayat-e Motlaghe-ye Faghih" (the absolute guardianship of the jurisprudent) ten years later. This duality has become the main root of challenge between conservatives and reformists in the two recent decades. The fundamental question is: How could the rights of the people be protected by the absolute divine power of a supreme leader?

The last treatise on the rights of the people that was published two years ago in Qom is "Resaleh-ye Hoghoogh" (Treatise of Rights). Its author is Ayat ol-llah Hosein Ali Montazeri. It is the first independent jurisprudential treatise on the rights of the people from the Shiite Islamic viewpoint.

Prominent Scholars in Islamic Thought in the 20th Century in Iran and Their Main Works

1. Khorasani's School of Political Thought

Molla Mohammad Kazim Khorasani (1839–1911): *Siasat Nameh-ye Khorasani* (The Collection of Political Books, Treatises, and Letters of Khorasani). Edited by Mohsen Kadivar, Tehran: Kavir Publisher, 2006.

Sheikh Mohammad Isma'il Mahallati (1853–1937): *Al-La'li el-Marbouteh fi Vojoub el-Mashrouteh* (The Related Pearls in Necessity of Constitutionalism), in *Rasa'el-e Mashroutiat* (Treatises of Constitutionalism). Edited by Gholam-Hosein Zargari-Nejad (editor), Tehran: Kavir Publisher, 1995.

Mirza Mohammad Hosein Na'ini (1858–1949): Tanbih ol-Ommah va Tanzih ol-Mellah (Advice to the Nation). Edited by Seyyed Mahmoud Taleghani, Tehran: Enteshar Publisher, 1955.

2. School of Anti-Constitutionalism

Sheikh Fazol o-llah Nouri (1843–1909): *Rasa'el-e Sheikh-e Shahid F. Nouri* (The Treatises of Martyr S. F. Nouri)). Edited by Mohammad Torkaman, Tehran: Rasa Publisher, 1981.

3. School of Islamic Revolution

Ayat o-llah Rouh o-llah Mousavi Khomeini (1902–1989: *Sahifeh-eye Imamr* (Book of Leader) [Collection of Khomeini's Speeches and letters]. 20 vols., Tehran 1998.

3.1 Sub-School of Reformists (Democratic Interpretation of the Islamic Revolution)

Ayat o-llah Hosin-Ali Montazeri (1923–): *Resaleh-ye Hoghoogh* (Treatise on Rights). Qom: Sara'i Publisher, 2002.

3.2 Sub-School of Fundamentalists (Conservative Interpretation of the Islamic Revolution)

Ayat o-llah Mohammad Taghi Mesbah Yazdi (1935–): *Hoghoogh va Siyasat dar Qr'an* (Law and Politics in Qoran)). Edited by Mohammad Shahrabi, Qom: Imam Khomeini Institution, 1998.

4. School of Islamic Intellectuals

Professor Mahdi Ha'eri Yazdi (1924–2000): *Hikmat va Hokoomat* (Wisdom and Government). London: Shadi Publisher, 1991.
Dr. Abd ol-Karim Soroush (1946–): *Modara va Modiriyyat* (Tolerance and Management). Tehran: Serat Publisher, 1994.
Mohammad Mojtahed Shabestari (1937–): *Naghdi bar Ghara'at-e Rasmi az Din* (Critique of Formal Reading of Religion). Tehran: Tarh-e No Publisher, 2000.
Dr. Mohsen Kadivar (1959–): *Haghgh on-Nas, Maghalati dar nesbat-e Eslam va hoghoogh-e Bashar* (Right of the People, Treatises on Islam and

Modernization and Westernization in the Late Ottoman Empire and the Turkish Republic— A Prelude for Democracy?

Raoul MOTIKA
University of Hamburg

Today's Turkey lives through a deep identity crisis. Several political-cultural currents fight for the future direction of the country. The culmination point will be the presidential elections in May 2007, by which the moderate Islamists of the ruling Party for Justice and Development under Prime Minister Recep Tayyip Erdoğan might even gain the highest position in the Turkish state. Determined secularists are still longing for the days of Mustafa Kemal Atatürk when religion was strictly controlled by the state and restricted to the private sphere. Different Islamist currents, however, even if they do not intend to change secular law into Islamic law, at least want to base public life on a Sharia inspired rigid morality. Radical nationalists and Pan-Turkists try to reverse the integration process into the European Union and dream of a self-sufficient Turkey as dominating power in Eurasia. At the same time they still fight the demons of World War I like the Armenian question, the enmity with the Greeks and the Kurdish problem. As all this is not only a fight about politics and culture, but also about power and resources, the rifts between different strata of society, economy and state seem to widen day by day. Old power holders like the army may lose their once dominant position and new ones like Islamist business circles gained powerful positions in the society.

A radical change of the society forms the background of these conflicts. A formerly mainly agricultural society with a population first and foremost living in the countryside left their homes behind and migrated to towns, new metropolises or even Western Europe. Consequently, towns like Istanbul, Adana, Izmir or Ankara multiplied their population during the last thirty years. Nowadays, thousands of villages are dominated by elderly people or are even half emptied. This is especially true for mainly Kurdish inhabited southeastern Turkey,

where the armed conflicts between the Turkish state and Kurdish rebels led to death, destruction and flight. On the other hand, western Turkey, especially the Marmara region and Greater Istanbul became a dynamic industrial hub. Today vast suburbs inhabited by migrants with different local, religious and political background encircle the city centers. In these suburbs, the so-called *gecekondu*, quite often the building industry is dominated by the construction mafia. Each of these new city quarters dispose the regional origin, religious and cultural orientation, and grade of economic success of its inhabitants varying from quarters dominated by luxury apartments to no-go areas for the police or non-Islamic dressed women. Traditionally, the Turkish state fulfils the management duties of a modern state only partly and by this leaves the migrants alone in many respects. This is where Islamist organizations set in. This is especially true for the period after the military coup of 1980 and the dissolution of the Soviet Union when the Turkish left lost its competitive power against the Islamists. They focused their propaganda and manifold activities on the migrant quarters of the towns and by this gained the mayoralties in most of the major towns.

Often it is argued that the resurrection of religion and the emergence of thousands of religio-social organizations is a reaction against the pro-Western Kemalist reforms and that it was encouraged by global trends. This might be partly true. However, much more important is the described process of societal change caused by migration, urbanization and industrialization. In this framework Islam seems to serve for many Turks as a system of values, which gives life a meaning and imparts a sense of self-esteem, which helps large parts of the society to endure the tremendous changes and hardships of the last decades. We may not forget that religious networks, not to speak from Islamist organizations, and their milieus also create solidarity groups, which can be of direct help for the survival in the new metropolises. In contrast with many other Muslim countries Turkey's Islamist opposition by and large could be integrated into to political system and by this a radicalization process did not gain momentum. The significant exception is the mainly Kurdish populated southeast where a radical grouping named *Hizbollah* emerged, of which one wing closely cooperated with the state against the PKK. This leads us to the question of the character of Turkey's political regime and if the republican system, which was established after World War I, is a success story overall. To answer these questions one has to under-

stand the modernization process of the Ottoman Empire and its successor state, the Turkish Republic.

Modernization in the Islamic Ottoman Empire through the 18th and 19th centuries was caused by the loss of competitive power against the Christian (Western) European states.

After 1683, the second siege of Vienna by an Ottoman army, the Empire could never again pose a comparable threat to Christian Europe as it was before. This was partly due to growing internal problems as economic crisis, a falling state income combined with higher state expenditures, a growing weakness of the center against peripheral tendencies, and weak personalities of the Sultans. On the other hand the Renaissance, the enlightenment movement and the European expansion helped Christian Europe to set up new dynamics in science, politics, economy, and military. These led to new techniques, more effective states and armies, as well as a widened economic basis. With the expansion of Czarist Russia a new competitor emerged in the northeast of the Empire, which soon became a threat for the very existence of the Ottoman Empire by occupying the northern and eastern shores of the Black Sea coast and parts of eastern Anatolia. To counter all this the Ottomans had no other choice than to look for alternative models to reorganize their state and army.

Consequently, the modernization of the army, the administration, the fiscal system and the educational sector was oriented according to western European models and mainly organized by Western advisors, or men educated in the West or at educational facilities with European background.

It is not surprising that several parts of the Ottoman elite did not want to follow this shift away from traditional methods of ruling. Some of them understood very well that these reforms also meant a major cultural change. The superior model was no more the Islamic civilization, but the infidel West. Sometimes the reactions against the reforms even reached dramatic dimensions directly threatening the existence of the Ottoman dynasty. There were manifold reasons for this. Some social groups were losing their old positions, this was especially true for the former core group of the army, the Janissaries, or the religious functionaries, the *ilmiye*, which had dominated the juridical and educational sectors. Because of the bad economical situation and the incompetent administration in many parts of the Empire discontent of large parts of the population, especially of the non-

Muslims, grew steadily. However, during this modernization process the Ottomans could also fall back on a set of traditional methods of integration. The Ottoman state lasted about 600 years and, at its zenith, stretched from Budapest in the north to Yemen and Asmara in Eritrea in the south and from Algeria in the west to the steppes of southern Russia and the Caucasus in the east. It was a multi-ethnic, multi-religious and multi-cultural Empire governed by a mainly Muslim elite of various ethnic and religious origins by means of Islamic law—the sharia—Sultanic decisions (*kanunname*) and, mostly in newly conquered regions, by local customary law (*'örf*).

Due to the Empire's extension and composition, its ruling class was obliged to use various methods of political integration into the system. Therefore the despotic and autocratic character of the regime always was accompanied by methods of political integration, which today are seen as indispensable elements of a democratic regime: the rule of law or the representation of certain groups of the population by their own representatives like in the case of the recognized religious minorities. Counseling with notables was another method widely used at different levels of the administrative system. Widespread and legal was also the possibility to complain, e.g. against decisions or practices of the lower ranks of the administration.

First elements of a democratization process in the modern sense of the word were introduced between 1839 and 1876, during the so-called *Tanzimat* (re-ordering) period. Democratic elements of this reform process, however, were as much a by-product of modernization and westernization as an attempt to integrate unruly parts of the population and to reduce outside pressure, but not an aim by itself. The most important steps in this respect were the Sultanic reform edicts of 1839 and 1856, by which the non-Muslims received the same legal status as the Muslim subjects of the Sultan. During these years local and regional councils comprising of notables of different backgrounds convened on a regular basis for the first time. Western pressure was decisive for these reforms because the European states were interested in the continuation of the Empire. This not only served their economical and political interests, but also was aimed against the Russian intention of grasping as much Ottoman territory as possible. Another important cause for this reform pressure was the growing concern about the fate of the Christian subjects of the Ottoman Empire. During the 19th century the public debt grew also

dramatically, which lead to even more European influence on the state and the economy.

The next decisive event in this reform process was the proclamation of the first Ottoman constitution in 1876 followed by the establishment of an indirectly elected parliament. This first parliament in Ottoman history convened in 1877, but together with the constitution was suspended only some months later for twenty years until 1908. Between 1876 and 1909 the Ottoman Empire was ruled by Abdülhamit II., a kind of enlightened despot. During his reign the structural reforms of the army, the administration and the educational sector continued, but without attempts to integrate wider parts of the population via institutional participation. Instead he tried to use Sunni Islam as a kind of uniting state ideology, which was also true for foreign policy where pan-Islamism served as a tool for Ottoman interests against the Western and Russian rivals.

Up to the present to a great extent democratization in Turkey is the result of outside pressure, government policy, or the breakdown of the old regime and not an outcome of the struggle for democracy of popular movements. This does not mean that there were no pressure groups for democratization in the population and parts of the old elite, the administration or the military. This was true for the re-establishment of the constitution and the parliament in 1908 when reform minded army officers collaborated with long-time activists of different wings of the opposition. Unfortunately, the democratic spring was short-lived. In 1913 the government of the "Unionists" (so called after the Party for Union and Progress) changed to an autocratic and repressive regime, eventually leading the country into World War I.

A remarkable fact is that members of religious and ethnic minorities often were the most active parts of pro-democracy movements, be it the non-Muslims in the late Ottoman Empire or the Alevis—an anti-Sharia Muslim current comprising ten to fifteen percent of Turkey's population—in the Turkish Republic.

Comparable with Iran, the loosening of governmental control regularly resulted in an outbreak of public political activities as could be observed after the overthrow of Sultan Abdülhamid in 1908/09, but also led to strong centrifugal tendencies in the periphery of the state's territory, mostly by ethnic or religious minorities. Therefore, up to the present democratization is regarded by many Turks as a possible menace to the territorial integrity of the state.

The foundation of the Turkish Republic in 1923 was the outcome of the defeat of the Ottoman Empire in World War I and not of a popular revolution. However, the old regime had completely lost its legitimacy due to the defeat, the cooperation with the victorious powers and its inability to organize the defense against the attempts of some European powers and of Greece and Armenia to occupy parts of Anatolia.

Another important development was that wide parts of the modernized elite of the late Ottoman Empire regarded the Islamic religion as one of the main causes for the decline of the Ottoman state. This resulted also from their positivistic education at Western or Western-influenced educational institutions. Besides, the reactionary behavior of most parts of the Islamic clergy also contributed to their bad image in the eyes of the modernizing elite. Consequently, the Ottoman dynasty as well as Islam were widely delegitimized in the eyes of the most active and modern parts of the population. During and after the so-called war of liberation from 1919 to 1922 these circles under the leadership of the prestigious general of World War I, Mustafa Kemal Pasha, were able to gain power and founded a completely new political system—a republic theoretically based on the will of the people and no more on the decisions of the Sultan-Caliph or the pretended will of God as according to traditional Islamic political thought.

During World War I and the early years of the Republic the ethnic and religious composition of Anatolia was completely changed by the flight, expulsion and mass killings of the Armenians in eastern and central Anatolia (ca. 1,5 millions) and by the so-called population exchange with Greece, which led to the loss of their homes for more than 1,2 Million Ottoman Greeks (and 400.000 Muslims living on Greek territory). Parallel to the extinction of the Christian population of Anatolia in the 19th and early 20th century hundreds of thousands of Muslim refugees from the Balkans and the Caucasus migrated to Anatolia thereby altering the historical ethnic composition of Anatolia. The disastrous war and post-war situation led also to the flight, deprivation and death of hundreds of thousands of Anatolian Muslims. With a population of only 12 million after the war all this had a tremendous influence on all aspects of public and economic life. The open wounds of these events, of World War I and its aftermath are one of the main obstacles for democratization even today.

After the consolidation of its power the republican leadership carried out radical reforms in the political, religious and cultural fields, which led to a seemingly complete break with the imperial and Islamic past. To name only a few: abolition of the caliphate in 1924, in 1925 closure of the dervish convents, ban of the traditional headgear (*fez*) and change from the Islamic lunar calendar to the Georgian solar calendar, in 1926 acceptance of European civil and penal laws and civil marriage, in 1928 alphabet reform from the Arabic to the Latin script, and in 1930 communal suffrage for women followed by national suffrage in 1934. With these reforms Islam and its functionaries were completely excluded from their traditional monopolies in the educational and juridical systems, also high culture and to some extent even everyday culture was secularized and Europeanized. Formally it was the Parliament, which decided about these reforms, in reality it was the inner circle of the republican leadership, which had the decisive power.

The enforcement of the new centralist Turkish national state as well as the implementation of most of the reforms was met by severe resistance, be it by the Kurds or by deprived social classes like the clergy. But, overall the regime was never really threatened by any form of opposition. This was partly due to the charisma and sophisticated policy of the victorious leader of the war of independence 1919–22 and founder of modern Turkey, Mustafa Kemal, to whom the Turkish parliament in 1935 bestowed the family name Atatürk, father of the Turks. Another reason for this was also the non-existence of any realistic alternative to the republican project, which could have mobilized wider parts of the population. The Republican project was also able to attract a great number of administrative and military functionaries, which were bound together by their common experience during the war of independence and united by the newly emerged secular Turkish nationalism. Soon, the Republican establishment tried to widen its basis by the opening of People's Houses and Village Institutes all over Anatolia in order to educate a new secular and "modern" youth. Consequently, new Turkey differed very much from Iran under the rule of Reza Shah who tried to carry out a similar reform program, but without having the personal charisma of Atatürk and such a wide social basis. The deep respect for and high esteem of the Turkish army in the Turkish population is one of the main pillars of Republican Turkey even today.

The new state was a secular republic with some democratic procedures, but especially after the consolidation of the power of the Republican People's Party, the state party, and after an attempt to kill Atatürk in 1926 the regime became more and more autocratic, if not despotic. This was especially true for the years 1925 to 1937. The ideology of the party and the policy of its leaders at the control levers of the state in many respects reminded of the totalitarian movements of that period, be it Mussolini's fascists or the Soviet communists. Real opposition was suppressed, state and party became one and the parliament served as camouflage for the autocratic character of the regime. Nevertheless, the acceptance of the rule of secular law, formally democratic procedures, a parliament and the mobilization of interest groups via party structures was popularized during that period.

It was World War II and again pressure from the outside world, which led to a tremendous political change in Turkey. Shortly before the end of the war neutral Turkey declared war on Germany. This was caused by the prospect of being part of the post-war world order and followed by a pro-Western political stance in order to get U.S.-American backing against the growing Soviet menace and material support for the Turkish economy. American pressure to democratize the regime coincided with a largely delegitimized Republican People's Party. Consequently, a multi-party system was (re-)introduced in 1946 and after the elections of 1950 the oppositional Democratic Party came to power. With the rise of this party formerly marginalized social groups like the conservative traditional middle class of Anatolia gained new influence. The Democratic Party also opened new possibilities for the Islamic religion to regain some positions in the public it had lost during the 1920s and 1930s.

As mentioned above the Turkish army plays a central role in the Kemalist republic, mainly due to its historical prestige and its reputation of being the safe-guard of the nation. So, it was widely accepted by the Turkish populace that the military took over the power from the elected governments when they seemed to be unable to work for the best of the nation. The first military coup in 1960 was directed against the Democratic Party government of Adnan Menderes, who reigned more and more autocratic and seemed to threaten the secular character of the Republic. The military returned to the barracks after some months and the new constitution was the most liberal Turkey

ever had. However, the civilian politicians seemed unable to cope with the problems of the country, which led to the military intervention of 1971–1973. Unfortunately, the rapidly changing governments of the 70s could neither solve the economic problems of the population nor prevent the radicalization of large parts of the youth. Armed clashes between radical right wing groups and leftists and numerous political killings led Turkey to the edge of a civil war. So, nobody was wondering when the army once again took power, but this time more brutally and with longer lasting effects then before.

Today, the most important impetus for further democratization stems from Turkey's wish to become member of the European Union. The integration process leads to an enormous pressure on Ankara to change many aspects of the political and juridical system. Without this outside pressure the non-governmental organizations active for more democracy inside the country hardly would have had a chance to change the anti-democratic elements of the existing system in the near future.

Conclusion

Democratization in Turkey is the outcome of a development of nearly 200 years and deeply rooted in the reforms of the late Ottoman Empire. The Republican years of the 1920s and 1930s show a mixed legacy: on the one hand the establishment of a secular national state with the rule of law and democratic procedures, on the other hand the leading role for the military in the state and an undemocratic nationalism with tremendous effects on the relations between the different ethnic and religious groups of the country.

According to many public opinion polls democratic institutions and procedures have found wide acceptance in the Turkish population. However, this generally positive picture is counterbalanced by a deeply-rooted authoritarian way of thinking and authoritarian social and political structures, be it on the family level, in the leader-centered political parties, or with the role of the military. Part of the historical legacy is also that democratic values are regarded by many as less important than principles like territorial integrity, national independence and "Turkishness," which can bear several meanings.

A lasting problem is also the question of the relationship between state and religion. After the 1920s and 1930s, which had seen the pushing back of Islam to the private sphere, the Republican People's Party started as early as in the 1940s to re-integrate Islam into the state and public life. The question whether this development was a step towards democracy or not is still discussed today. One important argument in this respect is that the majority of the Turkish populace was and is faithful to Islam and most of its rulings and never would have agreed to the radical anti-clerical and somewhat anti-Islamic reforms of the early Republican period. This new policy reached a climax after the military coup of 1980 after which the military leaders tried to use Sunni Islam combined with nationalism as uniting national ideology. The last step in this development was the election of the pro-Islamic Party for Justice and Development under the current leadership of Prime Minister Erdoğan. Others see these developments as the return of sinister reactionary forces, which have nothing else in mind than the destruction of democracy and the Republic.

The year 2007 is decisive for Turkey's future development in many respects. We will learn if the major actors of the political arena learned their lessons and are willing to act according to democratic principles and the interest of their people.

Titles for further reading:

Ahmad, Feroz: *The Making of Modern Turkey*. London 1993.

Belge, Murat (Ed.): *Modern Türkiye'de Siyasi Düşünce* [Political Thought in Modern Turkey]. 6 vols. Istanbul 2001–05.

Kreiser, Klaus & Neumann, Christoph K: *Kleine Geschichte der Türkei*. Stuttgart 2003.

Lewis, Bernard: *The Emergence of Modern Turkey*. London 1961.

Rumpf, Christian: *Das türkische Verfassungssystem. Einführung mit vollständigem Verfassungstext*. Wiesbaden 1996.

Zürcher, Erik J.: *Turkey. A Modern History*. London 2004.

Spiritual and Perpetual Revolution for Democracy: The Public Philosophy of Maruyama Masao and His Mentor Nanbara Shigeru

KOBAYASHI Masaya
Chiba University

1. What Allowed Japan to Import Democracy "Successfully"?

The Bush administration declared that the United States would establish democracy in Iraq by overthrowing the government of Saddam Hussein. It has been proven that they could not succeed in establishing democracy there although they militarily conquered Iraq. Some of the Bush administration and neo-conservative writers had harkened back to the success story of establishing democracy in postwar Japan and that, as in Japan, the U.S.A. could succeed in establishing democracy in Iraq. I protested against the war and the Japanese government's support for it. I think that—in contrast to Japan—democracy cannot be established in Iraq successfully because the situation there is so different from that in Japan in 1945.

There are so many differences between Japan in 1945 and Iraq in 2003 that it is impossible to go into details. But to name only one of the most important differences, there was a certain democratic or parliamentary tradition in prewar Japan while such a tradition has been very weak in Iraq. Democracy cannot be imported by military conquest alone. Its successful import requires the existence of internal democratic ideas and movements. Maruyama Masao (1914–1996) and his mentor Nanbara Shigeru (1889–1974) played leading roles in implanting democratic ideas in postwar Japan.

Some people, including those surrounding President Bush, seem to believe that Japan succeeded in importing democracy because the U.S.A. through rule by the GHQ led by General MacArthur gave Japan democratic institutions including a new Constitution. American administration of Japan after World War II is to be valued highly, but their reforms were accepted by the Japanese people because many

Japanese sincerely regretted their past and were eager to introduce democracy. Prewar Japan was dominated by militarists, and invaded China and other Asian countries, and attacked the United States. But the Japanese people repented their past. In contrast, the U.S.A. invaded Iraq without legitimate reasons and without the approval of the United Nations. As a result, many people in Iraq do not regret their past, and they are not really eager to introduce democracy. After the war many Japanese criticized Shintō for its prewar role as a national religion (State Shintō), while many Iraqis are not only devout followers of the various branches of Islam but use them as a political instrument. The Japanese tried to introduce democracy in earnest to replace this state religion, while many Iraqis resist American occupation, relying instead upon Islam.

2. The Public Philosophy of Nanbara and Maruyama

After the defeat in the war there was a mental and spiritual vacuum due to the collapse of prewar ultra-nationalism based upon State Shintō. The prewar political regime was dismissed and the GHQ ordered postwar governments to establish a new democratic system.

However, such a system might have been overthrown had not the spirit of democracy been established amongst the Japanese people. According to Maruyama Masao, a renowned Japanese political theorist in that era, there are three dimensions in democracy: ideas, institutions, and movements. The implication is that the import of democratic institutions such as elections, parliaments, and a constitution is important but insufficient unless democratic ideas and movements are firmly rooted.

After the downfall of nationalism and militarism, communists and socialists gained strength. They were of dominant influence especially in academic and intellectual circles. They basically focused on economic systems such as capitalism, feudalism, and imperialism interpreted as a phase of capitalist development. On the other hand, they did not necessarily pay special attention to politics and culture, because these spheres were considered to be regulated by the economic system: superstructures are regulated by substructures in Marxist terminology. Some even thought little of democracy, because

democratic instruments such as parliaments were regarded as instruments of capitalist rule. As a result, their discussions hardly inspired a democratic spirit and ideas.

Against the background of such an atmosphere, the endeavors of Maruyama Masao and his mentor Nanbara Shigeru during the initial phase of postwar democracy ought to be highly regarded. Maruyama's importance has been relatively widely acknowledged, while Nanbara's role has frequently been neglected. His significance was illuminated only a few years ago in a symposium on Nanbara. Therefore I would like to emphasize this point; I am speaking of "the postwar public philosophy of Nanbara and Maruyama" for underlining the importance of not only Maruyama but also Nanbara.

Nanbara was a disciple of the famous Christian independent thinker Uchimura Kanzō (1861–1930), and studied the philosophy of Kant and Fichte. He criticized Nazism and Japanese nationalism between the lines in his *State and Religion* (1942). His original idealistic public philosophy crystallized into *A Preface to Public Philosophy* (1971) in his later years. He became a pioneer of communitarian political philosophy when he pushed forward the idea of "communitarian democracy" and "communitarian socialism." He also emphasized the value of peace and raised the ideas of "world community," "world republic," and "world federation."

Nanbara concentrated on academic study and was described as a "philosopher within a cave" in the prewar era. This attitude saved him from being ousted from Tōkyō Imperial University because of accusations of ultra-nationalists. After the war he played a more public role when he was elected as president of the University of Tōkyō. (This reminds us of Fichte's "Reden an die deutsche Nation" when Germany was occupied by Napoleon's army. As most prewar authorities had collapsed and people were in a muddle, his addresses as university president attracted public attention to a degree inconceivable today.)

Nanbara called for a "spiritual revolution," a "human revolution," and the "revolution of Japanese spirit," for the "creation of a new Japanese culture" and the "construction of a moralistic state." His appeal for a human revolution was aimed at establishing the "value of truth" and the "value of character." He thought that such a human revolution should be the basis of a "political revolution" represented by democratic reforms. Obviously this concept of revolution is

somewhat different from the one propagated by communists or socialists.

Nanbara contributed to an extent to various reforms such as the fundamental law of education and the enactment of the new Constitution. It is well-known that he confronted Prime Minister Yoshida Shigeru over the issue of the peace treaty, because Nanbara advocated an overall peace as opposed to the governmental idea for a separate peace. Nanbara thus embodied the idealistic spirit in postwar era.

3. An Overview of Maruyama's Works: Three Periods

Nanbara's ideas influenced Maruyama to some extent. Maruyama was impressed by socialism and was at first dubious of Nanbara's political philosophy based on neo-Kantian philosophy and Christianity. However, Maruyama observed that most Japanese Hegelians had turned to nationalism and had intellectually supported the war, and he came to value Kantian philosophy and Christianity because most thinkers based upon these intellectual streams had not compromised.

Maruyama's works can be classified into three periods: 1) early period from prewar times until immediately after the war, 2) middle period from the late 1950s to the late 1960s, 3) late period from 1970s until his death (1996).

Maruyama's early works were motivated by the resistance or criticism against Japanese Fascism or "ultra-nationalism" which led Japan to the terrible World War II. His first major academic work on Japanese political thought in the Tokugawa era (1603 [1615]–1868) was *Studies in the Intellectual History of Tokugawa Japan* (1952, Engl. ed. Princeton 1974). In this work he analyses the development of the modern way of political thinking from within Japanese Neo-Confucianism in the feudal period by presenting the dichotomy of "nature" and "artificiality." He was supported by the "trans-academic motivation" that there was a clue to modernity within Japan in spite of the domination of the premodern political system centered on the Emperor in prewar Japan. Maruyama became well-known to the general public through the publication of "Theory and Psychology of Ultra-Nationalism" (1946; Engl. translation in *Maruyama, Masao: Thought and Behaviour in Modern Japanese Politics*, London and Oxford

1964, exp. ed. 1969). The distinction between "Fascism from below" such as Nazism and "Fascism from above" such as Japanese militarism was presented here. These articles provided a fresh and impressive explanation of Japanese Fascism, in particular its cultural and psychological mechanisms. They are characterized as a "theory on mental (spiritual) structure" in Japan in contrast to prevailing Marxist economic approaches in those days. Maruyama supported actively the reform of the premodern aspects. He emphasized the establishment of political freedom in the private sphere as opposed to the intervention of "public" government or state under the dichotomy of public and private. Thus, he became the representative liberal intellectual, and he has been regarded as a typical Westernizer, modernist and progressive. These images were formed from his works in this early period, but they are still dominant today in discussions concerning Maruyama.

The line between the early and the middle period is not distinct, but it seems to me that Maruyama shifted his emphasis slightly in the late 1950s when he paid attention to the increasing symptoms of mass society under conditions of rapid economic development in postwar Japan. Although he maintained his so-called modernist or progressive position, he came to be conscious of the negative aspects of the modern age more than before and moved towards a republican direction in emphasizing the importance of political participation of the citizens. He proposed the paradoxical idea of political participation based on a nonpolitical perspective, namely, some cultural cultivation in the private sphere: public (political) on and for the private (nonpolitical). He condensed the idea into the impressive slogan "radical democracy with radical spiritual aristocratism." Accordingly, he stressed the importance of voluntary associations, and in presenting the idea of "democracy as a perpetual revolution," he participated energetically in political discussions such as those on the United States–Japan Security Treaty in 1960.

Maruyama retired from the University of Tōkyō in 1971 after the campus dispute in 1968. This turned out to be the beginning of his late period. A representative article for this period is "'Ancient Strata' Of the Consciousness of History" (1972). The article extracted the "ancient stratum" concerning the sense of history by focusing upon Japanese myths in the *Kojiki* (Records of Ancient Affairs). Maruyama argued that there is an unchanging cultural pattern called "ancient stratum" or *basso ostinato*, which causes the transformation of imported

thoughts like Buddhism, Confucianism and Western ideas, in the same way. Maruyama's fundamental criticism of Japanese culture was still retained and even deepened by this idea, but he admitted a change of his perspective: he was impressed by the similarity in opening Japan to foreign influences (as in, for example, the Meiji period and in the postwar period), and changed his framework from a dichotomy of premodern/modern to closed Japan/open Japan. Although this new thesis was criticized by some former followers for various reasons (e.g. as an outlook of a theory accepting Japanese cultural destiny) in my view, this is a form of civilizational approach reminiscent of the great works of Max Weber and S. N. Eisenstadt. I think that this can be regarded as the summit of Maruyama's theoretical insight. He can be described as a cultural reformer or even a cultural revolutionary rather than a cultural determinist in turning the unconscious inclination to the conscious self-recognition through a scholarly presentation of the ancient layer.

4. The Reality of Postwar Democracy: Political Clientelism and Syncretism

The efforts of Nanbara and Maruyama have been fruitful to some extent. Japan has managed to maintain its democratic institutions until now.

After the war the United States tried to make Japan a pacifist state and introduced the famous Article 9 into the new Constitution in cooperation with the Japanese Prime Minister Shidehara Kijurō. However, the US drastically changed their policy after the beginning of the Cold War and wanted Japan to be a military power, because they expected that Japan would faithfully support them against communist countries. Accordingly, the ruling conservative party, the Liberal Democratic Party (LDP), formed the self-defense forces and have since continuously attempted to strengthen these military forces. As this has been criticized as contradictory to the Peace Constitution, in order to legitimize this strengthening, in the basic program of the party the purpose is formulated that the LDP is working toward the amendment of the Japanese Constitution. It attacked the Constitution arguing that it was forcibly imposed by the U.S.A.

However, various people including Nanbara and Maruyama opposed the attempts of the conservative governments, and the government of Prime Minister Kishi Nobusuke faced serious opposition when it tried to revise the United States–Japan Security Treaty. Kishi resigned after the enactment of the new treaty (1960). His successor, Prime Minister Ikeda Hayato was his grandson and adopted the ideals of Kishi. LDP governments changed their focus after the turmoil and basically tried to develop the Japanese economy rather than to change the Japanese Constitution. As a result, Japan has kept its Constitution, which established democracy and the foreign policy principle of "no war."

On the other hand, the reality of Japanese politics cannot be described as an ideal democracy. Under the surface of democratic institutions, there are traditional patterns of politics. The core of the conservative party's rule has been based on the traditional system of interpersonal relationships: this can be described as a patron–client relationship or, simply, as clientelism. Factions within the conservative party can be regarded as patron–client relations, and support groups (*kōenkai*) in the constituency for individual politicians are also based on these relationships. Clientelism also plays a central role in the close relationship between politicians and bureaucrats, and also in that between politicians and interest groups such as those for business interests.

Thus, the fundament of Japanese postwar democracy could be regarded as clientelistic interpersonal relationships. The interpersonal relationships were, in the terminology of Maruyama's days, pre-modern or feudalistic. While the façade of Japanese democracy is modern and democratic, the substance is still pre-modern and feudalistic or patrimonial. Such a democracy can be described as "clientelistic democracy," "pre-modern democracy," or "feudalistic or patrimonial democracy." The Koizumi administration was supported by a majority of the people because it promised to reform these structures of politics and economy in Japan.

Consequently, postwar democracy in Japan was neither purely democratic nor purely non-democratic. There were at least democratic institutions like elections and parliaments, but democratic ideas and movements did not dominate Japan because of the clientelistic or patrimonial elements.

This kind of phenomenon could be called syncretism: for example, the religious coexistence of Shintōism and Buddhism is termed

"religious syncretism." Thus, the symbiosis of the democratic system and non-democratic politics could be called "political syncretism."

Syncretism can be regarded as one of the most important features of Japan from a civilization point of view. Syncretism is a dynamic phenomenon, and was formed and dissolved several times. According to Maruyama, there were several such cycles in the history of ideas in Japan, cycles of an inflow of foreign universal ideas and an uplift of the "ancient stratum." Syncretism starts with an influx of universal ideas, leading to coexistence of the universal ideas and traditional Japanese ideas that lasts for some period, and is finally disintegrated by an attack of some kind of nationalism.

In the early days, there was a religious and political system peculiar to Japan, which can be classified as a type of chiefdom. Then, beginning in the sixth century, Buddhism was imported from India via China and Korea, and Confucianism and the system of centralized government were imported from China. Facing these universal civilizations from India and China, the Japanese original culture flourished in the Heian period (794–1185). This is the first cycle.

During the Kamakura period (1185–1382) Buddhist universal ideas developed and were Japanized (*Zen* and *Jōdo-shin* sect). This could be regarded as a phenomenon parallel to the Protestant Reformation in Europe. On the other hand, the Japanese feudal system developed during the Kamakura-Shōgunate: this could be paralleled with European feudalism. The origin of the patron-client system can be found in the relation between lord and vassal. In contrast, the Muromachi period (1392–1573) was not particularly characterized by features of universal culture. This could be called the second cycle, though this cycle is not as distinct as the first: there were indigenous universal ideas and indigenous feudal institutions.

The beginning of third cycle is marked by an inflow and development of universal ideas and movements, which was not limited politics. Christianity was imported into feudal Japan by the Spaniards and Portuguese in the 16th century; and at the same time elements of Japanese culture like the tea ceremony and linked verse (*renga*) were developed. The Jōdo-Shin sect grew to be a social and political movement and stirred up riots against feudal lords, thus generating independent areas from feudal rule for some time.

Maruyama regards these developments as being highly important; if those cultural progresses had continued and those cultural movements had built up an independent influence on political power,

Japanese politics would have taken another route. However, the political powers repressed the cultural independent developments, and succeeded in controlling the cultural forces. Oda Nobunaga (1534–1582), a powerful military leader, destroyed the main temple (Ishiyama Honganji) of the Jōdo-shin sect, and crushed the riots; Toyotomi Hideyoshi (1536–1598), a unifier following Nobunaga, and Tokugawa Shōgunate, prohibited Christianity; Hideyoshi also ordered the master of tea ceremony (Sen no Rikyū, 1522–1591) to commit suicide.

This was the diverging point in Japanese history. Culture has been subordinate to politics since then, and it has been relatively rare in Japan that political power was severely criticized from a cultural point of view. In Maruyama's view, this is a serious weakness in Japan, and it is one of the hindrances to establishing democratic ideas and movements.

The Tokugawa Shōgunate closed the country, and universal ideas became relatively weak during the Edo period (= Tokugawa period, 1603–1868). The warriors were urged to follow Confucianism, but it was relatively rare in Japan that Confucianists directly influenced politics, whereas studying Confucianism was required for officials in China or Korea. Moreover, Japanese Confucianism was modified during the Edo period according to the "ancient stratum," and the study of Japanese classical culture increased. This is the third cycle.

The fourth cycle began with the "enlightenment for civilization," namely, the import of Western civilization, in the Meiji era (1868–1912). Japan opened the country and started to introduce Western civilization. As a result, Japan succeeded in realizing the slogan "Enriching the country, and strengthening the armies" to some extent. Then, nationalistic ideas and political movements began to flourish, and Japan began to confront the advanced countries such as the U.S.A., Great Britain, and France. Finally, ultra-nationalism and militarism dominated the country, and military governments waged the war with the Axis countries of Nazi Germany and Fascist Italy against the Allied Powers.

Thus, postwar democracy was the beginning of the fifth cycle. Intellectuals characterized as representatives of postwar enlightenment, including Maruyama Masao, repented Japan's war policy and did their best to introduce democratic ideas and institutions. As has been mentioned, their efforts have been fruitful to some extent, but not completely. In reality, the core of the political structure was and still is political clientelism, frequently associated with political corruption.

Moreover, the intellectual current has changed since the 1980s, after the dramatic economic development, and right-wing thoughts and neo-nationalism have increased strongly. This dangerous change has affected real politics, and recent governments such as the Koizumi cabinet openly executed right-wing policies: they sent Self-Defense Forces to Iraq, submitted the law against co-conspiracy, and proposed a revision of the fundamental law of education.

Nanbara had been responsible for the enactment of this fundamental law, and he was one of the most influential advocators of the peace Constitution. These recent acts are obviously in opposition to his efforts. This move towards the right wing in Japanese politics reminds us of the nightmare of military politics in prewar Japan. Just as prewar Japanese militarism can be regarded as the closing of the fourth cycle, the recent turn could indicate the danger of being in the later stages of the fifth cycle.

5. Conclusion: Perpetual Spiritual Revolution for Perpetual Democracy

Until his death, Maruyama continued to hope for the transformation of Japanese culture from "nature" to "artificiality," in other words, from "become" to "make". Although there is some difference between Nanbara's political philosophy and Maruyama's political theory, Maruyama's zeal for reforming Japanese culture can be considered to have taken on Nanbara's appeal for a spiritual revolution to some extent. Both focused on the human dimension as the basis of politics.

Maruyama acknowledged the fact that we cannot reach a perfect democracy. Although democratic institutions can be imported, the idea of democracy contains a certain contradiction: the identity between governing and governed persons. Since the governing persons are necessarily a minority, they cannot be the equal of the others. Therefore, democracy cannot become perfect, and democratic movements perpetually continue.

Likewise, although Japan imported democratic institutions from abroad after World War II, we should continue to call for a spiritual revolution because it is surely impossible to form an ideal citizen. But to get closer to this ideal it is necessary to call for "perpetual spiritual

revolution," whether the revolution is Nanbara's "human revolution" or the transformation of a Japanese *basso ostinato* in Maruyama's terminology.

The public philosophy of Nanbara and Maruyama criticizes the way of thinking as it is revived in the neo-nationalist tendencies of today. They called for a spiritual revolution towards truth (Nanbara) or individual subjectivity and independence (Maruyama). Now that their diagnosis of Japanese politics and culture could be applied once more, their prescription, namely, an appeal for the spiritual revolution for democracy, should be revived, too.

Democracy "From Without"? A Short Remark on Historical Preconditions in the Case of Japan

Wolfgang SEIFERT
University of Heidelberg

After the U.S. invasion of Iraq and during the subsequent occupation, the Bush administration and military authorities frequently referred to the success of the occupation forces in building up democracy after Japan's surrender of August 15, 1945. The implicit meaning in those statements is that what in the case of Japan has been successful, will be successful in Iraq, too. However, this simple analogy overlooks several distinct characteristics in the development of political thought, institutions and people's behavior in both countries, not to mention the different forms and processes of nation building against a completely different historical background in Japan and Iraq. The following remarks aim to illustrate some fundamental historical prerequisites for a democratic development in Japan, which are discussed at the level of political and constitutional theory.

1. A Rational View of Politics, Already Developed in Pre-Modern Times

First, we should consider the problem of modernizing political thought. Here we understand the concept of democracy in a modern society as a minimum concept, which comprises the separation of powers, some form of representative government, and guaranteed human rights. Even within the limits of such a minimal definition, the concept requires a departure from a view that considers political and social order as given and granted by heaven or god. A rational view of the political and social order is no longer substantiated by religious beliefs or theological arguments. From this, however, is does not follow that the role of religion is neglected in the society as a whole.

If we rely upon the work of Maruyama Masao (1914–1996), historian of political thought and political scientist, in his *Studies in the Intellectual History of Tokugawa Japan* written in the forties of last century, such a departure took place in Japan during the Tokugawa (or Edo) period (1603–1867). According to Maruyama, Ogyū Sorai (1666–1728), a state philosopher who served the Shōgun (generalissimus) from the ruling Tokugawa family, changed the basic concept of rule. Surely, some assumptions, which are included in the argumentation, are hotly debated in Japan, yet the findings of Maruyama still seem to offer valuable arguments.

Maruyama's argument goes as following: First, he is pointing out in his *Nature and Invention in Tokugawa Political Thought: Contrasting Institutional Views* that "the direct intellectual genealogy of so-called enlightened thinking may have been its foreign derivation, but foreign ideas could only enter because the existing factors 'within' had changed sufficiently in nature to admit them without serious opposition." (Studies in the Intellectual History of Tokugawa Japan, Tōkyō 1974, p. 191) Considering that every school of political thought in Tokugawa Japan, including the Sorai school, accepted the feudal social order, Ogyū Sorai's attack on the predominant current in the neo-Confucianism of his time, the Chu Hsi (Zhu Xi) school, deserves attention. The political and social order of that period can be characterized as a rather rigid system of four main estates (warriors, peasants, artisans, and merchants), and with no political participation of the people. That social order in principle did not allow social mobility. Sorai searched for a legitimation of the shōgun's rule (power did not rest with the emperor at that time) in a situation when social relations lost their balance and when it became necessary to strengthen the foundations of society once more. As Maruyama pointed out, Ogyū Sorai was "the first man in the Tokugawa period to raise the question of 'who created the way?' when he proclaimed his famous thesis that 'the Way is not a principle which things adhere to, nor is it the natural way of heaven and earth. It is a way that was founded by the Sages." (ibid.) Whereas the Chu Hsi school had used a theory of natural order, the cosmological order being determined by the Way of Heaven, Sorai created a theory in which social order and rule appear to be invented by men. The inventors were the Kings of the ancient Chinese kingdom who were seen as "the sages." Therefore, Maruyama found in Sorai's writings a crucial transition: In his concept the political and social order was given no longer by nature (*shizen*), but by invention

(*saku'i*), or, as the translator of Maruyama's study put it in addition, by "artefact." (However, he adds, without the pejorative connotations that the adjectival form "artificial" has attained in English.) Of course, such a theory gained no wide acceptance among the middle and lower strata of the populace, and one cannot speak of a weakening of religious beliefs of the common people. Nevertheless, the transition was a decisive step toward a rational view of politics.

2. Irrational Elements in the Constitution of Modern Japan

When Japan was confronted with Western demands to open a country, which for more than 200 years had followed a policy of seclusion (*sakoku*) in a relatively strict sense, rebellious elements of the warrior estate overthrew the shogunate of the Tokugawa and strove for building up a modern nation-state. That modern state became realized in Meiji Japan, named according to the reign of emperor Meiji (1868–1912). Which kind of legitimate foundation did they believe to being the most adequate one for the new state? Since they fought a struggle against the weakened shôgun under the slogan "revere the emperor and expel the barbarians", they used the still existing, however almost forgotten emperor's (tennō) house and the more than one thousand years old myth of its lineage as the cornerstone for the new constitution. Of course, the new ruling elite needed a visible symbol of national unity. Fostering the national consciousness was an urgent task, in particular towards the nation-states of the West. Besides, it needed a constitution to be recognized as a modern state by the Western powers. At that time, the new leaders came under pressure by the popular rights movement and its demands for political participation, which gained momentum especially during the decade from 1875 to 1885. The Meiji constitution of 1889, which was formally "bestowed on the people by his majesty"—the pressure exerted by activist members of the former samurai class, townsmen, wealthy peasants and poor peasants was not reflected in the official language—was built around the emperor as the center of the new state. For example, Art. IV reads: "The Emperor is the head of the Empire, combining in Himself the rights of sovereignty, and exercises them according to the provisions of the present Constitution." And Art. V: "The Emperor

exercises the legislative power with the consent of the Imperial Diet." Accordingly, besides emperor, cabinet, and privy council an Imperial Diet was established, consisting of the two houses of peers and of representatives. However, ministers were not responsible to the Diet, but to the emperor. (Art. LV) Although the principle of the constitutional government and of the separation of powers was established, the position of the emperor in the new political order gained much more importance. As reason for this the "divine origin" of the emperor was given. Art. I reads: "The Empire of Japan shall be reigned over and governed by a line of Emperors unbroken for ages eternal." And Art. III: "The Emperor is sacred and inviolable." Above all, Art. I contains a definition which cannot be found in the constitutions of European constitutional monarchies. The so-called hereditary monarchy ("Erbmonarchie") and the divine rights of kings ("Gottesgnadentum") are fundamentally different, as seen from the basic idea of the Meiji constitution. (Actually, there was a harsh debate between the German advisor to the constitution-making persons, Roesler, and the Japanese side, on this point.) This characteristic of the Meiji constitution was combined with the so-called *kokutai* (or "national essence", originally "body politic", i.e. the specific national polity of Japan, with the emperor as descended from the Sun goddess), which was first mentioned in the Imperial Rescript on Education of 1890, yet not defined there. The Rescript once again embodied Confucian values of obedience, loyalty to the (divine) emperor and filial piety. Both, constitution and Rescript, should be seen as closely related to each other.

Itō Hirobumi (1841–1909), sometimes called "the Bismarck of Japan," declared in a speech before the Privy Council in July, 1888: "Thus in establishing this Constitution we must first seek this axis of the nation [in Maruyama's interpretation: an equivalent for Christianity in European nations, W.S.] and decide what that axis shall be. Without an axis, with politics entrusted to the reckless deliberations of the people, the government will lose its guiding principle and the state will collapse. If the state is to survive and govern the people, we must see that it does not lose the means to rule effectively. Constitutional government in Europe has a history of more than a thousand years; not only are the people experienced in this system, but their religion has provided an axis that imbued and united their hearts. In Japan, however, the power of religion is slight, and there is none that could serve as the axis of the state. Buddhism (...), Shintō (...) In Japan, it is

only the imperial house that can become the axis of the state. It is thus with this point in mind that we have placed so high value on imperial authority and endeavored to restrict it as little as possible in this draft constitution." (Quotation from M. Maruyama, Nihon no shisō [Japanese thought/Denken in Japan], Tōkyō 1961 (originally published 1957), pp. 29–30).

The vague character of the *kokutai* later allowed ultra-nationalist forces to attack liberal political theories and the constitutional law, which had flourished during the first two decades of the twentieth century. When T. Minobe, professor of constitutional law, described the emperor as an organ of state, albeit the highest one, his theory was attacked as a lese majesty. After fierce controversies, he finally had to quit his position at Tokyo Imperial University, and his books were banned in 1935. Note that neither Minobe nor the political scientist S. Yoshino, who had argued for *minponshugi* (principle of "people centeredness") in politics two decades before, pleaded for the abolition of monarchy in Japan. To put it in a simplistic way: When mythological, archaic elements such as *kokutai* were added to the constitutional foundation of modern Japan, the political forces— civilian and military—of the extreme right could gain power in state and armed forces by using *kokutai* as a weapon against its "enemies." Although several people belonging to the extreme right were punished and some even executed because of their attempt to commit a coup d'etat, their adherents could use the logic of action "according to the will of the emperor" in order to push officers, high-ranking bureaucrats, and politicians step by step and to take repressive measures against opponents (individuals and parties) who protested against war and expansionist policies of Imperial Japan. Finally, oppression and war led to the destruction of the Japanese empire.

What is important here, however, is the fact, that since the beginning of the Meiji period, there have been various currents in political thought, which opposed irrational reasons for legitimating state policies. After 1945, the Japanese—be it scholars, be it ordinary people—were able to resume those traditions.

3. Human Rights

Another point I would like to emphasize is the existence of the popular rights movement during the Meiji period and its insistence on human rights. Securing human rights—or the will and the institutionalized procedures to guarantee human rights—is one of the elements of the minimal definition of a democratic system. For the years of constitution-making and nation-building we can find groups of actors who were engaged in it. First, the Meiji government itself in its ardor to catch up with Western powers, and scholars who were close to it, for example the first proponent of German Staatsrecht, Katō Hiroyuki (1836–1916). Second, the political opposition, which articulated its demands against the new government since 1873 and can be subdivided mainly into three groups: (a) politically active groups, which adhered to the concept of natural rights—a term, which was rendered during the Meiji period into "rights given by heaven" (*tenpu jinken*); (b) public opinion leaders and at the same time leading members of associations in cities, like Fukuzawa Yukichi (1834–1901), the Meiji enlightenment thinker and educator, c) political associations in agrarian districts. Of special interest here is the third group, which was studied by the scholar of social history, D. Irokawa, and others during the sixties and seventies. Members of this group often combined human rights and a draft constitution with an evaluation of the international environment of Japan. For example, a young teacher named T. Chiba, living in a province north of Tōkyō, wrote in his draft constitution—and there were numerous such drafts having been detected by researchers: "Nothing weakens the Kingly Way (a concept taken from the Chinese classic Shih Ching, W.S.) more than a ruler who despises his people or a people that observes no restraints on his liberties. (...) Those who think only of increasing people's rights without exercising restraints on their liberties are ignorant of Ōdō (the Kingly Way, W.S.) (...) Thus the true Kingly Way consists of establishing two sets of 'restraints' that are voluntarily observed by sovereign and people alike in a Great Harmony. These restraints are established by means of a constitution, and the Great Harmony is mutually observed by means of a national assembly. A 'constitutional form of government' consists of creating a constitution and a national assembly." Besides a more radical accentuation of human rights, which can be found elsewhere in private draft constitutions of other individuals

and groups acting "from below," we can read in this draft of a young teacher also an attempt to amalgamate traditional thought and new ideas of human rights and representation of the people. (D. Irokawa, The Culture of the Meiji Period, Princeton 1985, pp. 116–117)

In conclusion, I would like to emphasize the fact that in Japan there is at least a tradition of more than 120 years of modern democratic thought and movement, at times integrated by the government and bureaucrats of the new nation-state, at times oppressed by them. In particular, for the period between World War I and Word War II, we can observe a rise of democratic thought. Seen from this perspective, the founding of a new, democratic Japan after surrender in 1945 does not appear to be the consequence of a successful occupation policy by the United States alone. Rather, the element of "democracy from without" in post-war history raised the crucial point: How was the Japanese people able to acquire democratic institutions as subjects, by their own, and therefore able to develop the spirit of democracy in institutions? However, this problem is one of citizens' daily behavior in Western democracies, too.

A Thorny Path to Democracy in a Divided Country: The Korean Experience

CHOI Jang Jip
Korea University, Seoul

1. Under What Conditions Did Democracy in Korea Come About?

1) In Korea, the transition from military authoritarianism to democracy took place through the democratization movement known as the "June Struggle" of 1987. It was the culmination of a movement that began in the mid-1980s with the demand for democracy. The Chun Doo-hwan [Chŏn Tuhwan] government finally succumbed to the violent nationwide demonstrations that culminated in June. When the regime promised a constitutional amendment for direct presidential elections, this was the start of the institutionalization of democracy in Korea. This is now twenty year ago. In many respects, Koreans can truly be proud of the country's democratization. Korea was not in an ideal situation to achieve democracy. Since World War II, because of its geo-political location, Korea has been at the very frontline of the Cold War between the East and West and a battle ground of fierce ideological competition. The country was divided in two at the 38th parallel, and it experienced the devastating Korean War. In the post-Korean War period of the Cold War, North and South Korea maintained hostile relations with the building up of military power, and the situation still remains unresolved even in today's post-Cold War era. These conditions have harmful effects on democracy in two respects. First, while there was a weak civil society—economically underdeveloped and lacking a strong middle class—a strong authoritarian state apparatuses and a centralized bureaucracy developed. Second, in terms of the social and political balance of power, the military could not but be powerful. These are unfavorable circumstances for democratization, since it would be difficult for any social force to confront either the state or the military and to bring into play democratic values and ideals.

2) It is worth noting that the Syngman Rhee [Yi Sŭngman] regime, which ruled the First Republic of South Korea, was toppled by a democratization movement in April 1960. In Korea this historical event is referred to as the "4.19 Student Revolution." In the 4.19 Student Revolution, university students and the educated urban middle class revolted against the dictatorship and corruption of President Rhee and led a nationwide demonstration. More than one hundred lives were sacrificed and Rhee had to flee the country. This student-led democratization movement even had a significant impact on the democratization movement in Turkey that led to the collapse of its authoritarian regime at the time. The student revolution in South Korea occurred only about ten years after the founding of the Republic of Korea (ROK) and of having been through Korean War when the country was still in a virtual state of war with the North. How was such a revolution possible under circumstances when a strong authoritarian state apparatus was controlling society? The state was armed with authoritarian state apparatuses, such as the military, police, and the judiciary; and it was a strongly centralized government based on Cold War anti-communism. But these conditions did not guarantee the stability of government. The fact that the Second Republic in Korea, which was launched in the aftermath of the student revolution, did not last for more than a year and was replaced by an elite group from the military, illustrates this point clearly. After the collapse of the Syngman Rhee regime, the student movement in Korea became more and more radical. The students demanded to have a meeting with the North's counterparts at Panmunjŏm to discuss unification of the North and South. In short, they began to challenge the Cold War order on the peninsula that was under the U.S. tutelage. This gave the military reason to intervene, and for the next eighteen years it stayed in power. Whenever a democratization movement led by students and citizens challenged the limits of the political order of Cold War anticommunism, which was the founding principle of the nation in South Korea, it seems that intervention by the military was inevitable

3) The fact that students led mass struggles for democratic values and requires an explanation. This is especially so since the founding of the nation involved massive political and social chaos, including the Korean War. In the process of founding a nation in South Korea, the U.S. played the role of a builder for democratic political institutions.

(The Soviet Union played the same role for North Korea.) The U.S. put in place a state ideology of liberalism and democracy, and they laid the foundation for today's Constitution of Korea. The U.S. also institutionalized a modern system of universal education for the first time in Korean history to promote liberal and democratic values. After the Korean War, the U.S. also resuscitated the war-stricken country through economic aid. In short, South Korea could not have existed without the U.S. In South Korea, justification for the division of the peninsula was derived from the causes of democracy and liberalism. However, from the beginning, South Korea had to remain a strong anticommunist state to maintain the Cold War order in Northeast Asia while at the same time being a democracy. In other words, the U.S. applied two conflicting principles in Korea. We could call it the twin principles of modern Korea. If there was a clash to happen between these principles, the ideology and values of anticommunism had to take priority even if democracy had to be sacrificed. First of all, the Cold War order had to remain stable. If the values and ideals of democracy were the moving force that led the rapid growth of the democratization movement in Korea, anti-communism was the ideology that strengthened the supporters of authoritarianism. In the process of developing toward democracy, these two forces—one feeding democratization and the other feeding authoritarianism—interacted with each other contrapuntally and led the dynamics of political change in Korea.

4) In the May 1948 election, which was the first election in Korea, all adults, men and women, were given the right to vote. The universal suffrage in South Korea at the time was more advanced than in many of the oldest democracies in the West. Thus, at least formally, Syngman Rhee came to power through a democratic election. However, his government soon became authoritarian and was overthrown by the student revolution. Dankwart A. Rustow, the American political scientist who laid the cornerstone for a democratization theory, suggested national unity as the most important background for democratization. He emphasized that without prior establishment of national unity, democratization would be extremely difficult to follow. He argues that consensus is the condition for the majority of the population to have strong loyalty to a certain political community, and the process of making such national unity could lead to eruption of fierce conflicts. In this regard, democracy was institutionalized in

Korea under conditions close to a civil war lacking the background condition of national unity. Immediately after World War II when the country was divided, the absolute majority of people was not interested in democracy but in the "national issue" of how to prevent the division. At the time, the national question had priority to the question of democracy, and in this respect the institutionalization of democracy was premature. Amidst fierce left-right confrontation and the confusion of territorial division, the Constitutional Assembly was elected to draft a democratic constitution in a general election in South Korea in 1948. Not only all leftists but also all centrists on the ideological spectrum were excluded from the process. Political participation of the public in the right-centered government was very passive. This element weakened the legitimacy of the government. In this regard, the democratization movement in Korea is closely related to the national issue. With the Korean War the North-South division became completely fixed and the hope of building a unified nation was dashed. South Korea was becoming a separate political entity on its own. In the separate state being stabilized in the 1950s, democratization struggles began to emerge against the authoritarian government. It is noteworthy that the students and educated urban middle class who led the democratization movement were not from the pre-World War II generation, which fought against Japanese rule and was involved in the left-right confrontation following independence. They were the young generation, educated in the modern universal education system. Politicians from the previous generation had all disappeared except for the conservative ones. The traditions of democracy and democratic thought had lost their influence in the post-World World II period because of political turmoil and a generational gap. In short, the origin of the democratization movement in Korea is directly rooted in the struggles against the authoritarian political system that became entrenched during the post-independence Cold War period.

5) Both important waves of the democracy movement—the eruption of democratic forces in 1980 referred to as the "Spring of Seoul" and the massive June 1987 uprising echoed the experience of the April 1960 movement. The 1980 movement began from political chaos in the wake of the assassination of President Park Chung-hee [Pak Chŏnghŭi] in October of the previous year. It consisted of widespread labor struggles and citizen demonstrations. The movement continued for many months, the culmination of which was the Kwangju uprising

in which, under martial law and the leadership of General Chun Doo-hwan, the military intervened and killed close to 300 civilians. The democratization movements of 1960 and 1980 illustrate the change of these movements in twenty years. The April 1960 movement began as a student demonstration against election fraud by the Syngman Rhee government. The goals and methods of that movement were quite limited and peaceful. In contrast to this, the 1980 movement was supported not only by students, but by workers and the public especially in the large cities. Towards the end of Park Chung-hee's Yusin period, large-scale and violent labor strikes erupted frequently, and students and the general public participated in massive numbers in demonstrations against the government not only in Seoul but also in other major cities such as Pusan, Masan, and Kwangju. The cause of this change can be found in industrialization and the labor issues directly associated with it. From 1963 to 1979, the farming population decreased from sixty-three percent to thirty-six percent, while the number of workers in manufacturing industries increased from eight percent to twenty-three percent. During this period, through the well-known "Park Chung-hee-style development model," Korea changed fundamentally, from a poor agricultural society to an industrial society with a large middle and working class population. The democratization movement of Korea is not so much the result of the failure of Park Chung-hee's authoritarian rule but the success of the industrialization he led.

6) The June 1987 democratization movement was an expanded version of the 1980 movement. The June Struggle was the climax of the democratization movement that strengthened and expanded for many years under the Chun Doo-hwan regime. The idea of a "civil society against an authoritarian state" that had been elaborated in Latin America and Eastern Europe provided an important theoretical support for the democratization movement of the mid-1980s. During this period, virtually all major sectors of Korean society participated in struggles to end the Chun Doo-hwan regime, and it was palpable to many people that a civil society was actually the foundation for the democratization movement. The June 1987 movement took place in two stages. The first stage was led mostly by students and the edu-cated urban middle class. Violent demonstrations spread nationwide and led to the "6.29 Declaration," which announced the amendment of the Constitution to end authoritarian rule. On the heels of this

declaration, an unprecedented series of massive labor demonstrations and strikes followed. In Korea it is referred to as the "July-August Great Labor Struggle."

2. Characteristics of the Democratization Movement in Korea

1) Democratization in Korea is characterized by the fact that it was achieved by a mass movement. Also, the central forces of the movement were students and the educated urban middle class, and since 1980 workers and farmers participated in the movement in massive numbers. The fact that students and the educated urban middle class led the movement distinguishes Korean democratization compared to Europe in the early centuries where the central forces were the emerging bourgeoisie or workers and other societal forces. The solidarity between the students, who led the democratization movement, and workers during this period is referred to in Korea as *no-hak yŏndae* (labor-student solidarity), and activists were loosely called *undonggwŏn* (movement sector). The student leadership of the democratization movement is clearly a Korean phenomenon. However, from the 1980s, students were no longer the only major force of the movement; the labor sector in particular added force. To say that democratization in Korea was achieved by a mass movement is to say that the power to overthrow authoritarian government basically came from outside of the institutionalized political sector. It means that political parties and politicians played only secondary roles in the democratization process. During the early period of party politics in the 1950s, both ruling and oppositions parties were weak. This was because the state in South Korea was founded hastily, in civil war-like conditions at the initiative of an outside force, namely U.S. Therefore, the nation was not built upon political parties with wide-spread popular support; instead nation building was led by the state, and the state brought back the old colonial state apparatuses and built a new military. Political parties were established only within a very narrow ideological spectrum, and the opposition party was one of the two conservative elite groups that founded the separate nation in the South. In the fifties, the opposition party was too weak to confront the strong state and the ruling party; and in the sixties the situation was similar under military

authoritarianism. It constituted no more than the "loyal opposition," and thus the role of a true opposition was played by social forces outside institutionalized politics. In particular it was carried out by university students and the educated urban middle class, the first generation to receive universal education. Thus, the opposition party and politicians within institutionalized politics were a political and social force that had a completely different background from the *undonggwǒn* that actually led the democratization movement. Because the movement was led by students and workers, once the political turmoil passed and institutionalized politics returned, their role in politics receded to the periphery. In particular, after the 6.29 declaration in 1987, *undonggwǒn* was excluded from the process of amending the Constitution that disbanded authoritarian rule, and the framework for democracy was produced as a result of give-and-take between parties within the existing party system. After democratization, *undonggwǒn* and political institutions were not only separated, but participation by the movement forces as such in Korean politics, whether by creating an independent party or by joining the existing parties, did not take place.

2) How politicians in the existing political institutions understood democracy and what they were aiming to achieve were in line with a "minimalist conception of democracy." Their aim was to abolish dictatorial government and to change governments through democratic elections. They were not interested in democratization of social areas, changes of the status quo, or building a new democratic society. The *undonggwǒn*, on the other hand, had a "maximalist conception of democracy." Apart from slogans like "Down with Military Dictatorship!" "Democratic Constitution Now!" or "Direct Election of the President," which expressed a somewhat minimalist conception of democracy, there were plans of a more comprehensive democracy that would be a revolutionary social change, and that is what they aimed for. For the activists, democracy was a means to achieve that goal, or they understood democracy itself as encompassing such fundamental social change. The radical ideology of the *minjung* (popular) movement has two major camps. One is the "national liberation" side whose goal is unification through national autonomy. The other is the "labor liberation" side whose activities are based on Marxist revolutionary theories. The ideologies and visions of these two camps are wholly understandable if one considers the particular characteristics of the

democratization movement in Korea. The democratization struggles of the 1980s were based on the voluntary mobilization and self-sacrifice of the students, and the growth of such revolutionary ideology is understandable. Participation in the democratization movement required strong commitment and an equally strong revolutionary ideology. The core of the national liberation movement was a revolutionary nationalist ideology. Its aim was national unification, and national autonomy was a core value. Thus it was friendly toward the North Korean policy of self-determination and hostile toward the U.S. role on the Korean peninsula. The labor liberation line was based on a revolutionary theory close to classical Marxism where workers lead the revolutionary movement. As antitheses to military authoritarianism, these radical ideologies were mirror images of it. They are ideologically and romantically inspired theoretical formulas that cannot be realized in reality. The problem was that when the military authoritarian government collapsed and democracy was implemented, *undonggwŏn* were completely incapable to developing concrete and feasible reform measures or programs. Accordingly, there was little *undonggwŏn* could contribute to the actual working of democratic politics. This is where the ideological characteristic of Korean society reveals. That is to say, in Korea, the ideologies of liberalism and republicanism that are rooted in, and contributed to building, Western democracies are either weak or non-existent. The factionalization of nationalist ideology into left and right led to the division of the country and ultimately to Korean War. However, nationalism is still the most important ideology regardless of whether one is a rightist or leftist. During the Park Chung-hee era, this nationalist ideology gave birth to economic nationalism that led to economic growth and industrial development. The democratization forces were an antithesis to this economic forces; and in line with revolutionary nationalist or revolutionary socialist ideologies, radical ideologies developed that were more suitable for mobilizing collective energy than liberal ideas and values that reflect individual rights and liberty.

3) Another characteristic of the democratization movement in Korea is that the progress and issues of the movement became progressively more entrenched each step of the way. The immediate reasons for the movement were authoritarianism and undemocratic political institutions. However, as events unfolded, the movement raised the issues of labor and national liberation. In particular, the "national question" has

always been the central issue of democratization. In the post-World War II history of Korea, Cold War anticommunism played a role in justifying the national division and contributed to the suppression of ideologies. Thus it contributed to justifying authoritarianism. Therefore, democratization unavoidably led the younger generation of intellectuals and scholars to critically reinterpret the contemporary political history since the immediate post-Liberation years that had been officially enshrined. The democratization movement of the 1980s influenced the widespread reinterpretation of the nation's division and the role of the U.S. in the peninsula. Today in Korea a fierce debate is ongoing. On one side there are those who argue that Japanese colonial rule and Cold War anticommunism contributed positively to the development of the Korean society; the other side of the debate holds a critical view of colonial rule and the role of the U.S. The former is represented by conservative voices, and the latter by progressive elements. The actual role of the image of the U.S. in the minds of the people still play an important part in shaping democracy, in terms of both process and content. I mentioned at the beginning that the U.S. pursued two contradicting goals in Korea: establishing of a liberal democracy and securing a stable anticommunist stronghold. When democratization struggles in Korea brought great social chaos, the U.S. showed ambivalent attitudes in choosing between the two goals, and this ambivalence often became a target of criticism. The U.S. disappointed many Koreans when it ignored Chun Doo-hwan's deployment of the military to suppress the Kwangju uprising in 1980. However, in June 1987, the Reagan administration deterred the Korean government's attempt to mobilize the military and thus prevented bloodshed and allowing the transition to democracy.

4) U.S. policy had an impact on the development of democracy in Korea at yet another level. This is apparent in the area of Korean policy toward North Korea and establishing peace on the Korean peninsula. The transition to democracy in Korea coincided with the advance of the post-Cold War era globally. Cold War anticommunism was rapidly receding at the international level, and the democratic transition at home made the prospects for softening hostile relations with the North bright. The Kim Dae-jung [Kim Taejung] administration (1998–2003) was a blessed period when democratization in South Korea and the government's North Korea policy of reconciliation, cooperation, and peaceful coexistence created synergy effects. The

Clinton administration's engagement policy on North Korea helped greatly. President Kim Dae-jung took Chancellor Brandt's "East Policy" as a model for his own "Sunshine Policy" on North Korea. As a result he arranged the first summit meeting between North and South Korean leaders. Domestically, it meant an expansion of the democratic support base, and historically it symbolized acceleration of the process for peaceful coexistence between North and South Korea.

However, as the U.S. policy on North Korea turned hawkish with the inauguration of the Bush administration, South Korea and the U.S. clashed frequently on North Korea policy. Today, North Korea is defined by the U.S. as a "rogue state," an "outpost of tyranny" along with Iran, Cuba. It is considered to be one of the countries with the greatest potential threat to U.S. national interests. The very existence of North Korea has emerged as a matter of keen interest. Any form of regime change, or any change at all, in North Korea will emerge as an element of enormous insecurity on the Korean peninsula at this point. The prospects for resolving the "national question" have become very unclear with the crisis situation that is developing around North Korea. The reversal of North Korea policy by the U.S. has revived the hegemony of Cold War anticommunism and the hard-line establishment sustained by it in South Korea. It goes without saying that such changes seriously weaken the foundation of democracy. Democratization in Korea and the balance of power that supports it are susceptible to changes in U.S. policy on North Korea and any changes in Korea-U.S. relations. When the scope of the Korean government's North Korea policy and international policy does not conform to that of the U.S., serious conflicts and tensions arise. All nations in the world are affected by the U.S., but in South Korea where the North Korean issue is the core of the national question, the influence of the U.S. is greater and more delicate than in any other country.

3. Institutionalization of Democracy in Korea: Which Issues is
   Korean Democracy Facing Today?

1) Democratization in Korea took place within an existing order that had been established by an authoritarian political system over a long period. Thus, democracy in Korea has newly opened a democratic

political arena that much broadened the political participation of incorporate democratic forces, which had been excluded from institutionalized politics. And thereby it has created the two major political actors—the conservative forces that had sided with the previous authoritarianism, and the democratic forces that had supported the democratic causes. The new democracy that is being established in Korea is situated in the unstable balance of power between these two forces. Should this balance break, democracy would be threatened.

What is most important in maintaining this balance is the institutionalization of parties and a party system that can adequately organize and represent various social conflicts and cleavages politically. The dynamic of social and political conflict and compromise expressed through political parties is the core principle of democracy. Thus when the party system is not stable, democracy cannot develop steadily. Korean politics after democratization has failed to institutionalize a new party system. The pattern of the current party system in Korea was implemented in 1948 when the first republic was established in the aftermath of the separate state making; and it was solidified by the mid-1950s when the Syngman Rhee government began to turn authoritarian. The system was formed within a very narrow ideological spectrum where only ardent supporters of Cold War anti-communism and elite in society were represented. The origins of political parties in Korea are found in the two conservative parties that led the founding of a separate nation with the support of the U.S. The first was the party formed around Syngman Rhee and others who, like Rhee, had been fighting overseas for Korean independence during the colonial period. The other group, which became the Korea Democracy Party, consisted of members who came from the landed class in Korea. They represented indigenous conservative interests. The latter group was quickly alienated as President Syngman Rhee monopolized power, and by default became the opposition force over the years. Any group not conservative enough to be absorbed by these two ultra-right parties was not allowed to enter party politics. In the 1960s, the military elite came to power, and a new political party representing this new power was formed top-down, and the opposition party from the previous era, the Korea Democracy Party—which later became the Democratic Party—continued as the opposition party. Thus, on the whole, the conservative, two-party system did not change.

An important question after democratization was whether the party system, with its narrow social base, could be transformed to

represent wider social interests and demands. From today's vantage point, it has not changed much from its basic framework formed in the 1950s. At least on the surface, the first elections after democratization—the presidential election in December 1987 and the general election in April 1988—showed a new pattern. In other words, they showed regionalized patterns, that maintained mostly to this day. First of all, after democratization, major political forces were represented by four parties. First was the Democratic Justice Party. It was the ruling party under the Chun Doo-hwan regime. It represented mostly the interests of the authoritarian elite with North Kyŏngsang province as their regional base. The second was the Peace Democracy Party led by Kim Dae-jung. Its support base was in Jeolla Provinces where democratization struggles were the most fierce, as symbolized by the Kwangju uprising. The third was the Unification Democracy Party led by Kim Young-sam [Kim Yŏngsam]. Its regional support was based in South Kyŏngsang Province. Fourth was the Democratic Republican Party, the ruling party during the Park Chung-hee regime, which was led by Kim Jong-pil [Kim Chongp'il] after Park's death. Its support was based in Ch'ungch'ŏn Province, the home base of Kim Jong-pil. If the first and the fourth Party had their origins in the authoritarian era, the second and third had their origins in the Democratic Party, the opposition party of the authoritarian era. Also, throughout the 1970s, Kim Dae-jung and Kim Young-sam were the leading voices that represented the causes of democracy within the same Democratic Party and in the National Assembly. However, because their regional support bases were different, the party split and the two leaders became fierce competitors. Thus, although we say that these parties are regionally based, their character is completely different from regionally based parties in Europe, such as the Bavaria-based Christian Social Union (CSU) of Germany and the regionalized parties that represent language/region cleavages in Belgium. In Korea, "regionally based" does not mean that a particular party represents historic or language/cultural cleavages. Korea is a highly homogenized society in terms of history, culture, and language. Thus, "regionally based" refers to political cleavages that were formed during the Park Chung-hee/Chun Doo-hwan era around political leaders from certain regions. As such these cleavages are recent political phenomena that do not have deep historical roots. Without exception, a spate of re-alignment takes place among politicians during every presidential election season, and the names of the parties have changed numerous

times. Since the names change so frequently, it is easier to identify parties by the names of their leaders.

This way of identifying parties illustrates the character and vulnerability of the Korean party system. Parties in Korea are organized and reorganized around major actors in presidential elections rather than around differences in ideologies and values or policies. That is to say, the most important elements in forming a stable party system are not the ideological and policy differences among different parties but individual leaders and elite organizations necessary for obtaining the presidency. This signifies that the conservative party system shaped in a narrow ideological framework during the post-independence period has not changed, and that despite democratization the party system does not adequately represent the wide variety of social cleavages and conflicts still continues. I have mentioned earlier that throughout the 1980s the democratization movement voiced a wide range of socio-economic cleavages in Korean society. In particular, after 1987, the labor movement demonstrated that labor issues must be included into the system as a part of the democratization process. In other words, the axis of cleavages in the arena of political competitions among existing conservative political parties could not adequately reflect the demands for change brought to the surface through democratization. After democratization, the institutionalized party system in Korea has been unable to represent diverse social forces that were mobilized in the course of democratization and widespread social changes. In short, while the matrix of the conservative party system has remained the same since 1948, only the surface of the system has changed to a regionalized party system. The long-term and widespread democratization movement greatly increased the power of democratic values and rules in Korea not only in politics but in all spheres of Korean society. Under the circumstances that during the Cold War authoritarian matrix of the political system continues despite democratization, parties in Korea have hardly been embedded in actual social cleavages and conflicts. One cannot expect democracy to advance under these circumstances. This then is the critical element of instability of political change in Korea.

2) After democratization, Korea's weak party system with its low level of institutionalization has encouraged "adversary politics" among parties and among various social forces; furthermore, the politics of antagonism has reinforced the system of weak political parties. Thus a

vicious circle has been created. The politics of ideology led by the forces of Cold War anti-communism is the major factor for this vicious circle.

The characteristics of the politics of ideology are that, on the one hand, because parties are not embedded in actual social cleavages and conflicts, they cannot actually have policy differences in the socio-economic domain. At the same time, competition and conflict among the conservative and progressive parties within the system are fierce. However, parties in Korea are not the "catch-all" parties that Otto Kirchheimer refers to. Good examples of the "catch-all" parties are the Christian Democratic Union (CDU) and the Christian Socialist Union (CSU) of Germany. They illustrate change in the structure of a party where the class element becomes tenuous and a consensus with conservative parties extends into socio-economic policies. A "catch-all party" refers to a party that has become more of a national party (Volksparteien) in this way. The CDU/CSU represent the interests of workers as well as the interests of entrepreneurs. They are "catch-all parties" in this regard.

In Korea, neither the conservative authoritarian party nor the progressive party advocating democratic reforms ever represented class interests nor have they ever escaped from their ideological roots to make a rational transition to move toward the middle in the left-right ideological spectrum. In certain respects, the two parties in Korea are clearly distinct, but in terms of socio-economic policies, hardly any difference exists. In this regard, they lead a double life. Thus, it is difficult to analyze Korean parties in the framework of Western concepts or models. In terms of the difference between the two parties, the conservative party abides by the Cold War anticommunism; the maintenance of tight Korea–U.S. relations takes priority in all domestic and foreign policies and its support base is strongly rooted among the vested interests of the authoritarian era; it is a party that is not replacing its authoritarian values by clearly embracing democratic values. In comparison, the democratic party represents those who fought for the cause of democracy under authoritarian regimes, either in the National Assembly or through participation in democratization movements. Despite this difference, the two are indistinguishable in terms of socio-economic policies. That is to say, for both parties, economic growth has top priority; neo-liberal global-ization is the basis of their economic policies; *chaebŏl* are still the central force that leads growth as in the authoritarian era; and they

both pursue and implement policies that exclude and alienate workers, farmers, and other producers' groups.

Political conflicts after democratization were amplified since the Kim Dae-jung administration in particular. This happened not so much because of any economic or social reform policies but the incompetence of democratic government and weak leadership. And it was ever more exacerbated by the increasing level of ideological rhetoric by the ultra-conservatives. What is worth noting here is that, during the period of the democratization movement and after, the social forces supporting democratic causes held hegemony over civil society. However, recently, as popularity and support for President Roh Moo-hyun [No Muhyŏn] plummeted, we have witnessed the influence of conservative forces gaining strength, and there is now a tendency toward a revival of Cold War anticommunist hegemony. The weakness of parties is the most important reason for their inability to represent major social conflicts and cleavages and to embrace those social forces concerned into the party system. In other words, the opposition Grand National Party (GNP), which represents the conservative bloc in Korean society, and the ruling Our Open Party, which came to power through the support of democratic forces, have each failed to politically organize either conservative or democratic forces. As a result, the influence of the conservative social bloc in Korea, which is ideologically much more radical than the Grand National Party, has prevented GNP from developing into a centrist conservative party. In my study of the post-War German democrati-zation process and the formation of the party system, I was most impressed by the structure of CDU, which was the product of Chancellor Adenauer's leadership. During the 1950s the CDU/CSU followed the deliberate policy of courting and eventually absorbing the remnants of the Nazi Right and revanchist parties that spoke for the more than ten million ethnic German refugees from Eastern Europe. Potentially, they could otherwise make democratization in the post-War Germany difficult. One can say that Chancellor Adenauer's including politics of this bloc into the CDU was the institutionaliza-tion of social conflict into a party system, and I think this laid the foundation for Germany's democratization and ultimately for the unification of East and West Germany. Unfortunately, the relationship between the conservative bloc and the conservative party in Korea is very different. Today, the strong conservative bloc in Korea is reviving Cold War anticommunism, radicalizing politics and thereby

destabilizing democratic politics. With repeated failure to win the presidency and loss of power after democratization, the complaints of the conservatives have been accumulating, which led to their radicalization and mobilization. Internally, their strength is enhanced by the incompetence of democratic governments and their poor performance, which gave rise to nostalgia for the mythology of Park Chung-hee style development success. Externally, the hard-line North-Korea policy of the Bush administration seems to have made Cold War anticommunism more relevant today than the values of and arguments for peaceful coexistence.

3) Democratization in Korea began with the awareness of the problems of the political and social structure of the authoritarian regimes. Many people believed that democratization at the political level would bring at least a certain level of democratization at the socio-economic level, regardless of its scope. Such expectations seemed perfectly justified. Should these expectations not be met, political tension and conflicts, various adverse socio-economic effects, and political instability would follow, and democracy would regress. Authoritarian industrialization in Korea was led by the state, nurturing an elite group of *chaebŏl* while alienating labor not only at the political level but also at the level of labor-management relations. Here, two interrelated issues arise that are important in discussing democratization. First, is it possible for *chaebŏl* groups—particularly in the light of their hierarchical one-man ownership structure—to adapt themselves to the modern corporate governance structure that complies with international standards and play by the rule of law? Will such a change also transform the monopolistic positions of *chaebŏl* and their enormous socio-economic power into one that complies with more democratic principles? Second, will the workers become a political force through their power to vote, participate in policy making, and be recognized as partners in labor-management relations? Unfortunately, in these two spheres—the corporate and labor sectors—not much has changed since democratization. The democratic governments without exception pursued *chaebŏl*-centered growth policies that excluded labor, social welfare, and redistribution of wealth. The *chaebŏl*-centered policies of this kind were pursued from the period before South Korea faced the financial crisis in November 1997. Since then, the mode of government intervention in economic and market activities has significantly changed, and the democratic governments now

enthusiastically embrace the neoliberal doctrine of emphasizing the autonomy of private businesses and free market principles. However, *chaebŏl*-led economic growth and labor alienation have not changed. In fact, after the foreign currency crisis, the dependence of the state on *chaebŏl* has increased and has been justified in the name of overcoming the economic crisis through growth, and labor alienation has become more entrenched. In the course of the democratization movement, labor alienation resulting from authoritarian industrialization led to the July–August Great Labor Struggle in 1987; until the 1997 financial crisis the labor movement in Korea was strong. The inclusion of labor in politics and in control of the production system is an essential condition for institutionalization and further development of democracy. However, democracy in Korea is marked by absence of labor participation and a production system in which labor is alienated. Low growth, high unemployment, job insecurity, increasing income disparity, and the problem of "insider" and "outsider" in the labor market are globally common phenomena that are by and large the result of neoliberal globalization. However, Korea lacks a political means to address and resolve these problems.

After the high mobilization of labor during the democratization movement, labor has been demobilized, and we now see the development of democracy without labor participation. This reflects the balance of power within producer groups in Korea, the most important groups at many levels. However, a similar phenomenon can be found at the overall social level. Before democratization, the authoritarian state allowed the development of networks of elite cartels among the elite *chaebŏl* groups, a small number of elite universities, and a small number of large newspapers, and the state often used these elite cartels as its power base. Their ideology and values derived not from liberalism but from antidemocratic values such as Cold War anti-communism, belief in the primacy of growth, authoritarianism, and paternalism. An ideal condition for the development of democracy would be decentralization and diversification of social powers and empowerment of civil society. Oligarchization of socio-economic power in economic areas and civil society by a small number of elite groups cannot be positive for the development of democracy. After democratization in Korea, a number of factors caused the strength of civil society to change significantly. The factors include the succession of presidents coming from the democratic bloc and the successive incompetence of these democratic governments; the incompetence

and moral vulnerability of democratic forces working either in the government or in civic organizations; the retrenchment of détente on the Korean peninsula as a result of the Bush administration's hard-line North Korea policy, which makes "neo-Cold War" a real experience; and the emergence of the "new-right," a loose coalition of commentators and activists who advocate neoliberalism.

Now, civil society in Korea is divided. In their competition for social influence, progressive and conservative forces have not created a dynamic balance through conflicts and reconciliation. Instead, on the one hand we have the conservative bloc coalesced and mobilized by a strong conservative establishment. On the other hand are the weakened, divided, and morally damaged *undonggwŏn* elements. The two blocs are in fierce confrontation with each other. This phenomenon of opposing split in civil society goes hand in hand with the opposing politics I mentioned earlier in the political sphere. Today it is becoming increasingly more doubtful that civil society will serve as the base camp for a healthy development of democracy.

4) Democratization in Korea is faced with the question of how to run the state apparatuses that have been well developed and bureaucratized over the years of authoritarian regimes and that have strong social influence. Before democratization, through the "Park Chunghee style development" period, the state in Korea came to be known as a "developmental state" and a "strong state" that led economic development. Thus, Korea was understood as a type of developmental state that took the Japanese bureaucratic system as an empirical model, as the Japanese state also led Japan's economic growth as a late industrializer. However, there is a significant gap between this image and the reality of the state in Korea. This is particularly so after democratization. The state in Korea changed rapidly through the democratic governments' interaction with the state bureaucracy. More than anything else, the democratic governments did not have the leadership and capacity to democratically control the vast state bureaucracy.

During the long reign of authoritarian regimes, opposition leaders and politicians could not participate in government operation and policy-making, and they did not have the experience of running the vast state bureaucracy. The situation was all the more so for former *undonggwŏn* activists who came to power through democratization. This was directly translated into the incompetence of the democratic

governments. The democratic governments pronounced policy goals that were different from the previous authoritarian governments, but each time, they became no more than rhetoric because these governments did not have specific programs and human resources to implement such programs. In the meantime, the government depended on bureaucrats for actual policy decisions and implementation. Thus an enormous gap existed between the policy goals announced by the government and the actual policy decisions. The policy goals and political rhetoric were reformist, but the actual policies were no less conservative than when the current opposition party was in power. The bureaucrats from the authoritarian era have been trained to pursue only one goal, which was economic growth. They are used to following top-down orders. Thus they are steeped in and oriented toward experiences and values of policies from the authoritarian era. From the perspective of society as a whole, the bureaucratic system is not favorable to democracy, and it is predisposed to be conservative. At the same time, while the democratic governments failed to advance new democratization principles for running the bureaucracy, democratization debureaucratized the strong authoritarian state. In the process some individual bureaucrats and agencies came to pursue their own interests and became politicized. Free from any democratic checks and balances, the bureaucratic system became hollow; the vast bureaucracy became divided according to function, and each agency became a rent-seeking agency, pursuing institutional self-interest in their respective spheres of expertise and domain of authority. Through collusion with strong interest groups, they are changing the face of the state to that of a plunderer.

4. Conclusion

1) Since the separation of the peninsula into North and South Korea, and throughout the Cold War era, the state in South Korea led authoritarian industrialization as a late developer. The starting point for democratization in Korea was the contradictions of the social order established by this state-led authoritarian industrialization. In this old order, the state was powerful and the authoritarian establishment was firm; under these circumstances, democratization in Korea

came about through an equally strong activists' movement, which led violent struggles outside of the institutionalized sphere of politics. In terms of substance, the task of democratization is how to apply democratic procedures and institutions to the conservative establishment; at the same time the question is also how to integrate social forces that had been excluded and alienated from political processes under authoritarianism and how to reflect their interests and demands through policy. In this process, conservative vested interests have used their status quo hegemony to minimize the effects of democratization at bringing about more substantial social transformation. In the meantime, democratic forces have tried to achieve socio-economic democratization along with political democratization. Controlling the conflict between these two groups requires institutionalization of political conflicts, and the core mechanism for such institutionalization is the development of political parties and a party system. However, the level of party institutionalization is very low in Korea, and this requirement for the development of democracy is not being met. The conservative and democratization forces are currently being coalesced and mobilized outside of the narrowly institutionalized party system. The conflicts between them are spreading; they polarize society; they are weakening the ground for democratic development.

2) Internal socio-economic conflicts have an impact on democratization in South Korea. However, it is also greatly affected by changes in the international environment for addressing the unresolved South-North issue, a legacy from the Cold War era. This is because the Cold War has not yet ended on the Korean peninsula. Democratization in Korea was possible before the end of the Cold War. After democratization, with the end of Cold War at the global level, a process of détente developed rapidly on the Korean peninsula. Democratization facilitated the development of a system of peaceful North-South coexistence; and the development of a peaceful coexistence agenda strengthened democratization internally. However, a change in the U.S. policy on Asia and North Korea had the effect of bringing back the structure of ideological confrontation of the Cold War era. This had a seriously negative impact on the development of democracy in Korea. The pattern of political conflicts formed during the Cold War era was characterized by ideology politics, which polarized political issues and simplified them with black-or-white dichotomy. The direct

cause of the politics of hostility that still continues after even democratization is Cold War anticommunism; indirectly, it is the result of social conflicts not being institutionalized and represented through the party system.

3) The slow progress and the weakening base of democracy in Korea today are not solely the results of a conservative counteroffensive. After all, that is only an extrinsic condition. The more important cause lies in the fact that the democratic governments and the ruling elite, who have been put in place by democratic forces, do not have the political vision or policy alternatives necessary for democratic reform. Also, they are too incompetent to democratically administer the state bureaucracy. Although it was effective in ending the authoritarian government, democratization in Korea has not led to an effectively running democratic government. Today, democracy in Korea is marked by widespread dissatisfaction with the political leadership of democratic forces and the incompetence of the democratic government. The conservative elements in society have coalesced and mobilized, and they are gaining back hegemony over civil society. Under these circumstances, the emerging democracy in Korea has not succeeded in institutionalizing the conflicts between the two competing forces and is perched in an uneasy balance between them.

The Heirs of Ch'oe Cheu? Some Musings on the Early History of Democratic Thought in Korea

Jörg PLASSEN
Ruhr-Universität Bochum

Introduction

The winding, thorny path towards democracy taken in the Republic of Korea seems to be another strong case in point for the assumption that—even after the total collapse of the previous authorities—the introduction of Western concepts and institutions from the outside does not guarantee the straightforward evolution of a democratic society.[1]

Western democratic ideas had already been introduced via Japan at the end of the 19th century, when the young progressives of the so-called Independence Club sought to push towards institutional reforms modeled upon the West in a futile attempt to self-strengthen the waning Chosŏn state against the hardening grip of the imperialist powers. During the Colonial period (1910–45), a spectrum of party organizations evolved, the majority of which may be coarsely divided into Nationalists and Communists. In April 1919, representatives of both groups founded the Korean Provisional Government located in Shanghai, which was based on Western democratic/republican principles. However, the government soon lost its influence amidst power struggles between Nationalists and Leftists, and among radicals and moderates within both camps.

After liberation, South Koreans saw the newly founded Peoples' Republic of Chosŏn soon replaced by a U.S. military government, which in 1947 in turn established a separate Korean interim government, and inaugurated a committee to prepare a draft of the constitution. The general principles of the eventual constitution again appear to have been prefigured to a considerable extent by the principles of

---

[1] If not noted otherwise, references in this paper to the chain of events leading up to the 1987 elections follow Oh 1999. Also cf. Cumings 2005.

General John R. Hodge's 1948 "Proclamation on the Rights of the Korean People," which in turn had been modeled upon the Bill of Rights and the Japanese constitution of 1946.

Eventually, a resolution of the U.S. dominated U.N. General Assembly in February 1948 lead to separate elections in the South on May 10, 1948, and the subsequent formation of the First Republic under President Syngman Rhee (1875–1965), a former member of the Independence Club. Due to Communist guerilla uprisings and army mutinies within the South (aggravated by tensioning relations with the North), but perhaps even more so because of his aristocratic *yangban* education, Rhee soon resorted to an authoritarian style of government, and on December 1, 1948 proclaimed the first version of the dreadful National Security Law. After a short democratic rule during the Second Republic (1960–61), two military dictators would rule along similar lines until in the latter part of the eighties the pressure of wide segments of the population would again lead towards democratic reforms.

As already this summary indicates, the U.S. attempt to implant a democratic government in South Korea (with the help of an elite, which had received their education under the Japanese, or, as in the case of President Rhee himself, in the U.S.) had failed immediately and utterly: Other conditions, other agents and a renewed impetus from within the country were necessary.

The main group responsible for the political protest flaming up most visibly in 1960, the 1970s and especially in the 1980s were students. In the latter period, labor unions and Church groups likewise took an important role in the protests. While these groups were influenced by leftist ideas of Marxism and Liberation Theology, their emphasis on *minjok* (nation/race), *minjung* ([exploited] masses) and *minju* (democracy) can be viewed as a continuation of ideological trends of the Colonial period.

Not without reason, the former Korean president Kim Dae-jung [Kim Taejung] went even further, and related his enduring political struggle – somewhat ironically following the precedent of the military dictator Park Chung Hee [Pak Chŏnghŭi] (1917–1979)—to the "democratic ideology" of Tonghak ("Eastern learning") and the organizationally related nationwide peasant uprisings of 1894. Pertaining references to specific concepts of the Tonghak founder Ch'oe Cheu (1824–64) and his successors, such as the notion of man being identical with Heaven (*in nae ch'ŏn*) or the vision of a paradise on earth

(*chisang ch'ŏn'guk*) might be regarded somewhat construed. Never-theless, it should be noted that followers of Ch'ŏndo'gyo ("Teaching of Heavenly Way," a religious denomination in direct succession to Tonghak) not only took an active role in the March 1 independence movement of 1919, but with the publication of the magazine *Kaebyŏk* during the 1920s provided an important platform also for the pro-motion of Western democratic values, through which Yi Kwangsu (1892–?) communicated his clear-sighted vision of a democratic movement in Korea to be lead by the middle class.[2]

Rebellions under the circumstances of unbearable social circum-stances can be traced back much further, the great 1812 peasant uprising being only one of the most glaring examples of similar events on the provincial level throughout the latter half of Chosŏn dynasty (1392-1910). Often instigated by dissatisfied *yangban*, i.e. aristocrate officials, these upheavals found one of their more important rationales in the concept of the mandate of Heaven (*ch'ŏnmyŏng*), which a ruler might loose due to unjust rule.

Although we might not be inclined to follow Kim Daejung's claim that the democratic impetus goes back to Tan'gun, the mythical founder of the first Korean state (2333 B.C.), a certain tendency towards social egalitarianism as viewed in the works of the Buddhist monk Han Yongun (1879–1944) can be traced back as far as to the 7th century A.C. However, as will be argued in this paper with reference to the (in certain respects comparable) unfolding of events in 1960, 1980 and 1987, if we search for ideological undercurrents facilitating the "fundamental change of political consciousness" among large segments of the population necessary to bring about the eventual transition towards democracy, in the end we might be referred to Confucian thought.

If we attempt to schematize the different phases of democra-tization in Korea, we might arrive at the following scheme:

1. "Indigenious" precursors
2. Late 19th C. import and first attempts at implementation of Western ideas via Japan and the U.S.A.
3. U.S.-led attempt to implement democratic rule after World War II

---

[2] For the widespread notion that Tonghak should be considered the wellspring of Korean democracy, cf. Oh (2001). I should like to express my gratitude to the Woodrow Wilson International Center for Scholars for kindly making this report available to me.

4. The institutional transition from military rule to democracy
5. The "democratization of Korean democracy"

As Prof. Choi's contribution deals with the post war period, and the task assigned to me for this paper was to probe into the early forms of democratic thought, what is to follow will focus on the democratic and proto-democratic developments before World War II: First, we will briefly recapitulate the reception of Western democratic values from the 19th c. onwards. Second, we will have a glance at some "indigenous," i.e. "non-western," proto-democratic precursors. By the way of conclusion we will wind up with some (highly speculative) remarks on their possible influence on the Post-War democratic struggle.

I. The Introduction of Western Democratic Thought

With the inner decline of the Chosŏn state during the 19th century and the influx of foreign powers beginning with the 1866 French navy expedition, it became evident that the country was in need of effective self-strengthening measures and thus much more substantial reforms than those initiated under the reign of Taewŏn'gun (1864–1873). Increasingly, Neo-Confucianism, for nearly 500 years the official state ideology, was blamed for the comparative backwardness of the country.

Yu Kilchun (1856–1914) was among the first intellectuals to have studied in Japan and the U.S.A. From June 1881 to November 1982, he studied at Keiō University, under the direction of Fukuzawa Yūkichi (1834–1901). Entering the Foreign Ministry right upon his return, 1883 he was a member of the first mission sent to the States. In a passage bearing the title "Inmin-ŭi kwŏlli" ("Rights of the People") in chapter 4 of his *Sŏyu kyŏnmun* ("Things seen on a Journey West"), a book most obviously influenced by Fukuzawa's thought as laid down in his *Seiyō jijō*, Yu admiringly observed that in the U.S.A. "no one exists over anyone else, and no one exists under anyone else." Much in the same vein, his collaborators Pak Yŏnghyo (1861–1939) emphasized that "even the ragged clothing of a poor child must receive as much protection from the law as royal territory,"

and Kim Okkyun (1851–1894) argued for the abolishment of the aristocratic status of the *yangban*.[3]

These Progressives of the so-called Kaehwa (i.e. "opening and development") faction insisted on total reformation of the economic, political and social institutions along Western lines. Staging a coup d'état in the year of 1884 (hence known as the Kapsin-Coup), in a decree they stipulated the introduction of a cabinet system designed to curtail the king's power, the abolishment of the rule of clans, and equal rights for the people. The Japanese-supported coup eventually failed due to the engagement of Chinese troops. However, already during the Chinese-Japanese War (1894–1895), the Japanese were in the position to bring the surviving members back into cabinet positions, who then were able to implement the sweeping Kabo (1894) reforms.

These reforms constituted a radical break with the past, as the juristic distinctions between *yangban* aristocracy, commoners and slaves were abolished—a deadly blow against the old status system, and in some respect, one might say, the moment of birth of the Korean nation. Modern schools were introduced, administration and political offices opened *for all strata* of the population. At the same time, the rights of discriminated individuals were strengthened by measures such as the abolishment of recruitment laws discriminating illegitimate offsprings, a ban on child marriages, and the permission for widows to remarry.

While these reforms were not yet democratic in a strict sense, the decisive momentum for the diffusion of Western democratic values in Korea came with Philipp Jaisohn's (a.k.a. Sŏ Chaep'il, 1866–1951) return from his exile and studies in Japan and the U.S.A, were he had become an American citizen. In July 1896, Sŏ's efforts in gaining support for the idea of independence, and the self-strengthening measures necessary to that end resulted in the founding of the Independence Club (Tongnip hyŏphoe).[4] The Club counted among its members important protagonists of the earlier Japanese inspired reform attempt, and in its beginning enjoyed much support from high above: Two government ministers became president and chairman of the new association, and even the crown prince made a donation.

Having received a donation by none other than the already

---

[3] Cf. Keum 2004, esp. p. 406.
[4] For an introduction to the history and thought of the Independence club, cf., e.g., Shin 2004.

mentioned Yu Kil-chun, who from house arrest had risen to the position of Minister of Domestic Affairs, already two months before, on April 7, 1896, Sŏ and the Christian intellectual Yun Ch'iho (1865–1945) founded the first daily newspaper *The Independent* (*Tongnip sinmun*). As pointed out by Lee Kwang-rin (1988), the newspaper was revolutionary already in as much as it did not employ any Chinese Characters and, except for additional English language articles, resorted exclusively to the Korean script, which for centuries had been despised as *ŏnmun*, *yŏgŭl* or *aegŭl*, i.e. "plebeian," "women's" or "childrens'" writing, but around that time came to be called "Han'gŭl," i.e. "script of the Han people," or "Great script." In the auditorial to the first issue, Sŏ wrote:

> The reason that our newspaper uses only Korean letters, not Chinese characters, is so as to have it read by all the people without regard to their social status. Space is provided between words in the hope that people can read the paper with ease and understand that which is recorded in the paper more fully. In foreign countries, people *without regard to their sex* first learn their own writings and only after they have acquired a good command of their language, do they begin to learn a foreign language . . . When we compare the Chinese and the Korean letters, *the Koreans are superior*. First, they are easier to learn. Second, they are Korean letters and therefore if we use them for all things, the *people of all ranks* without regard to their positions can understand them with ease. . . . (transl. Lee Kwang-rin, in: Lee 1988: 65f; emphasis added)

The passage just quoted not only explains why the figures of distribution quickly rose from 300 copies to a staggering 3,000, but also serves well to illustrate the orientation of the newspaper: While other journals centered on topics such as the geography and history of foreign nations, and new trends in technology to be learned from them, *The Independent* dealt mainly, as Lee writes, with issues related to the "protection of the nation's sovereignty," the "method of learning," and "human rights." (Lee 1988: 66). Thus, in the editorial of March 9, 1897 Sŏ Chaep'il wrote:

> Whether a nation is progressing or not can be seen above all by the degree of awareness on the part of the people of their rights as citizen. When we say "people", it refers not just to the people who hold no public office, but to all the people who live within the country. Everyone is endowed by God with certain inalienable rights. Only when the people exercise their rights properly can the status of the ruler be elevated and the polity of the nation enhanced. Because the Korean people have been oppressed by their own

people for hundreds of years, they have forgotten about basic human rights
and are not aware of human rights. . . . (transl. Lee Kwang-rin; in: Lee 1988:
66)

Through nationalist mass rallies and programmatic articles such as
"The People Are the Masters" (16–17 November 1898), the reformers
pressed for more substantial changes. On November 2, 1898, King
Kojong and his government appeared to make a great concession by
issuing a law, which would significantly enhance the competences of
the Privy Council (Chungch'uwŏn).

Instituted as an advisory board in addition to the cabinet already
in 1895, the council hitherto had remained without any real influence.
According to the new law, however, the Privy Council was to discuss
and vote on all laws or imperial orders. In case of disagreement with
the cabinet, the two bodies should resolve their differences before the
law would pass. While the top positions would be reserved for
bureaucrats of fixed ranks, half of the members would be appointed
by the government, and the other half would be elected, for the time
being by the Independence Club. Although the Independence Club
itself obviously had not been elected, one might be tempted to call the
Independence Club the first Parliament in Korea. The "democratic
spring," however, was all-too short-lived. On the very day of the first
convention, the government would crack down on the Club, throwing
many of its members, including the young Syngman Rhee (Yi
Sŭngman, 1875–1965) into prison.

It should come to no surprise that, mainly for tactical reasons, in
the following years nationalist intellectuals would continue to deplore
the suppression of the people and praise the "blessings" brought
about by effective governments based on democratic institutions,[5] but
would not attack the monarchy as such. In their programs, even the
radical nationalists would remain well in the boundaries of consti-
tutional monarchy.

After the Japanese had ended Kojong's rule, however, such
concessions had become more or less superflous. When on April 11,
1919 the Shanghai "Korean Government in Exile" (one of initially
three such governments established by different circles at different
places) had been formed with Syngman Rhee and Yi Tongnyŏng
(1869–1940) as the head of the legislative and executive councils,

---

[5] We might think of Syngman Rhee's praise of the U.S.A. and Britain in his
    Tongnip chŏngsin, which he wrote in 1904, while still in prison.

resp., a far more radical "Provisional Constitution of the Korean Government in Exile" was proclaimed:

> By the will of God, the people of Korea, both from Seoul and the provinces, have united in peaceful declaration of their independence in the Korean capital, and for over a month have carried on their demonstrations in over two hundred districts. A provisional government, organized in complete accord with popular faith, proclaims a provisional constitution that the provisional council of state has adopted in order to pass on to our posterity the blessings of sovereign independence.

> PROVISIONAL CONSTITUTION OF THE KOREAN REPUBLIC

> 1. The Korean Republic shall be a democratic republic.
> 2. A provisional government shall govern the Korean Republic in accordance with the decision of a provisional legislative council (Imsi Ŭijŏngwŏn).
> 3. There shall be no class distinction among the citizens of the Korean Republic, and men and women, noble and common, rich and poor, shall have complete egality.
> 4. The citizens of the Korean Republic shall have personal and property rights including the freedoms of faith, speech, writing, publishing, association, assembly, and dwelling.
> 5. A citizen of the Korean Republic, unless disfranchised, shall have the right to vote or to be elected.
> 6. The citizens of the Korean Republic shall be subject to compulsory education, taxation, and military conscription.
> 7. The Korean Republic shall join the League of Nations in order to demonstrate to the world that its creation has been in accord with the will of God and also to make a contribution to world civilization and peace.
> 8. The Korean Republic shall extend favorable treatment to the former imperial family.
> 9. The death penalty, corporal punishment, and open prostitution shall be abolished.
> 10. Within a year following the recovery of the national land, the provisional government shall convene a national assembly.

> President, Provisional Legislative Council: Yi Tongnyŏng
> Prime Minister, Provisional Government: Yi Sŭngman
> Minister of Home Affairs: An Ch'angho
> Minister of Foreign Affairs: Kim Kyusik
> Miniter of Judicial Affairs: Yi Siyŏng
> Minister of Financial Affairs: Ch'oe Chaeyŏng
> Minister of Military Affairs: Yi Tonghwi
> Minister of Transportation: Mun Ch'angbŏm
>
> (transl. Kim Han-Kyo, in: Lee 1996: 435f.)

Most signatories can be related to the Nationalist Faction. However, it should be noted that with Yi Tonghwi none less than the head of the Korean Socialist Party occupied the position of the foreign secretary. The document thus unavoidably remains vague on the exact nature of the "democratic republic" to be established after liberation from colonial rule. And yet, at the same time it shows clearly that by 1919 basic democratic rights such as the freedom of speech and sojourn, the right to vote, and even the concept of gender equality had been firmly entrenched among Korean intellectuals.

In some respects the provisional constitution was at the fore-front of democratic innovation: Thus, one should remember that electorate rights for women had been introduced in Germany not earlier than on Nov. 30, 1918, and it took the U.S.A. until 1920 to introduce them on the federal level. In France and Belgium these rights could be established only after the end of the German occupa-tion, i.e. in 1944 and 1946, not to speak of the case of Switzerland.

The issue of the actual nature of the new state institutions, however, remained unresolved. Although at first acknowledged by the founders of the Vladivostok government, the Shanghai government soon lost its influence amidst power struggles between the two major camps of nationalists and Marxist leftists, and among radicals and moderates within both camps, who divided about issue of armed struggle vs. peaceful resistance. As we have already made the point that Western democratic, and—to some extent—also Socialist ideologies had become commonplace by the early 1920s, we will refrain from dabbling with the complicated history of reception of ideologies such as Marxism and anarchism in the colonial period. Nevertheless, already at this point it should have become obvious that the staggering 340 some political parties counted by the U.S. Military command in 1948 did not come out of the nowhere.

II. Traditional Precursors of Democratic Thought

1. Egalitarian Tendencies in Buddhist Thought

It might seem that the reform ideas resulted from a one-to-one adoption of Western concepts. Thus, expressions such as the term *illyu*

pyŏngdŭng 人類平等 ("equality of mankind"), which also appears in the March 1st declaration of independence of 1919, can be solely related to Western ideas imported via Japan or China.

Certain terms, however, resonated with traditional meanings, and discussions among Korean intellectuals during the first decades of the 20th century involved a more intricate blending of new, imported and traditional notions. Thus, Manhae Han Yongun (1876-1944), one of the most well-known participants of the March 1st Independence movement of 1919, like many of his contemporaries emphasized the notions of *chayu* 自由("freedom") and *pyŏngdŭng* ("equality") 平等. On the surface, this usage seems very modern. However, Manhae employed these terms from a decidedly Buddhist perspective, in as much as he considered the political freedom of the individual, and by extension that of the nation, not as ends in themselves, but as preconditions for living beings to be able to pursue the deeper freedom of the Buddhist Way. Correspondingly, in the preface to his celebrated poem *Nim-ŭi ch'immuk* ("The Silence of the Beloved," published in 1926) he ironized his fellow countrymen as "lost sheep" on account of their, in his view, too superficial, Western understanding of these concepts.

In an article written in the year 1931 ("Segye chonggyogye-ŭi hoego—Pulgi 2958," "Reflections on Religions of the World—Buddhist year 2958") Han Yongun emphasizes that religion is merely about saving the individual and thus is not restricted by any "-isms," and deplores the effects of antireligious movements of his days such as Marxism. And yet, at the same time contends that Religions, and among these, religions like Buddhism, contain within their very doctrines egalitarianism and the ideal of non-private ownership, i.e., socialist tendencies." (Huh 2004: 249)

Considering these social and egalitarian ideas mere 20th century projections, indebted to political currents of the colonial period rather than to the Buddhist tradition, I was struck to come across a passage in the 10th century Chinese Buddhist bibliographical collection *Sung Kao seng chuan*, according to which the famous Silla dynasty monk Ûisang (625–702) turned down a donation of land and slaves from none less than the king himself, allegedly saying that

> . . . Our Dharma is universally equal (*pyŏngdŭng*), high and low together match, noble and mean are [held in] the same estimate . . .
>
> (T. 2061.50.729b16)

and again stating that

> . . . The "Way of poverty" treats *the whole dharma sphere* as [its] household (or:
> family, *ka*).

<div align="right">(T. 2061.50.729b17f)</div>

Although an immediately following remark entailing that "spring-time ploughing" is done "in preparation for the harvest" leaves no doubt that the underlying outlook on the world remains informed by the notion of a hierarchical society based on sacred kingship and aristocracy, the passage nevertheless is remarkable on account of its straightforward application of the idea of *pyŏngdŭng* to the social realm, blending "equalness" and "equality" much in the same way as Manhae Han Yong-un would do centuries later, hence rendering Han's claims concerning the inner egalitarian nature of Buddhist thought surprisingly authentic.

2. Egalitarian Tendencies in Tonghak Thought

The Tonghak ("Eastern learning") movement originally was founded by Suun Ch'oe Cheu (1824–1864) as an Asian answer on Western learning (Sŏhak). A truly syncretic mixture, the new teaching resembled Catholicism in as much as the belief in a Lord of Heaven was fostered. Its cosmology centered around the evolutionary process of an all-pervading *ki* ("ether"), and bore eschatological traits, in as much as the traditional Asian religions Confucianism, Buddhism and Taoism belonged to the age of "Former Heaven." while Tonghak should replace them as a symbol of a new era of "Latter Heaven."

Haewŏl Ch'oe Sihyŏng (1827–1898) expanded the dogma by introducing the dictum *in si ch'ŏn, ch'ŏn si in, in wae mu ch'ŏn, ch'ŏn wae mu in* ("Man is Heaven, heaven is man, outside of man there is no Heaven, outside of Heaven there is no man"). Later, Son Pyŏnghŭi then reduced this thought to the more accessible formula *in nae ch'ŏn* ("Man is identical with Heaven"). Already Ch'oe, however, had deducted that because man is heaven we must serve the others, and blemishing the elevation of *yangban* over commoners or of legitimate sons over illegitimate ones as against the will of Heaven.

The Tonghak founder was executed in 1864, but under his successors the movement over the years gained a huge following in the South-Western province, and reemerged in the so-called Tonghak

uprising in 1894, which, as mentioned in the introduction, has often been adduced as a, if not *the* major source of inspiration for the post-war democratic movement.

Igniting with an angry protest against a corrupt magistrate in Kobu in Chŏlla province, under the leadership of a certain Chŏn Pongjun (1854–1895, a member of the gentry) and other Tonghak adherents, a full-scale rebellion directed against the ruling faction of the *yangban* aristocracy and (mainly Japanese) foreigners broke out, which spread through most of the South-Western province, and eventually threatened the capital, but in the end was crushed by government forces.[6]

As Young Ick Lew has pointed out in an article on "The Conservative Character of the 1894 Tonghak Peasant Uprising" (1990)[7], the propaganda of the Tonghak uprising followed a quite traditional Confucian rationale. In fact, despite the declared aim to purge the ruling parts of the *yangban* nobility in Seoul, the Tonghak fighters did their best not to offend the king and to remain within the accepted norms of Confucianism. Thus, the following rules for Tonghak fighters were established:

1. Do not kill the people; do not destroy [people's] properties.
2. Fulfill the duties of loyalty and filial piety; support the state and secure the livelihood of the people.
3. Drive out and eliminate the Japanese barbarians and thereby reinforce the Way of the Sages.
4. Storm into the capital in military force and thoroughly eliminate the powerful and noble. [By so doing], strengthen moral relationships, rectify the names and roles, and realize the teachings of the Sages.

(transl. Young Ick Lew, in: Lew 1990: 167)

Similarly, the manifesto proclaimed at Mujang begins with the words:

Man is the most precious being in the world because he has morality. The proper relationship between ruler and subject as well as between father and son constitutes the fundamental fabric of human morality. If the ruler is benign and the subject upright, and the father affectionate and the son filial, then we can establish good family and state and, thereby, enjoy boundless felicity. Now, our Sovereign is benign, filial, kind and loving; He is also

---

[6] Eventually, this upheaval led to the outbreak of the Chinese-Japanese War of 1894–1895.

[7] I owe gratitude to Prof. Dr. Marion Eggert for having prevented me from overlooking this seminal article.

equipped with a brilliant mind as well as sage wisdom. Therefore, if He is assisted by wise and honest ministers, the harmony of Yao and Shun, or the golden age of the Wen-ti and Ching-ti shall be easily achieved within the predictable future. However, today's ministers of state merely appropriate emoluments and occupy official positions without giving any thought to serving the country. They label the scholars who remonstrate with the King in loyal sincerity wicked talkers; they call the honest-minded people a vicious clique. Inside the court, there are no qualified ministers to assist the Sovereign; in the provinces there are numerous officials molesting the people. Consequently, the people feel increasingly alienated from the government. At home, the people find no occupation to make their livelihood secure; outside, they have no means to protect their bodies. Atrocity of government grows day by day, and mournful voices are raised ceaselessly. The proper relationship between ruler and subject, the proper bond between father and son, and the proper distinction between noble and base, all these are completely destroyed and nothing is left to salvage. . . .

(transl. Young Ick Lew, in: Lew 1990: 168)

As pointed out by Lew (1990: 169), the manifesto overtly appeals to Confucian norms concerning social relations and kingship. The text would go on to describe how the elites in power ignored the perilous situation the nation is facing and only strife for self-enrichment, and declares a "*righteous*" (*ŭi* 義) struggle. Although these and remarks by Chŏng during his questioning, according to which he himself did not understand too much of the Tonghak movement, might be owed to tactical reasons, judging from these declarations at least to the followers the movement in many aspects must have appeared to remain well within the boundaries of traditional Confucian political thought.

3. Social and Proto-Democratic Aspects of the so-called Sirhak Thought

Another group frequently mentioned in the context of precursors of Korean democratic thought is the so-called Sirhak-p'a ("Faction of Practical Learning"), actually a 20th century designation coined in order to subsume diverse trends in Confucian scholarship from the 17th to the 19th century.

As the name suggests, the Sirhak current reflects a new type of practically minded Confucian scholarship under the influence of similar developments in China since the arrival of European missionaries. Under the influence of this "Western learning" (Hsi-hsüeh/Sŏhak) and the related trend of "Text-critical learning" (K'ao-

cheng hsüeh/Kojŏnghak), the Sirhak scholars were concerned about a variety of topics related to economic reform, the introduction of Western Sciences and Technologies, or text critical efforts directed at restoring Han and pre-Han Confucian thought.

Witnessing the dire social conditions of the peasant farmers, already in the 17th century some of these Confucian aristocrats began to think about tax and land reforms which would guarantee a livelihood to the individual farmer. In the latter case, the solutions proposed ranged from a system merely limiting the amount of land possessed (*hanjŏnje*) and an "equal field system" (*kyunjŏnje*) with a fixed amount of land allotted to each individual as far as to a joint village farming system (*yŏjŏnje*), in which the land—faintly comparable to the later Soviet Kolchos system—would be allotted to units of 30 households.

The scholars Yu Hyôngwôn (1622–1673) and Sôngho Yi Ik (1681–1763) were also concerned with the inhumane treatment of slaves. Thus, Yi Ik demonstratingly visited the graves of his own serfs and performed memorial services for them. For more practical reasons, he suggested to the King to treat both private and state serfs as ordinary citizens, and draft them into the military. On the higher level, Yi Ik argued for a more objective examination and recruitment system beyond the sway of lineage interests. Convinced that all men were born equal and wishing a down-to-earth government alert to the needs of the peasants, he deplored that it was virtually impossible for talented offsprings from farming communities to pass the examinations and raise to high positions, and therefore demanded the creation a special department for the examination of people from rural areas.

Tasan Chŏng Yagyong (1742–1856) in his cosmological views was clearly influenced by Catholicism but in his political thought rather followed the Confucian ideas of the Chinese Classical philosopher Meng-tzu (372–289 B.C.). While serving as a secret royal inspector, he was moved by the unjustly poor conditions of the peasants, and became notorious for his persecution of corrupt officials. Writing essays on rightful government and sincere rule, he formulated reform ideas in diverse fields, including the already mentioned proposal for the distribution of land on the basis of groups of thirty households. (Cf. Han 2004: 369)

In his essay "Tangnon" ("On [Emperor] Tang"), Chŏng Yagyong claimed that "Heaven never questions whether you are a

yangban or a commoner" and accordingly vowed to "make all people *yangban*." As Yi Ik before him, Chŏng Yagyong also turned against the influences of lineage and factions in the examination system and the social, political/factional, and regional discriminations. Quite interestingly, he identified not only people coming from certain provinces, or those belonging to minor political parties, but explicitly also middle and lower classes and illegitimate sons as those unjustly excluded.

More importantly in our context, Chŏng asked himself the rhetorical question whether a ruler exists for the sake of people or vice-versa, and answered clearly: "The ruler exists for the sake of people." (Han 2004: 367) In fact, Yi Ik had done much the same, as Chinese scholars before him, all following Meng-tzu's concept of *minben* 民本 ("The people as the root") as mirrored in the dictum that "the people are most important, the gods of earth and grain rank second, and the ruler is the least important."[8]

In his essay "Tangnon," Chŏng would somewhat daringly compare the king with the conductor of a dance troop: If the conductor conducts well, he will be labeled "our great conductor"; if he is not in accord with the music, he may be reduced to the level of an ordinary member and replaced by another "great conductor." (Han 2004: 367) What distinguishes a good ruler from a bad one is summarized by Tasan under the phrase "virtuous government," i.e. a government complying with the principles of nature and humanity. As in case of the notion of "primacy of the people," Tasan here again follows Meng-tzu's political philosophy, possibly also under the influence of Itō Jinsai's (1627–1705) *Gomō jigi*.[9]

Thus, in the Meng-tzu we can find passages justifying the disposal of a morally corrupt ruler by his ministers, and even by the people, if the ruler's actions continue to contradict the principles of humane government (*jen-cheng/injŏng* 仁政) and if he fails to give consideration the admonishments of his officials. Another passage even suggests that, being the "eyes" and "ears" of Heaven, the people also have a veto influence on the *selection* of a ruler:

---

[8] It should be noted in passing that this notion of "people as the root [of the state]" is addressed also in the Tonghak manifesto proclaimed at Mujang. Cf. Lew 1990, 169.

[9] For an overview of the Meng-tzu reception, esp. cf. the pertaining work by Ommerborn et alia (http://www.eko-haus.de/menzius/universal.htm).

> Yao first presented [his successor] Shun to Heaven, and Heaven accepted him. He presented him to the people (*min* 民), and the people accepted him.

Chǒng Yagyǒng, however, went clearly beyond the Meng-tzu, in as much as he developed this still rather passive "veto right" on the peoples' side concerning investiture into a rather full-fledged democratic approach to rulership. Advocating a return to the principle of what he considered the "rule from below" before Han dynasty, in his "Tangnon" he presented the following outlook on the legitimization of ancient kingship:

> How was a king born? Did he descend from heaven like the rain? Did he gush forth from beneath earth like a spring? No. Installed by five households, a man becomes a chief of a *rin* 隣 ("neighborhood"); installed by five *rin*, a man becomes the chief of a *ri* 里 ("village"), and installed by five *ri*, a man becomes the chief of a *hyǒn* 縣 ("county"). Nominated jointly by the chiefs of these *hyǒn*, a lord is born. It is the king who is chosen by these lords. Therefore, it can be said the king is appointed by the will of the people... Thereforem if the five households do not like the chief of their *rin*, they hold a conference and elect a new chief ... if the lords do not like their king, they hold a conference and elect a new chief . . . if the lords do not like their king, they hold a conference and elect a new king. . . : (Han 2004: 366)

Needless to say, Chǒng did not question the very institution of the king as such, and, except for the demand of open and impartial state examination and recruitment systems, he did not advocate measures that would have lead towards greater distribution of power in everyday politics. However, by emphasizing a model of legitimacy based on a sequel of elections on different levels, Chǒng Yagyong nevertheless might be considered one of the early forerunners of representational (presidential) democracy.

III. Conclusions: The Legacy of Traditional Confucian Political Thought—Some Speculative Remarks on the Events in 1960, 1980 and 1987

Through the foregoing remarks it should have become clear that long before the democratization process of the 1980s both Western demo-

cratic ideas and Socialist notions imported from abroad had had enough time to enter the inner minds of Korean intellectuals.

Moreover, we have seen that there had been not only a long-standing tradition of public dissent and upheaval, but that some of the imported ideas, such as the notion of basic equality of human beings and the derived demand for general access to government positions, or the idea of the people as sovereign, even had more or less direct precursors in diverse currents of traditional Korean thoughts.

With the division of the country into U.S. and Soviet zones of influence, the decision to implement a democratic government in the South was more or less unavoidable. However, the actual idea of democracy soon fell victim to the President's autocratic reaction against inner and outer political turmoils preceding the outbreak of the Korean War, and eventually also to the stubbornness of an over-aged Syngman Rhee clinging to his position by all means.

Often, this slip-back into old patterns and the ensuing authoritarian rule is related to the influence of Confucianism. Samuel Huntington writes in his book *The Third Wave: Democratization in the Late Twentieth Century* (1991) on Confucianism:

> Classic Chinese Confucianism and its derivatives . . . emphasized the group over the individual, authority over liberty, and responsibilities over rights, Confucian societies lacked a tradition of rights against the state; to the extent that individual rights did exist, they were created by the state. Harmony and cooperation were preferred over disagreement and competition. The maintenance of order and respect for hierarchy were central values. The conflict of ideas, groups, and parties was viewed as dangerous and illegitimate. Most important, Confucianism merged society and the state and provided no legitimacy for autonomous social institutions to balance the state. (quoted from Kang 2004: 149)

What is wrong with this thesis is not only that it does not differentiate between "Confucian" norms and political reality in state entities claiming to be based on a certain variant of Confucianism, but, perhaps even more importantly, that it considers only one angle of the relationship between the ruler and those ruled upon, leaving out of consideration the people's expectations against the ruler, and the effects of the violation of the norms by the ruler himself.

It is commonly argued that Syngman Rhee's slip into increasingly autocratic rule might have something to do with his upbringing as a *yangban* aristocrat. Might on the other hand Confucian moral expectations towards the ruler and the aristocracy have borne some

influence on the democratization? At least one might be inclined to think that this was the case. Thus, Bruce Cumings adopts a position that would relate the eminent role of student activists in the democratization process to "the wellsprings of Confucianism that demanded or even required the educated to be moral examples, conscientious sentinels of the nation." (Cumings 2005: 344) This focus on the Confucian virtues of the protest leaders, however, seems to be only one side of the tale: While their activities, notably the publication of previously censored books, the forming of new democratic parties, the emancipation of universities and trade unions from government control, the rise of grass-root organizations (Cumings 2005: 391) and their organization of mass protests were necessary factors for the eventual overthrow of the regime, but these factors alone do not seem to fully explain the wide-spread solidarity among different social groups leading to the "June breakthrough" of 1987.

In 1960, the government wanted to prevent a change of power by framing the results of the March 15 elections, announcing a clear victory for the Yi regime. In the city of Masan, a smaller riot broke out. It perhaps would have remained on that scale, if not on April 11, fishermen found the body of a high school student killed by a tear-gas shell. On April 19, in Seoul more than 100,000 students, joint by ordinary citizen, battled the police in what was to become known not only as the 4.19 Student Uprising, but as the "Righteous Uprising of 4.19."[10]

John Kie-chang Oh sees these events in line with the Tonghak uprisings, which in his view began with the somewhat earlier petition to rehabilitate the first spiritual leader Ch'oe Cheu:

> In both instances, when the authorities responded ruthlessly and oppressively the anger of the people exploded and swept away a long-entrenched regime. In any case, the concept of a "righteous uprising" was reaffirmed and took a deeper root in the political awareness of the Korean people. A contemporary precedent of a "righteous uprising" was established. (Oh 1999: 42)

Interestingly, a similar pattern of events might be seen not only in the 1980 Kwangju uprising, but also in the events of 1987, when in the

---

[10] The president declared martial law, seeing the "Communists" behind the events. However, after the U.S. Secretary of State signaled that the repressive measures were believed to be "unsuited for a democracy," he shortly afterwards resigned. Cf. Oh (1999: 41).

wake of the death of Pak Chong-ch'ôl, a student of Seoul National University, a survey of the university would show that 85.7 percent of the middle class wanted to protect human rights. What followed were massive demonstrations by the democratic activists. At first, Chun seemed to be willing to make compromises, but on April 13, reversed a pledge to guarantee free and direct presidential elections. He probably was doomed when on June 2 he announced Roh Taewoo as his successor, which led to the "6.10" struggle of a wide coalition of groups. It was at this point, when the middle class would massively join the ranks of the students and activist groups. John Kie-chang Oh again surmises:

> Evidently it was no[t] for economic reasons that the middle class was actively and in large numbers participating in these demonstrations. Its members, too, were now demanding political reforms, summed up as "democratization," a term that had motivated numerous opposition leaders and students but apparently had little concrete meaning to the larger public and middle class until 1987, when an arrogant and ruthless dictator was simply no longer acceptable." (Oh 1999: 92)

What is especially notable concerning this evaluation is how little the political ideals of the activists initially appear to have meant to the general populace. From the perspective of the middle class, the uprising seemed to have been rather a spontaneous outrage against a government exercising intolerable injustice than a theoretically motivated struggle for democracy.

From the perspective of historical precedents, it might indeed be reasonable to assume, as Kim Dae-jung, John Kie-chiang Oh and others have done, that the 20th century uprisings should be seen as in one line with the large scale Tonghak rebellion of 1894/95. From the perspective of intellectual history, however, we might want to add: As in the case of the Tonghak rebellion itself, the incentive for the masses to participate in these uprisings in the last resort appears to have been indebted less to the revolutionary potential of Tonghak thought, but rather to more traditional currents within Confucian political thought: Forsaking benevolence and righteousness, one might say, the military rulers had lost the mandate of Heaven.—Was the 1987 democratization movement a Confucian revolution, after all?

Secondary literature cited

Cumings 2005   Cumings, Bruce: *Korea's Place in the Sun. A Modern History.* New York / London: WW. Norton & Co., 2005. [Updated edition, first publ. in 1999]

Han 2004   Han Yeong-u [Han Yŏngu]: "Jeong Yak-yong: The Man and His Thought." In: Korean National Commission for UNESCO (eds.): *Korean Philosophy: Its Tradition and Modern Transformation.* Seoul: Hollym, 2004, pp. 357–371. [orig. publ. in *Korea Journal* 11.8 (1971)]

Huh 2004   Huh Woosung [Hŏ Usŏng]: "Manhae's Understanding of Buddhism." In: Korean National Commission for UNESCO (eds.): *Korean Philosophy: Its Tradition and Modern Transformation.* Seoul: Hollym, 2004, pp. 225–256. [orig. publ. in *Korea Journal* 40.2 (2000)]

Kang 2004   Kang Jung In [Kang Jŏngin]: "Confucianism and democracy in East Asia: A critique of Samuel P. Huntington's *The Third Wave.*" In: Korean National Commission for UNESCO (eds.): *Korean Philosophy: Its Tradition and Modern Transformation.* Seoul: Hollym, 2004, pp. 146–165. [orig. publ. in *Korea Journal* 39.3 (1999)]

Keum 2004   Keum Jang-tae [Kŭm Changt'ae]: "Human Liberation in Early Modern Korean Thought." In: Korean National Commission for UNESCO (eds.): *Korean Philosophy: Its Tradition and Modern Transformation.* Seoul: Hollym, 2004, pp. 400–419. [orig. publ. in *Korea Journal* 38.3 (1998)]

Lee 1996   Lee, Peter H. (ed.): *Sourcebook of Korean Civilization. Volume II: From the Seventeenth Century to the Modern Period.* New York: Columbia Univ. Press, 1996.

Lee 1988   Lee Kwang-rin: "Newspaper Publication in the Late Yi Dynasty." *Korean Studies* 12 (1988), pp. 62–72.

Lew 1990   Lew, Young Ick: "The Conservative Character of the 1894 Tonghak Peasant Uprising: A Reappraisal with Emphasis on Chŏn Pong-jun's Background and Motivation." *Journal of Korean Studies* 7 (1990), pp. 149–180.

Oh 1999   Oh, John Kie-chiang: Korean Politics. *The Quest for
               Democratization and Economic Development.* Ithaka/
               London: Cornell Univ. Press, 1999.
Oh 2001   Oh, John Kie-chiang: "Kim Dae-jung and a Populist
               (*Tonghak*) Origin of Korean Democracy." In: Oh, Kie-
               chang; Pak, Jacqueline (eds.): *Special Report: The Origins
               of Korean Democracy.* Washington, D.C.: Asia Program,
               Woodrow Wilson International Center For Scholars,
               2001, pp. 4–9.
Shin 2004   Shin Yong-ha [Shin Yongha]: "The Social Thought of
               the Independence Club." In: Korean National
               Commission for UNESCO (eds.): *Korean Philosophy: Its
               Tradition and Modern Transformation.* Seoul: Hollym,
               2004, pp. 421–439. [orig. publ. in *Korea Journal* 14.3
               (1974)].

Panel Discussion (shortened)

Chair: Wolfgang Seifert
Panelists: Maciej Górny, Jerzy Holzer, Jacques Joly, Kobayashi Masaya, Komatsu Jun'etsu, Frank Pfetsch, Jörg Plassen

SEIFERT: In this final discussion, I would like to ask you for statements and for comments on the conference contributions and, if possible, on the perspectives about how to develop the topics we have dealt with. I think the question of democracy and the question of democratization is a continuing problem, not limited to a certain historical period as, for instance, the decade after 1945 or after 1989. At first, may I ask the contributors to tell us: what were in their views the crucial points raised during this conference. Unfortunately, because of urgent obligations our colleagues Professors Motika, Ms. Amirpur and Dr. Kadivar had to leave before this final panel starts. Once again thanks for their contributions.

KOBAYASHI: Actually, my subjects are political philosophy and comparative politics. So at the Maruyama workshop the other day, I used my knowledge of Maruyama's work in political philosophy, and during our conference I used my knowledge in comparative politics. In Japan, too, people make a serious division between political philosophy and comparative politics. It is rare to use both fields of knowledge and to combine insights from both fields. So I enjoyed that we could discuss contemporary issues in various countries, using insights of political philosophy.

Here are some remarks about some details in the discussions. One of my interests is comparing Germany and Japan. I didn't mention it so much, but Maruyama Masao showed keen interest in comparing Japan and Germany, and especially in observing the pre-war fascism. As I already mentioned, "fascism from above" and "from below" derived from his observation of the difference between German Nazism and Japanese military government. I suppose that such kind of insight is related to "democracy from above" and "democracy from below," which we have discussed in conference.

I think that Maruyama starts from a kind of developmental theory or modernization theory and proceeds towards a civilization theory. So in his later years he was not only interested in the contrast

between the West and the East, but also in the contrast between, for example, Japan and Korea. And perhaps today he would be interested in the similarities or differences between Japan and Iran, or Japan and Turkey, which we have discussed yesterday. As I did my research on comparative politics, I imagine or hope, that Japanese experiences, which have both merits and demerits, can have some meaning in considering other countries' democracies, in particular non-Western countries. Obviously, Japan's political scientists and theorists are more interested in contrast between Japan and Western countries, but in my views Japanese experiences can have some meaning in considering Asian countries including Korea, Iran and Turkey. The Japanese experience has its own peculiar characteristics, but I think we can recognize the important points, which can be shared in observing those countries. In considering the problem of Iran and Turkey, usually people don't think that these countries have similarities with Japan. It is a very difficult question, because in case there may be some points to compare, they are not easily to articulate. One reason is, at least in my case, that I have only little knowledge on Iran and Turkey, so statements could be totally beside the mark. Anyway, I was very happy to hear that such kind of conversation can nevertheless have some meaning.

As for the present situation in Japan one point, which I would like to talk about, is that people tend to believe that Maruyama's studies on pre-war Japanese political thought are beside the mark in considering the present situation in Japan. Maruyama's influence has been weakening, because people tend to believe that his theory and insights were important in considering pre-war Japan, but are not so useful in considering present Japan. I don't believe that they are right. I was first impressed by Maruyama's works, and next tried to do research on clientelism and syncretism in politics. Such kind of linkage or connection between the two fields is useful, and I think this conference was very fruitful in this respect.

HOLZER: I'd like to give three supplementary impressions. First: A democratic environment seems to me very important. Between the wars the European environment became more undemocratic. The non-democratic systems, the Italian system and others were, as the Germans now say, *salonfähig* (socially acceptable) The existence of such systems didn't hinder the democratic governments to enter into alliances with authoritarian, non-democratic countries, as for example,

France with Romania or Poland. All this was *salonfähig*. I suppose, such a view or attitude of European governments changed in the West after 1989. Since then, *in Europe* only democracy is *salonfähig*. The West Europeans even had some problems with Russia, but officially, Russia is a democratic country (perhaps White Russia is not). Non-democracy is not *salonfähig*. So the question of how to deal with authoritarian regimes is the first point. Second: I don't believe in democracy without economic success. That doesn't mean economic success for all the time, but the fundamental line of development should be successful. That is the difference between the time of 1939 and the time after World War II. Democracy means: economic success. Without this it is impossible. During the post-war years, democracy in Germany, but not only there, was related to economic success. New democracies have to be economically successful. Perhaps old democracies can exist without permanent success. Third: The problem of the personality of the political leader: I don't believe that the personality, authoritarian or non-authoritarian of a leader, is a very important element in politics. Look at the great politicians of democracies: Churchill, de Gaulle, and Adenauer — they all were authoritarian. If the system has a strong foundation, then this and other qualities of politicians don't play such an important role for democracy.

PFETSCH (presents a diagram with quadrants along two axes: the vertical axis divides the field of "democracy" along the difference "from without" and "from within," and the horizontal divides it along the axis "from above" and "from below." Unfortunately, Prof. Pfetsch's explanation, where to put the various cases / countries in this diagram was not recorded.)

Without economic prosperity, democracy seems to be impossible. Therefore, it seems to me that the way and the method, how democracy will be introduced, and even when this happens by authoritarian instruments seems not to be so important. Democracy needs economic prosperity. On the other hand, the opposite is not true: To get economic prosperity, democracy is not necessarily to be achieved. Authoritarian regimes are sometimes able to become economically strong countries.

CHOI: As seen from the perspective of the Korean experience I suppose a couple of elements were integrated in our discussions here,

but many elements were missing. The first one I want to refer to is tradition. Speakers from different countries have tried to find out the democratic values in their own country's tradition and philosophy. But I think that this emphasis on tradition in his own country, doesn't provide a suficient explanation of the level of democratization, or of the quality of democracy. Because, as Prof. Pfetsch emphasized, democracy has three elements of values: liberty, equality, and human rights. These are universal values. They trace back to Athens in Greece. So I think tradition is always connected to some democratic values, which can be found in each country. Tradition is placed in the context of the universal values. When we emphasize tradition in each country, one is able to find for every country democratic elements in its own tradition. In each period, in the Middle Ages, in Modern Ages, in each period, at every time we can find democratic elements in the country's own tradition. However, which countries are democratic? So this emphasis is too singular an understanding of a linear conception of democracy.

My second point is the Cold War. I think that democracy, in particular new democracy in developing countries, was more or less caused by the Cold War, or the end of the Cold War. The Cold War was a very important force that brings about democratization in developing countries. The Korean experience shows how much it is influenced by the Cold War. So I believe that for many countries the Cold War or its end plays a big role. The collapse of Cold War is the rise of democracy in East European countries.

My third point is the quality of democracy. Even if a new democracy like Korea reached a certain level of democratic standards, which advanced countries have already reached, there is still the problem about the *quality* of democracy. Can we say that Korean democracy has been achieving something similar to what the Western countries already have achieved?

Finally, there is the problem of globalization. How does a democratic form of government cope with problems caused by globalization? Globalization raised a lot of new issues and problems and difficult risks. But how do democracies deal effectively with this entirely new kind of issues and problems?

Prof. Pfetsch's diagram is very effective to put such elements in a respective order. In addition, I want to point out two strategic categories. In regard to the pace of democratization, a particular country is *moving from one category into another category.* Maybe this mode of moving

can be used to characterize a particular country's characteristic features. In addition, it is a model, where a particular country can learn from. So it is a very effective comparative matrix. In the Korean case the democratization, as led by a democratic movement, is lacking some expertise and some rational alternative. There are so many experiences in the immediate postwar period. Japan belongs to a different category. Korea is lacking the elite's role in the course of democratization in the immediate post-war period. As mentioned in my paper, I took as an important model Konrad Adenauer's leadership. I think the conservative leadership is of great importance in this context. The absolute majority of the people don't know, into which direction the country should move. The political leaders can provide directions, ideas and leadership. So, in the Korean experience, we can say, Korea is lacking this role of conservative leadership.

PLASSEN: Well, as I am not a social scientist, I will keep myself very short. For me, as someone who is involving more in cultural studies, I would say it was interesting to see the difference between "institutional democracy" and "enacted democracy" ("verordnete Demokratie"), and I think most of you have been speaking about a truly enacted democracy [case of Germany, Japan]. I think, we should add to the diagram, and this is typical for the historians' view, the timeline also. So we might have a diagram for the formal institutions and a different diagram for the timeline. For instance, in the Korean case democracy would be from the outside and from above, and then in later times we would have the generation of a functioning democratic system.

On the one hand I can understand that especially the political scientists don't pay that much attention to the philosophical side, and I think also we should not overrate that. On the other hand, you need, especially for the first case, the institution of democracy, formal democracy, some kind of resonance for the traditional problems of the society, and the traditional thought. For instance, in the Korean case, you see that it is full of resonance. If you have terms like "4.19 movement," "6.24 movement," this is all a kind of allusions to Three One, the March 1st movement, and when people speak about "Righteous Army," then the historical, political thought involved. So, I think we should not underestimate this dimension, but of course it's less important for recent developments, as Professor Choi has pointed out.

GÓRNY: I am also not a specialist in the field that was discussed here, I am not a political scientist, and I am not a specialist on Asia. I was dealing with the historiography in East Central Europe. I would put my remarks in three points. First, we could find out from several presentations from different countries, that it is quite clear, that democracy is not a spiritual value. You can fight for democracy, but when it is achieved, it is hard to make it legitimize through itself. There must be tools that are used to legitimize a democratic system, maybe a nation, and this tool may be also a religious tool, it may be "god" (as in Iran), or it may be "salvation." I know there were several examples of democracy that tried to legitimize itself through democratic values. I know one example that is especially close to my research interest—that was inter-war Czechoslovakia. It was an idea, which was built around the works of Tomas Masaryk. But the problem was that Masaryk claimed that the Czechoslovakian state is built on the principles of humanity. And when he clarified his idea he found out something different, namely that these ideals of humanity expressed themselves best in the Czech nation, in Czech history, and so on. So if you look more precisely, you find out, there is also a kind of nationalism beyond this legitimization.

My second impression—and that was extremely interesting for me—was that democracy is never and nowhere new, and it never comes from outside. Every country has its own democratic traditions, be it traditions—as Katajun Amirpur told us—of voting that are still held in the political system of Iran, simply because it used to be. Iran people are accustomed to vote. Furthermore, every country, or almost every country, has its own democratic constitutions. Mohsen Kadivar told us about the "most democratic constitution ever," that was the Iran formerly constitution. However, the "most democratic constitution" I know was the Stalinist constitution of 1936. People in Poland used to say: "It is a very good constitution, but almost unused."

Now, the point is also, that the better you know the history of a country, the more obvious it gets that those democratic traditions really exist, and that they play a role. I was impressed by convincing remarks by Prof. Pfetsch. Actually, I concentrated on three aspects that I found in the presentations during last two days. First, the change of the political elite. Second, the point Professor Holzer explained, and I try to clarify. I would say that for a movement towards democracy the perspective of economic prosperity is of

importance. Well, it is a condition hard to realize. It is hard to fulfil the wish for a democracy ever growing and ever prosperous, but the perspective of economic prosperity plays a giant role in democratization, since everyone wants to live the way Western Europeans or Americans live. This is quite clear. It was clear for the Polish democratic movement that it gained mass support from the population not only out of political reasons, but also because people in Poland knew how the West looks like, and they knew how the East looks like. But the third point I would add to this list is exactly the successful advertising of the domestic "democratic tradition." And this point is probably more of a tactic than anything else. It's a kind of PR that should be used to convince future citizens in any political system. That is a kind of empathy towards the tradition of the Weimar Republic. Prof. Pfetsch told us that especially strong were (after 1945) the democratic traditions of the Weimar constitutionalism. Actually, this is talking about a country that lasted for not much longer than a decade, and ended when its citizens voted for Hitler. It's a kind of a weak democratic legitimization, I would say. Nevertheless, the kind of advertisement of using this tradition, even if it is not particularly strong, is of crucial importance, and lack of this kind of empathy stays behind, most probably, the failure of some unsuccessful attempts to build democracy. Thank you.

SEIFERT: Let me add two remarks. My first point refers to the preconditions of democracy. We have different types of preconditions, and in my view intellectual preconditions are rather important. One especially important prerequisite for democracy is, in my view, that a rational view of politics is achieved in political thought. That means, political thinkers should have successfully done the endeavor to separate politics and religion. Or, to separate politics and the view of a cosmological order—to say it in Confucian terms. As for that point, I was very much interested to hear about the case of Iran. First of all, we heard that in Iran's history there was formulated a constitution at a rather early time. In my view, once the idea of separation between religion and the state is articulated people will not forget it. The ruling class may oppress it, or there may be other processes of delay, but once such a political idea of thought is articulated, at what time ever, it will not disappear in the future. That is what I mean when I say that certain intellectual prerequisites must be fulfilled, here the separation of "church" and state. So looking from that vintage point,

one may wonder whether the very strong argument of Western politicians about the separation of religion and state are now, in our days, really convincing. We may think of the role of the Yasukuni shrine in Japan, or of the close connections between Western political leaders in Western democracies, not only in the United States, and the churches. Or we may think, for example, of President Bush's "God bless America." We have many expressions of the presence of religious faith in Western countries' politics. So I am very sceptical when the Western side puts pressure to non-Western countries: "First, you have to separate religion and state," or more precisely, "You have to separate religion and state, otherwise you will not be acknowledged as a democracy." That's really a problem. I think, the *intellectually achieved* separation is very important. But pressure from without to do so often has quite unfavorable effects. So what I think is that it is important whether such a kind of achievement has been done by intellectuals who are acting in their own history of thought and specific culture, or not. And maybe I am not right, as for the study of confucianism, neo-confucianism, and Shintō, in Japan some historians of ideas have explained that there were first symptoms to separate politics from religion. If that is the case, then, seen in the long run of democracy, a rational view of politics has been achieved.

The second point: We have just heard an objection from Dr. Górny, when he told us that perhaps Germany was also a democracy imposed "from without." But as Professor Pfetsch explained, the Germans had a tradition of democracy—and the Weimar Republic was one of those elements. In the same way you could argue, that in Japan also there were such traditions. As Professor Kobayashi had pointed out, if phenomena like "Taishō democracy," and even in the Meiji period, democratic elements would not have existed, the Japanese people would not accept and could not accept the democratic revolution inserted by the occupation forces. So for me it is a question, where to put Japan in the scheme, and where to put Germany. In both cases we had the occupation forces of the U.S., and nobody contends that they did not play a very big role. However, only with occupation from without it is impossible to build a democratic system. There must be a native tradition of democratic thought that can be taken up.

JOLY: I was very much impressed by the contribution of Professor Pfetsch who spoke about the role of Western occupational forces and

the making of the German constitution. When we compare Japan and Germany, I think we should not put too much emphasis on the so-called Taishō democracy. The "Taishō democracy" was not really a democracy. Of course, you can find democratic laws, which were realized then, but in fact it was far from the practice of democracy, as we can see it during the Weimar Republic in Germany. For instance, let us take the example of the Maruyama's father. His father Maruyama Kanji was fired from the newspaper, he worked for in Tōkyō, and had to move to Ōsaka, because he had covered an uprising in Western Japan. There were the "Rice Riots" in 1919 [*kome sôdô*] and he wrote about this in his newspaper. As a consequence he had to go to Ōsaka. That was "Taishō democracy"! When we look at the year 1946, when there was the drafting of the constitution for Germany and for Japan, yes, for Germany we may say, as Professor Pfetsch emphasizes, the role of occupying forces was one of a catalyst of the constitutions. That was not so in the case of Japan. In Japan in 1946 first MacArthur asked a committee of the Japanese elite to draft the constitution, and in fact they just drafted a re-shaping of the Meiji Constitution. The Meiji Constitution was very regressive, when compared to achievements already realized about in the 1870s. This constitution dates from 1889, and it represents a leap backwards from the democratic practice of the 1870s. (A regression similar to what Napoleon did with his Code Civile in 1802.) So as the Western powers understood, the Meiji Constitution installed a system—and that is of course Maruyama's, and not only Maruyama's, main thesis—, which gradually led to the abandonment of every democratic principle and leading to the catastrophe of 1945. So, the very principle of ultra-nationalism derives, or could derive, from the Meiji Constitution. That was why the American occupational forces could not accept the Japanese draft of a constitution in 1946. The first Japanese draft was a mere reshaping of the Meiji Constitution. And that was why the Supreme Commander of the Allied Powers, General MacArthur, decided to form a committee. They had only a few days to do the draft, since he had enormous pressure from Washington, they worked maybe 18 hours a day to really write and draft this Japanese constitution. Every detail in fact was written by Americans. If you know Japanese and if you can read the Japanese text of the constitution, you can sometimes detect some phrases, which are not really Japanese. Of course, in fact it's a translation of an American text.

HOLZER: I would say: There are "bad-borne democracies" and "well-borne democracies." The "bad-borne democracies" were borne from a not accepted defeat. It is the case of Germany after World War I, it is the case, I'm afraid, of Russia after 1919, and I'm much more afraid that it is the case of Iraq now. Perhaps "bad-borne democracies" would mean also a democracy, which brings not a better, but a worse standard of life for a longer time. That is the problem of a non-accepted defeat.

Democracy is historically a new phenomenon. It was an exception in the 19th century, the first one was the American democracy in the end of the 18th century, but it was an exception in Europe in the 19th century. Only a little part of Europe was democratic, between 1918 and 1939, and it was only a little part of Europe after 1945. There were Spain and Portugal or Greece, and now the countries of the former Communist bloc. And after World War II only Japan in Asia, and later South Korea, and perhaps India. It is not a universal phenomenon. And we have to see that there is *not* a universal achievement of democracy. It is *not* typical for the Third World. It is not typical for cultures, without a European background. The United States have a European background to some degree, as has the political culture of the "white" countries of the Commonwealth.

And there is the influence of the Cold War. It was a rather bad influence for democracy. It was a bilateral challenge in the world, and democracies entered into alliances with non-democratic countries when these countries were non- or anticommunist. It was quite normal: Portugal was a member of the NATO, and everybody knew that Portugal was a dictatorial system. Perhaps a good influence of the post Cold War-Situation was only at the end of this time of the two blocs. I connect it more or less with the campaign for civic rights by Jimmy Carter that changed the attitude of the Western world. But before this it was the prolongation of the situation of the inter-war period. Non-democratic systems could be accepted in case they were "our" non-democratic systems, and not the non-democratic systems, which cooperated with the Soviet Union or with the Communist bloc. It was a rather negative influence, I suppose.

SEIFERT: Problems of Cold War or the international environment—we missed that point also in our discussion.

KOBAYASHI: I would like to response to some of comments from Maruyama's or Nanbara's point of view. First, theory on democracy, or comparative politics and democracy can be considered from various historical experiences. Japanese political theorists usually learn and study only Western experiences. I like to develop some Japanese point of view.

The first point is the relation with economy. Actually, there is an interesting episode. There was a hard discussion between Maruyama and other Japanese political scientists with Western comparative politics and developmental theorists in the 1960ties. Modernization theorists usually argue that for example democracy is accompanied by developed economy. And countries with democracy and developed economy do never wage war against other countries, and things like that. In contrast to that kind of view, Maruyama and other thinkers argued, that advanced economy cannot guarantee that democracy should be established or maintained. This can also mean that a democracy wages war against or invade another country. I think, in considering the present case of the United States, we can doubt the argument that "economy can guarantee a peaceful democracy." So the reason why Japanese theorists doubt those modernization theories is that Japan had a relatively advanced economy already in pre-war times, and also in the present time Japan has an advanced economy. But we in reality haven't the feeling, that we have established an advanced economy. So, there can be the possibility that there could be a kind of authoritarian democracy, or an authoritarian regime under disguise of democratic institutions.

But nowadays political theorists and political philosophers also argue that democracy has already been a standard. Most political theorists, especially in advanced countries, believe in the legitimacy of democracy. But the question is, what kind of democracy we should pursue? Some theorists argue, for example, for associative democracy, communitarian democracy, deliberative democracy, or discussive democracy, and things like that. So the question for contemporary political philosophy is: What kind of democracy should we pursue in the 21th century? I think, at least the authoritarian type of democracy was refused, because Asian democracy can be such a kind of authoritarian type democracy. So, this typology of democracy is very important in considering our issue. The next point is the relation between religion and politics. Actually Japan's pre-war experience can show the importance of this theme. Because, when we consider the

worrying situation after September 11, I think there are various and serious problems in various parts of the world with a close relation between religious fundamentalism and nationalism. I think such a combination can be seen in the United States, and also in some Islamic countries, and in Palestine and Israel—there can be various types of combinations. I pre-war Japan there was the combination between ultra-nationalism and *kokka shintō*, state Shintōism. This shows, how dangerous the combination is. So we can critisize, for example, not only the pre-war Japanese situation, but also the present American situation. This is the main point, which I have discussed.

But I like also to respond to the minimum precondition. I say not only Maruyama, but also Nanbara is important. Nanbara and Maruyama think that it is important to separate politics and church, but they don't think that religious elements can be refused at all. Because, they think, some transcendant or spiritual elements remain, or can be the basis of a sound democracy. This theme is hotly debated in contemporary political philosophy. For example, Robert Bellah in America uses the word of "civil religion." He pointed out the importance in the United States of Christianity and politics. The civil religion argument has some dangerous aspects, but I think we should consider this point. In my opinion, for example, that the idea of civil religion should be developed towards "public spirituality," which transcends various forms of religion. So we can consider some transcendant dimension within politics. So that is the next theme we can consider in the sphere of Political Philosophy.

Another point that Maruyama discusses, is how to overcome the problem of mass society. I mean the problem of democracy. Democracy cannot be a final solution. Because we should consider the typology of democracy: What kind of democracy. To overcome the problem of political apathy is the task of political theory on democracy. For example, I developed a kind of theory, which I called "neo-dialectical democracy," which can cope with various tensions and paradoxes around democracy. I think this kind of theoretical argument is necessary to develop this theme. And also, with the relation of the reinterpretation problem of religions or political thoughts. Maruyama's work offers plenty of possibilities of reinter-pretations of political thoughts or religions in using that kind of tradition towards democracy. So I think in that aspect we can learn, too. Because religious fundamentalism is the assertion of *one truth,* but we can consider various types of reinterpretations of religions. This is

a very, very sharp contrast between liberating ideas and fundamentalism. So I think, we can pursue these possibilities. I say, for example, try to reinterprete confucianism and I ask to develop a kind of neo-confucianism (or something like that) for a developing democracy. This can be learned from past experiments in Korea and Japan. The problem of interpretation is very important.

PFETSCH: As mentioned by Professor Seifert, the separation between church and state should be a precondition for democracy. However, as for the major motive to achieve democracy, I doubt if this is really the *major motive* for democratization. Since, I am referring to, for example, the Protestant church since Luther claimed: "Give god what is for God, and the State what is for the State." So the idea of separation you can find already in the religious thought of Protestantism. The division is already there without the effect of giving democracy at that time—and this was in the sixteenth century—to the state. We have to differentiate between the church as an institution and the church as an idea or a religious belief, which I think is different. This reminds me on two discussions we had, concerning this relationship: The one is after 1945 in Germany: There was a big discussion about how should the Church intervene in school affairs. There were two different parties: The one claiming that religious education should come from the respective churches, so as a kind of separation between the two major religions we had in Germany. The Protestant teachers should teach to the Protestant pupils, and the Catholic teachers should teach to the Catholic pupils. This was promoted by the Catholic church, very strongly. But eventually the success came with the so-called "Simultan-Schule," which is a coeducational system.

And the same discussion, with several modifications of course, we have concerning the European constitution. Some European countries like Poland, or Spain promoted that "God" should be mentioned in the text of the European constitution. Finally, the constitution did not take this view, because the member states did not agree. "What is God?" of course if the Polish propose it, then it is the Catholic god, and if another country propose it, it is another god. So they abstained from drafting god in that way, instead they talk about the humanist tradition in the European development.

The main point concerning the separation, is that the church should not act as pressure group, imposing a special belief into the

state. Because this means that other religions contempt to accept this particular part of the community.

Let me give a short comment on what has been said a couple of minutes ago: I accept the idea, that the not-accepted defeat is a very bad prerequisite for democracy, as can be seen from the example of the Weimar Republic. But I would say, that defeat of a country in a war is more related to nationalism. In the case of Germany it supported nationalist movements, and then the Nazi took them as an electoral motive. Not democracy was the question, but the lead of nationalist movements.

Another point I want to draw your attention is, that in political science there is the concept of the "waves of democracy." That means, that if one country leads the democratization process, other ones will follow. We have the example of the European Union taking in the former dictatorial countries of Spain, Portugal, and Greece, being under military rule. The effect of the democratization process in these southern countries led to what Huntington called "the third wave of democratization." The same process happened in South America, where now is only one dictatorship left. So we ca observe a kind of "band wagon effect." It is an effect, which comes from outside, and which leads to (new) internal structures. This you may observe in every movement, for example, in the student movement of the sixties. It started from San Francisco, from the east American universities and spread via Paris to Berlin.

Also we have to distinguish between democracy as a concept of rule, an institutional concept of rule, a model, on the one hand, and as an instrument of power, on the other hand. I refer to the fact that democracy against what was mentioned has a positive connotation. It is good to be democratic. It is good to call yourself a democratic ruler, even if you are a dictator. So it's a camouflage, it's a formula, as the Italian elite theorist Gaetano Mosca mentioned. Each rule establishes a formula, which tries to legitimize the rule, even if it is not a democratic rule. The "Volksdemokratie"—I mention this tautology, invented by Tito. Tito certainly wasn't a democratic ruler, but he called his rule a "people's democracy." In this case it is used as an instrument of legitimization. I insist that the image of democracy is accepted as a positive model for organizing the polity in whatever shape. And we are correct to say that there are different types of democratic regimes.

My last point is to answer to the question on the effect of the Cold War. I would say in very brief terms: The Cold War was good for the West, and was bad for the East. Our Polish colleagues mentioned that the Cold War pressed the east European countries to change their regimes into the Western style of rule, and only when the Eastern bloc brake down there was more freedom to move in the direction the peoples wanted. It was good for the West, because the stabilization of the West German democracy was due to the fact that the western part was brought in to the Western alliance. It could gain profit from the opening of the free market system, which brought this miracle in the fifties and thus stabilized the economic-political regime. But as mentioned before, prosperous economy does not necessarily lead to the stabilization of democracy, may stabilize totalitarian regimes, as well. Because success legitimizes whatever regimes, and the rulers do take this as an argument for the legitimization of their regime. Thank you very much.

PLASSEN: Again a very brief remark on the "religion issue." I think maybe what is at stake is not the separation of the state and religion. In any case, this would lead to a very grim outlook on the Islam case where religion is supposed to pervade every aspect of human life. So there cannot be such a distinction and I think that would mean eventually, if we think it to the end, that there is no democracy for the Islamic countries, if we think that this separation is necessary. In my opinion, actually, important is not the question of separation. Rather, the question is, who has the authority to interpret religion? I think this became very clear in the Iran case. The tricky thing is that there are some elites who reserve for themselves the authority to monopolize the decision of what is "the will of God." I think, in other countries of the Middle East their elite rulership might be question those elites. Because there might be other concepts about the people who have the right to interprete. Not the separation of religion and state, but rather the democratization of the access to interpretation of religious texts, to the exegeses of religion. To think along these lines might be more productive.

KOBAYASHI: I would like to add some comments. The first point is: One of the most difficult questions for Maruyama and Nanbara is: A theory on human dimension is necessary for the theory of democracy. Because most political theorists or comparative political scientists tend

to ignore this question. I think, one of the most important issues from Maruyama's insight is that it is important to consider that point for human dimension or cultural dimension. Taking the issue of leadership: I think that it is necessary to think of leadership. If we consider the theory or human character theory we should consider the hierarchical element, I mean the element of leadership within the theory on democracy. Obviously the dichotomy between the authoritarian character and the democratic character is too simple for our contemporary point of view. We should pursue the development of human theory for democracy. This issue is related to the typology of democratic theory, which I raised before. And the contemporary political philosophy, or public philosophy, is now touching this issue. So this issue can be and should be linked with insights in comparative theory.

Someone here talked about globalization. I think this is a very important issue. Usually, democratic theory is considered within domestic environments. But considering the development of political philosophy, perhaps we can remind that democratic theory political was invited in. So the great change of theory is sometimes accompanied by change of scale of political units. If we take globalization seriously, we should think about the change of democratic scales also. So how is democracy being linked with the environment of globalization. Obviously, globalization is led by economy? But, I think, globalization should be followed by a cultural dimension of integration, and also by a political dimension of education. There are, for example, global integration and regional integration in Asia. Well, there are many issues to discuss. How do we overcome the border of nation-states? Or, a public sphere beyond border of nation-states, I mean a transnational public sphere, should be a basis for the future of democracy or the political system.

SEIFERT: Coming to the concluding words for this conference, I would like to ask Mr. Komatsu for his comment.

KOMATSU: First, on behalf of the organizers, I would like to thank everybody who participated in this symposium, especially Professor Seifert for his coordinating work and chairmanship.

I think this symposium was very successful. Actually, much more successful than I had expected in the beginning. The level of the quality of discussions and the variety of the topics were interesting,

and the final panel was very stimulating. Iran was not included in the matrix of Professor Pfetsch, but I don't have any doubt that the Iranian speakers' lecture also contributed to stimulating our discussion. Actually, when we first discussed about this symposium with Professor Seifert, the idea for the title was "diversity of democracy." Because we invited Iran, we converted this title into "aspects of democracy." Well, perhaps if there is a second round of this type of conference, we may invite somebody from China and somebody from Russia, too. We had discussions about politics and religion. I should mention that we tried to invite American scholars to this symposium. I wrote a letter to a very prominent scholar, a Japan specialist and political scientist, to invite him. But he replied that because of previously decided commitments he can not attend the conference. But on top of that, he wrote, that American political scientists are no more interested in ethical traditions to develop democracy. Rather, they are much more interested in pursuing the development of democracy. I do not intend to start another discussion here. Anyway, I wrote back to him: "I am really sorry," because precisely it was for that reason that I wanted to have him here. Perhaps in the future, we may organize a follow-up symposium in the United States. I believe the mutual understanding surrounding this topic is fruitful. Besides, this is the first symposium jointly organized by the Japan Foundation and the Japanese-German Center Berlin. We will continue to do such conferences. So we are now thinking about what to do next. This offers the framework of intellectual exchange. We will try to offer a place, where intellectuals can tackle the current issues. The Japan Foundation wants to offer a platform, an infrastructure, for such a dialogue, for public intellectuals from all over the world to exchange common issues and information, thus building up a network. And perhaps this network will be the place where in the future collaboration will come out from. Thank you very much to everybody who contributed to this successful symposium.

Program of the Symposium

Aspects of Democracy— reconditions, Paths of Development and Contemporary Issues

September 21 and 22, 2006
at the Japanese-German Center Berlin

September 21, 2006

Welcome Remarks
Ueda Kōji, Deputy Secretary General, JDZB
Komatsu Jun'etsu, The Japan Foundation, Managing Director
Ogoura Kazuo, President of Japan Foundation (Video-Message)

Introduction
Wolfgang Seifert, Institute of Japanese Studies, Center for East Asian Studies, University of Heidelberg

Session 1: Europe, West and East

(1) Germany 1945

The Role of Western Occupational Forces in the Making of the German Constitution
Frank Pfetsch, University of Heidelberg

(2) Poland 1989

"Solidarność" and Democracy: A Complicated Relation
Jerzy Holzer, Warsaw

The Historical Preconditions of Polish Democratic Federalism (1795–1918)
Maciej Górny, Polish Academy of Sciences, Institut of History, Warsaw

(6) South Korea 1985

Thorny Path to Democracy in a Divided Country: Korean Experience
CHOI Jang Jip, Korea University, Seoul

The Heirs of Ch'oe Cheu? Some Musings on the History of Democratic Thought in Korea
Jörg PLASSEN, Ruhr-University of Bochum

Panel discussion:
Building democracy by "import" from without, or by internal diffusion of democratic thought and behaviour?
Different lessons from different countries

Concluding remarks and closing of the conference