

## The North Korean Workers' Party Charter Revisions and Their Political Dynamics

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At the Korean Worker's Party (KWP) Delegates' Conference on September 28<sup>th</sup>, 2010, the North Korean regime formalized the Kim Jong Eun succession system. Also, this conference saw the first revisions<sup>1)</sup> to the Party Charter in 30 years - since the 6<sup>th</sup> Party Congress in 1980.<sup>2)</sup> The revised charter shows a marked trend toward a more personalist and hereditary Party structure. The major revisions are summarized in the following table.

[Table] Major Features of the Revised Party Charter

Systematizing one-man rule and <i>songun</i> politics; giving the Mangyongdae dynasty personal ownership of the Party	"The Korean Worker's Party is the Party of Great Leader Kim Il Sung." (Intro) "Prosperous development of Kim Il Sung's Korea" (Intro) "Centered on the Great Leader Kim Jong Il" (Intro) Mentions of "Kim Jong Il" (Intro: 4, Main text: 1) "Preserve the solitary leadership and ideology within the Party" (Intro) Repeated emphasis on the "solitary leadership system" (Intro, Article 2, Article 4 Clause 1, Article 5 Clause 3, Article 28, Article 33, Article 40 Clause 4, Article 45 Clause 1, Article 48, Article 53) "Resolutely defend the <i>suryeong</i> ...Strongly armed with <i>songun</i> ideology and the revolutionary tradition" (Article 4 Clause 1) Repeated references to " <i>songun</i> politics," "military-centered ethos," "revolutionary soldier spirit," " <i>songun</i> revolution," "banner of <i>songun</i> ," " <i>songun</i> ideology," "military ethos," "unity of soldiers and civilians," "unity of government and military"(Article 4 Clause 3, Article 4 Clause 4, Article 38, Article 45 Clause 8, Article 46, Article 48) * A reference to "the Party of Marxist-Leninist Revolution" was removed from the introduction
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1) For analysis of the background and significance of the revised articles, refer to: Lim Jae Chun, "The 3rd Party Delegates' Conference and the Revised Party Guidelines: Background Intentions and Major Features," in *North Korea's Revisions to the Party Guidelines and the Succession*, papers presented at an academic conference hosted by the Institute for National Security Strategy, Feb. 7th, 2011.

2) The 1980 Guidelines are printed in the appendix of: Choi Jin Wook, *Modern North Korean Administration*, 2nd Edition (Seoul: Myeongin Publishing, 2008), pp. 349-394.

<p>Legitimizing the family succession</p>	<p>“The Great Leader Kim Jong Il will defend the ideology of the Party’s construction and the achievements of the Great Leader Kim Il Sung, and will brilliantly develop the power succession.” (Intro)                  “Protectthe succession of the Party’s construction” (Intro)                  “The KWP is… a party of revolutionaries… pioneered by Comrade Kim Il Sung and guided by Comrade Kim Jong Il.” (Article 1)                  “True to the Mt. Paekdu tradition” (Article 60)</p>
<p>Changes to power structure</p>	<p>“The Party Congress is the highest leading organ of the Party,” and as such will “appoint the general secretary of the Korean Worker’s Party.”(Article 21)                  “The general secretary is the head of the Party,” and as such will “represent and lead the entire Party.” (Article 22)                  “The general secretary of the KWP is the chairman of the Party’s Central Military Committee.” (Article 22)                  “The Central Military Committee will organize and guide all military affairs for the Party” (Article 27)</p>

They are maintaining the one-man dictatorship system. North Korea is not a nation managed by laws. It is the will of the leader and inter-personal relationships, not rules laid out in the Constitution and Charter, which are the definitive factors that determine the actions of the political system’s participants, and particularly members of the inner circle.

Laws are made to define an impersonal governing system that controls the individual use of power. The rule of law is essentially incompatible with a dictatorship system. In a one- man dictatorship, laws and regulations only effectively function as tools to legitimize the leadership. The revisions of the Constitution in 2009 and the Party Charter in 2010 both had a strong character of ex-post facto legitimization. North Korea is the kind of country where there is little resistance or doubt, even if the Party has not always been operated in a manner consistent with the organizational philosophy and procedures laid out in the existing Charter over the last 30 years.

In such a situation, why should we pay attention to the recent revisions to the KWP Charter?

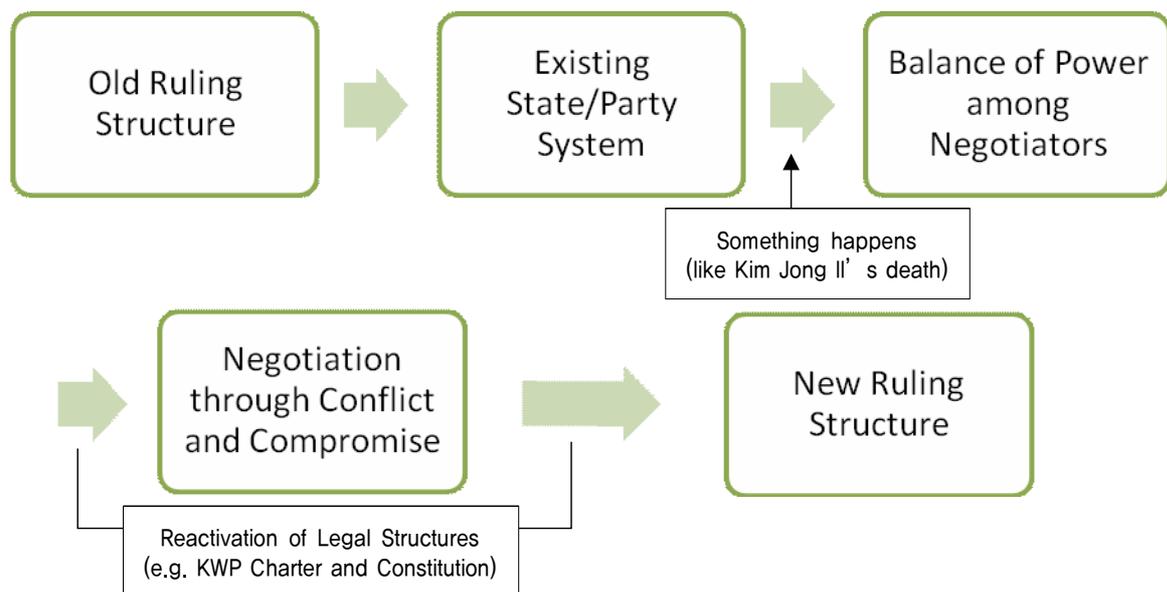
## Paradoxical Importance of the Party Charter Revision

One reason is that in North Korea’s current political situation we can identify an undeniable connection between the emerging succession system and the Party Charter revision. In 1980 Kim Jong Il consolidated his status as a member of the Politburo Standing Committee and the Central Committee and as vice chairman of the Central Military Commission. In 2010 Kim Jong Eun emerged as the acknowledged successor by becoming a member of the Central Committee and a vice chairman of the Central Military Commission.

Through the 9.28 Party Delegates’ Conference North Korea effectively completed the organizational repairs needed to launch the succession system. By analyzing the revisions to the Party Charter we can draw a general outline of North Korea’s plan for enthroning the successor.

If Kim Jong Il can safely guide the establishment of the succession system while “maintaining supreme leadership effectively” over the long-term, and if Kim Jong Eun can strengthen his own personal ruling network as the next leader while working under his father’s powerful aura, they will be able to minimize the power vacuum effect in the wake of the supreme leader’s exit. However if these conditions are not sufficiently maintained, power games may erupt around sensitive issues such as the appointment of the KWP general secretary. In that case, in the absence of uncontrollable external interference, such as a great political change or military intervention capable of dismantling the existing balance of political power and systemic structure with a single strong blow, then power games involving competition, cooperation, compromise and realignment will inevitably break out among the ruling elites within the framework of the existing system and guidelines. (Refer to the figure below)

**[Figure] Model of the negotiation process for constructing new institutional structures within an authoritarian system  
(in North Korea’s case, succession of the supreme leadership role)**



The revised KWP Charter, together with the new Constitution, can function as a sort of rulebook regulating the methods and forms of the power struggles that may erupt within the Party in the event that Kim Jong Il, the core of the personal dictatorship, suddenly dies or drastically loses his grip on power.

As long as the suryeong remains as the absolute center of power, the KWP Charter will be of little significance, but when the suryeong is gone it may re-emerge as an important set of rules governing the negotiation and compromise involved in creating a new ruling order (or extending

the old order). As a set of game rules to regulate this political process, the KWP Charter and the Constitution will inevitably play a vital role. Who has a right to participate in the negotiating process, how compromises and negotiations should be carried out - the answers to questions like these will fall within the systemic jurisdiction of the existing Party Charter and Constitution.

Even before Kim Jong Il's death, "If the binding central figure of the suryeong weakens, the Party is the only means of preventing chaos and instability by preserving the system and counteracting the side-effects." Further, if Kim Jong Il becomes powerless, "The Party is the only systemic structure that can resolve the issue of who will succeed him."<sup>3)</sup> Because of this, it seems that the leadership felt "a need to revise the rules to fit the changed environment."<sup>4)</sup> The most privileged elites, hoping to maintain the current distribution of power, will seek to minimize instability and condemn as treason any outside attempts to fill the power vacuum, using the existing Constitution and Charter to legitimize their continued grip on power.

It is quite a paradox: in an atmosphere of uncertainty (a crisis situation such as the departure of the supreme leader), in a normal state the systemic mechanisms might start to malfunction, whereas by contrast in systems of personal dictatorship such as North Korea the natural functions of systemic mechanisms that had been dormant might be reactivated. ① The sooner Kim Jong Il dies or loses power, ② and consequently the more time it takes for Kim Jong Eun's support system to gain power, ③ and the less intervention there is by external factors like the military and peripheral forces, (assuming the existing Party leaders are strong enough to suppress challenges from elites within and outside the Party) ④ and the less any single power is able to take control after Kim Jong Il's departure (maintaining a balanced distribution of power among the ruling elites) - the more important the Party Charter will be as a systematic mechanism for governing negotiation and compromise among the elites.

The figure shown above is a formulization of a model for the processes of constitutional negotiation on the transfer of supreme power, as described above.<sup>5)</sup>

The death of Kim Jong Il is a near-term possibility, and in the power struggle that is likely to break out afterwards the faction that will be most vulnerable is the group that has held executive power in the Party as of September 2010. From this group's perspective, the revision of the Party Charter

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3) Hyeon Seong Il, "Revision of the KWP Guidelines: Revised Rules and the 3<sup>rd</sup> Generation Succession," in *North Korea's Revisions to the Party Guidelines and the Succession*, papers presented at an academic conference hosted by the Institute for National Security Strategy, Feb. 7th, 2011, p.22.

4) Ibid.

5) For an explanatory model of the process of negotiating new laws in a totalitarian system, refer to: Choi Jin Wook and Kim Jin Ha, *Power Structures and Reform Routes of Post-Socialist States in Economic Transition: Implications for the Post-Kim Jong Il System* (Seoul: KINU, 2010), Ch. III.

could become a major factor in deciding the distribution of power in the post-Kim Jong Il era.

The more seasoned professional politicians, those who have been tempered by years of experience (e.g., totalitarian ruling elites like Kim Jong Il himself and Jang Sung Taek) will devote the most effort to each aspect of the revisions as a strategic preparation for the future. A more appropriate approach would be to have the revised Party Charter reflect the spheres of influence among the current ruling elites, interpreted as a product of compromises and power settlements among them. Furthermore, this could be seen as a systemic preview of the process of restructuring power in the post-Kim Jong Il era.

In this regard, we should pay attention to revisions made to the clauses dealing with the authority and appointment of the general secretary - the post which represents the *suryeong's* status in the Party (revised Article 21 regarding "appointment at the Party Congress" and Article 22 stating "this post is concurrent with that of chairman of the Party Central Military Committee"). Those in authority who participated in the revisions probably had no choice but to work out this partial revision, bearing in mind the future of North Korea after Kim Jong Il. If the *suryeong*, as the absolute embodiment of ruling political power, is seen as an icon concentrating the features of North Korea's political system, then the rules governing the transfer of the *suryeong's* status can be considered the alpha and omega of the succession plan.

It is impossible to get reliable information about the internal workings of North Korean Court politics. But it seems reasonable to conjecture that there was considerable struggle and compromise over the revisions to the clauses concerning the general secretary.<sup>6)</sup>

## Political Dynamics of the Strategy to Preserve the Supporting Elites: Another Interpretation

The core supporters such as Jang Sung Taek have inevitably encountered the following three problems which foreshadow future instability, and the charter revision can be viewed as a byproduct of the unseen effort to overcome these issues.

First, the reason why absolute ruler Kim Jong Il is lending power to supporters like Jang Sung Taek is to ensure a successful succession. As long as they prove that their existence is valuable, Kim Jong Il will continue to back them. Thus, the future of these supporting forces depends on the

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6) From mid-2010 a curious situation unfolded in which the Party Delegates' Conference was repeatedly postponed. Conflict and compromise over the Charter revisions may have been one reason for this delay.

will of Kim Jong Il. This will continue to be the case at least for as long as Kim Jong Il remains in power.

Even after Kim Jong Il is gone, guardian supporters have to maintain their links with Kim Jong Eun, the designated dynastic successor, without which they may face formidable challenges from inside/outside the Party. Therefore in order to maintain their invested power and keep potential rivals in check, the guardians of the succession system must continuously work to guarantee support through efforts to stabilize the succession system as a sort of “compensation” for their concentration of power. Even after Kim Jong Il is gone, as indicated above, it would be dangerous to completely deconstruct the succession structure. Thus they must “**protect**” this structure, even if in name only.

Second, in view of Kim Jong Il’s severe health problems, Kim Jong Eun’s youth and lack of experience, and the limitations North Korea faces as a failed state, there is no guarantee that Kim Jong Il’s intentions regarding the succession will be absolutely carried out. The succession could fail. Thus, it doesn’t make sense for the supporting forces to invest everything in Kim Jong Eun’s solitary acquisition of power. Without arousing Kim Jong Il’s anger or suspicion, they must also invest in some kind of “**insurance**” allowing for retreat in the event of a crisis (e.g., appointing Kim Jong Eun in name only while establishing a group leadership system for practical purposes, or establishing a Daewongun-style regency system).

Third, as dangerous as the possible failure of the succession would be, equally threatening is Kim Jong Eun’s “extraordinarily rapid” establishment as the supreme ruler. The young dictator’s first target for attack will likely be the supporting group themselves. They need a “**guarantee**” of their future safety. Kim Jong Eun must not be allowed to grow strong enough to completely break away from their control. Thus, Kim Jong Eun’s continued dependence on the supporting group must be guaranteed.<sup>7)</sup>

There may be many different approaches to the revised Party Charter. The interpretation based on Kim Jong Il’s perspective may be said to constitute the mainstream viewpoint. Considering the dominant authority and influence of the solitary dictator, it is no exaggeration to say that his pursuit of absolute power and desire to pass power on to his third son have strongly and consistently permeated the roots of the revised charter.

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7) Satisfying the three goals of protection, insurance, and guarantees is no easy task. It is quite possible that these goals may conflict with each other. Stronger protection may mean a weaker guarantee. Focus too much on insurance and guarantees, and you may fail to protect yourself. Also, gaining insurance is not the same thing as having a guarantee.

As it is “the Party of Comrade Kim Il Sung,” Kim Jong Il had to explicitly codify protection of the “*sureong*” sole dictator principle and guarantees for the “succession of the Party’s construction” through the hereditary succession.<sup>8)</sup> He had to reassert party discipline which had been allowed to slip somewhat during his illness and re-establish his grip on absolute power. He also needed to boost the status of the Party Central Military Committee and strengthen control over the military, which could potentially emerge as a threat (during the succession process).<sup>9)</sup> The supporting faction described in this paper clearly has no reason to object to moves that strengthen the status of Kim Jong Il and the Party.

Despite all these points, there are some elements which are not compatible with Kim-Jong-Il-centered interpretation. In particular, in the sections dealing closely with the process of power transfer after Kim Jong Il is gone - perhaps the most delicate area - the following elements particularly stand out.

First, there are the political implications of the paragraph on making the position of KWP general secretary automatically concurrent with chairman of the Party’s Central Military Committee. Putting the general secretary in charge of the Central Military Committee can also strengthen his power to control the military and the NDC.<sup>10)</sup> They may have needed to eliminate the inconsistency in the existing Party Charter, which gave the General Secretary - the manifestation of the *suryeong*’s status in the Party - the same rank as chairman of the Central Military Commission (keeping consistency with the legal principles of the *suryeong* system). The automatic concurrency principle also may indicate a desire to create a systemic mechanism allowing for the rapid promotion of Kim Jong Eun as future successor (rapid cultivation of the successor).

However in the revised articles, if we focus on the case “If Kim Jong Eun has not become chairman of the Central Military Committee by the time Kim Jong Il retires from his post as KWP general secretary,” we can identify another aspect that was not revealed by the Kim Jong Il viewpoint. The sequential succession process - advancing through the vice-chairman position to become Central Military Committee chairman, consolidating power and status as successor, and ultimately rising to become general secretary after Kim Jong Il’s death - has fallen apart. This means that for practical purposes as long as Kim Jong Il is alive it will be effectively impossible for a second

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8) These conditions are compatible with the objective of “protection” of the succession by the afore-mentioned supporting faction.

9) changes and points of contention in the power structure under the new Charter, see the following. Lee Ki Dong, “North Korea’s New Party Charter Analyzed in Terms of the Power Structure,” in North Korea’s Revisions to the Party Guidelines and the Succession (papers presented at an academic conference hosted by the Institute for National Security Strategy, Feb. 7th, 2011).

10) On this point it appears that Kim Jong Il, his son, and the supporting faction share the same vested interests.

person to attain unrivaled status as successor.<sup>11)</sup>

If Kim Jong Il dies in the near future, Kim Jong Eun's weaknesses as successor will inevitably grow more conspicuous. This is because it is practically impossible for him to rise to the level of KWP general secretary by his own power. His dependence on backers like Jang Sung Taek will only deepen. If we only interpret this new clause based on the logic of Kim Jong Il's excessive will to monopoly on power or the need for legal consistency, its importance to Kim Jong Eun's future may be underestimated. Moreover it would be more accurate to say that this automatic concurrency clause does less to speed up the cultivation of the successor and more to slow down the actual process of passing real practical power to Kim Jong Eun.

The people who benefit most from this new clause are not Kims Junior and Senior, but rather Jang Sung Taek and other powerful supporters. Members of this faction, who seem to have a greater stake in the Party than in the military, have not only established a stronger bulwark against military via the Party's increased prestige, but have also acquired valuable authority as supporters of Kim Jong Eun's succession process and have gained a stronger guarantee of their own future, since they can use the post-Kim Jong Il succession process as "collateral."

Second, in the revised charter it is explicitly stated that the KWP general secretary is no longer "to be selected by the Party Central Committee" but rather "to be appointed by the Party Congress." On the surface this may seem like a move to raise the status of the *suryeong* while diminishing the power of the small prestigious minority of top elites on the Central Committee and increasing the authority of the Party Congress as the Party's representative body. Through this clause the power of the Party Central Committee as a selectorate with the capacity to make formal and informal appointments and dismissals of policy-makers has been weakened in practical terms. Thus a framework has been laid for a system in which oligarchs with solid footing within the Party, such as Jang Sung Taek, can expand their influence after Kim Jong Il is gone.<sup>12)</sup>

From the perspective of Kim Jong Il, who has secured the status of sole dictator, the method of appointment via the Party Congress (actually mass mobilization) may on the contrary be used as a mechanism to preemptively block the emergence of potential challengers from within the Party. The problem is what happens to Kim Jong Eun after Kim Jong Il is gone. Compared to the process of selection via the Central Committee, this method is more likely to increase reliance on

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11) This reasoning is based on the assumption that Kim Jong Il is determined to maintain his monopoly on power. Though it seems unlikely, if Kim Jong Il himself established this clause with the intention of handing power over to Kim Jong Eun, then the "rapid cultivation of the successor" theory gains more traction.

12) For more on the selectorate concept refer to: Philip G. Roeder, "The Rejection of Authoritarianism," Richard D. Anderson, Jr. and M. Steven Fish (eds.) *Postcommunism and the Theory of Democracy* (Princeton and Oxford: Princeton University Press, 2001), pp. 11-53.

supporters with a secure base in the central and regional Party organizations and a capacity for mobilization (politicians like Jang Sung Taek).

As Central Committee members are all equal, at least in terms of their official functions and legal status, the Central Committee selection process will inevitably involve some degree of negotiation and compromise. The shift to a system of appointment via the representative body has essentially removed the systemic shackles from the legs of the supporting faction. With this revision Kim Jong Il appears to have technically gained some benefit in the present perfect tense by strengthening his position, but supporters like Jang Sung Taek will have gained real practical benefits in the future perfect tense, acquiring insurance with an added guarantee.

These Party Charter revisions, which foreshadow greater power for the supporting faction (particularly Jang Sung Taek), did not occur by mere coincidence. Nor was this a product of Kim Jong Il's diminished attentiveness brought on by senility. These individuals have been tempered by their fierce competition for survival within the totalitarian system. We must view this charter revision as the product of a tacit agreement between Kim Jong Il and the supporting faction at the end of a process of negotiating for mutual political benefits. The fingerprints of backers like Jang Sung Taek are everywhere.

Of course, these deductions are not conclusive. However, a close reading of the Party Charter, invoking the negotiating model provided above and focused on the perspective of the supporting faction as a negotiating group, is meaningful in that it allows us to glimpse underlying political dynamics surrounding the revisions which are not revealed by a Kim Jong Il-centric interpretation.