

The Argus

Since 1954

Varying Opinions regarding the Impact of the Semi-Mixed Member Proportional Representation System

Semi-Mixed Member Proportional Representation System Allows for Smaller Parties to Represent Diverse Voices

Social Factors behind Voting Behaviors

Rational Voters Considering Economic Circumstances

Party Identification and Party Preference in Some Voters



The Argus

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
Editorial

Rights for All

The Constitution of the Republic of Korea guarantees its citizens “human dignity and worth” and the “right to pursue happiness.” It further emphasizes the state’s responsibility to “confirm and guarantee the fundamental and inviolable human rights of individuals.” However, reality raises a critical question: Do all citizens have equal access to exercising these rights?

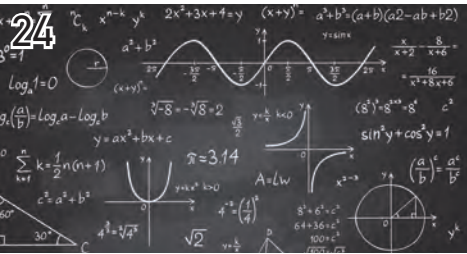
This April issue explores various aspects of individual rights, encompassing both public and private life. These include the rights to vote in free and fair elections, choose qualified candidates, live safely, be protected from crime, and finally, to love whomever we choose.

However, exercising these rights is not always straightforward since obstacles always exist. Negative campaigning and media bias during elections can make voting feel like a pointless exercise. Similarly, the proliferation of satellite parties can dilute the power of smaller groups, forcing citizens into unappealing choices in order to avoid wasting their votes. This hinders their ability to select truly preferable candidates. The right to safety faces similar challenges. Lenient sentences for criminals and restrictions on self-defense leave citizens feeling vulnerable, although finding the right balance between these rights and the legal system remains an ongoing debate. How about the right to love? While tacitly recognized, it is only fully realized for heterosexual relationships. Sexual minorities, including homosexuals, face constant hate speech for their same-sex attraction, with little legal recourse. They are unable to live authentically and experience the full spectrum of this fundamental right.

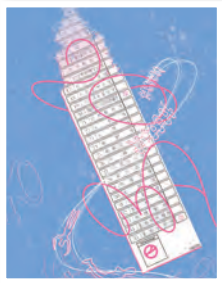
The responsibility for upholding these rights does not fall solely on individuals. The primary burden lies with the government and society, the very entities that are responsible for protecting the rights we are born with. They must actively ensure the accessibility and effectiveness of the rights. Rights enshrined in documents but not actively protected are meaningless. Imagine a system where citizens can freely choose genuine representatives, live in safe environments, and love without fear of discrimination based on sexual orientation. This is the ideal toward which we must strive. 

By **Kim Su-yeon**
Editor-in-Chief

김수연



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>> For the upcoming 22nd General Election in April, it is expected that ballot sheets could be as long as 79.3 cm. This is due to the inclusion of all 50 political parties already registered and additional 11 parties in formation. While the Semi-Mixed Member Proportional Representation (SMMPR) system aims to enable smaller parties to represent diverse voices, the proliferation of superficial satellite parties established by major parties exacerbates the issue of longer ballots. Voters' decisions are influenced by their group affiliations, party identification or preference, and individual considerations related to economics. The electoral system also plays a significant role in shaping voting behavior. The SMMPR aims to help smaller parties enter parliament, but may lead to strategic voting and reinforce polarization between major parties. Voters need to be aware of how the electoral system influences their voting behavior to make informed decisions.

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The 58th GSC YeoWoon Welcomes Freshmen

On March 4 and 5, HUFS Seoul Campus held the “2024 Central Freshmen Welcome Program” to welcome the freshmen starting their school life in the 2024 academic year. The event was organized by the 58th General Student Council (GSC), “YeoWoon” and “FORCUS,” the 40th Club Unions of Seoul Campus, to help new students adjust to school life and to celebrate the new semester for returning students.

During the event, 43 booths of school clubs and organizations were set up around the campus, and food trucks selling a variety of items such as churros added to the fun. Students enjoyed the event and participated in programs provided by each booth such as making bead bracelets, and taking pictures at photo booths on campus. One of the most crowded places on the campus during the two days was the Open-Air Theater, where GSC distributed welcome kits to the first 500 freshmen each day. Also, the welcome stage, which was held at the sports ground in front of the Graduate School building on March 4 starting at 5 p.m., was popular, with performances by various students, the school cheerleading group, Aegis, and a popular singer-songwriter Heize.

This event provided joy for not only freshmen, but also current students. Ryu Na-yeon, a junior studying economics, said, “It was delightful to see freshmen actively engaging and enjoying themselves. As someone who helped run the booth with club members, it was a valuable time for fostering camaraderie and teamwork among the members” and vowed to start the new semester in a good mood. 📸



▲ Students look around the club booths.

By Cho Subin

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HUFS Dormitories to Conduct Fire Drills

The Global Campus Dormitory, also known as “HUFS Dorm,” will conduct a fire drill for dormitory students on April 11, 2024, from 7 p.m. to 8 p.m.

During the drill, the fire alarm will activate, prompting all students to evacuate to the lawn located between Dormitory buildings A and B. Once assembled on the lawn, students will receive instructions on utilizing fire exits and fire extinguishers, as well as guidance on proper actions to take in the event of a fire. There will be no penalty for students who do not participate in this drill. However, those who participate will get three merit points, which can be utilized as bonus points for dormitory admission evaluations thereafter. This marks the first of two annual dormitory fire drills, in accordance with the Enforcement Decree of the Framework Act on the Management of Disasters and Safety. This decree mandates that administrative agencies collaborate with relevant authorities to conduct disaster preparedness drills at least once a year. The second drill is scheduled for September.

Meanwhile, the Seoul Campus dormitories, “Globee Dorm” and “Global Hall,” also plan to conduct fire drills in early April and September. As a student who participated in the drill at Globee Dorm last year, Park Jun-seon, a sophomore studying French Language, stated, “I learned what actions to take in case of an actual fire, but it felt somewhat too formal to truly raise awareness among students.” To ensure a secure school, efforts for safety must be continued, focusing on substantiality nothing more than a formality for students to react naturally in the real-world situation. 📸



▲ The Global Campus Dormitory, “HUFS Dorm,” conducts a fire drill.

By Cho Subin

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E-Land Fashion World, NIS to Hold Recruitment Events

The Career Development Center announced on March 6, 2024 that E-Land Fashion World and the National Intelligence Service (NIS) will hold a job consultant session and an employment briefing session on April 3 and April 30, respectively, at the Seoul Campus. The E-Land Fashion World job consultation will take place from 10 a.m. to 4:30 p.m. in the Cyber Building first floor lobby, while the NIS employment briefing will be held at 2 p.m. in the Conference Room on the 5th floor of the university library.

E-Land Fashion World is one of the affiliates of E-Land, a major company in South Korea (hereafter Korea). It is a textile and fashion company under E-Land World, manufacturing, selling, and exporting children's and women's clothing. Some representative domestic brands include MIXXO, New Balance, and EBLIN. The NIS is the central administrative agency of Korea responsible for collecting, compiling, and distributing foreign and domestic security information, as well as performing security tasks related to documents, materials, facilities, and areas classified as national secrets. HUFS and the NIS have maintained close relationships since the two signed an agreement on April 17, 2007, regarding academic exchange and cooperation.

The Career Development Center stated, "For these recruitment events, companies that prefer HUFS students contacted us first and we coordinated the schedule to confirm the date. The purpose of these briefings is to provide clear information about the company or duties, and how students can prepare for them. Through the briefings, students can obtain necessary information for their self-introductions, resumes, and interviews." The students can call the Career Development Center for more information, and those who will participate in recruitment briefing sessions for companies are expected to gain a lot of information about the companies they want to join. 📧

By Lee Seeun
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HUFS to Hold "Humanities Special Lecture: Lee Kun-hee Collection"

The Humanities Special Lecture series "Exploring the Lee Kun-hee Collection from the Perspective of Humanities" will take place from April 1 to April 22, 2024, every Monday from 10:30 a.m. to 12:30 p.m. in Room 102 of the HUFS International Education Center in Songdo, in the city of Incheon.

On April 1, Professor Lee Si-eun from Hongik University will lead a section titled "Exploring Key Works of the Lee Kun-hee Collection." The following week, on April 8, professor Lee will present "Browsing Major Collection of Lee Kun-hee." On April 15, Instructor Kim Moon-jung from Inha University will discuss "Traditional Art in Korea" and will feature a discussion on "Modern and Contemporary Art in Korea," on the following week.

The "Lee Kun-hee Collection" refers to the collection of artworks owned personally by Lee Kun-hee, a prominent figure in South Korea's (hereafter Korea) business sector. After Lee's passing in October 2020, the Lee family, including Lee Jae-yong, the current chairman of Samsung Electronics, donated a total of 23,000 cultural assets and artworks to the nation. This collection is recorded as the largest-scale cultural asset and artwork donation in the history of Korea in terms of sheer magnitude.

The Business Support Team said, "The program is open for not only all the students at HUFS but also everyone willing to participate." The students are anticipated to gain valuable insights by delving deeply into the diverse art collection during the lectures. Those who are interested can call the Business Support Team for more information. 📧



▲ The Business Support Team of HUFS introduces the Humanities Special Lecture on Feb. 24, 2024.

By Lee Seeun
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HUFS Introduces E-Book Textbooks

YeoWoon, the 58th General Student Council, introduced e-books on Feb. 21, 2024. In collaboration with The Association of Korean University Presses, e-book platform SCONN offers e-book rentals of textbooks at half-price for many universities, including HUFS.

The service is expected to ease the burden of education expenses for university students and solve the problem of illegally scanned copies of textbooks spreading across universities. Even though many students knew it was illegal, they implicitly used scanned copies because of the convenience and cost. According to a survey conducted by the Korea Copyright Protection Agency last year among university and graduate students, 61.9 percent of the respondents answered that they had used illegally scanned textbooks. On HUFS Everytime, posts seeking individuals to collectively purchase and scan a single major textbook or requesting scanned copies are frequently seen.

After accessing the SCONN website, users can buy points and select textbooks. Rental is available at half-price for a semester, and purchasing enables permanent use at the selling price. Kim Ji-hye, a junior studying economics, said “I used to worry about purchasing books for my major every semester, but with the introduction of e-book textbooks, it’s nice to be able to reduce the costs. I think it’s timely as we are increasingly using tablets with PDF material and I’m looking forward to trying it out. I hope to see a variety of e-books in the future, so that more students can use them.” Meanwhile, as a specialized e-book platform, SCONN will keep adding more textbooks based on students’ demand. 📖



▲ SCONN offers e-textbook rental service at half-price.

By Kim Yi-eun

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The 58th GSC YeoWoon Signs MOU with Dongdaemun Ward

On March 6, 2024, Dongdaemun Ward promised to mutually cooperate with the general student councils (GSCs) of three universities in the area — Kyung Hee University, University of Seoul and HUFS — so as to support the ward’s youth policies.

The main contents of the agreement include cooperation to revitalize youth culture, such as planning and promoting youth policies, and establishing a youth policy network to collect opinions at the policy formulation stage. The GSCs of the three universities will promote the city’s youth policies for students at their respective universities and participate in the implementation process to communicate the students’ thoughts and needs so that they can create practical benefits for young people together with the ward.

YeoWoon said, “The MOU by the three universities and Dongdaemun Ward Office is a step toward building a cooperative relationship in the future and is a constructive step for both the universities and the office. In particular, we requested the head of Dongdaemun Ward for construction of a grassy sports field in the Seoul Campus. We will share the progress of this issue through future announcements.” 📖



▲ Dongdaemun Ward and the GSCs of three universities in the area sign an MOU.

By Kim Yi-eun

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“Wife”: Deconstructing the Normative

By **Kim Su-yeon**
Editor-in-Chief

“**L**ook. Straight people run the world. This table is all I have, and I will fight for it.” Ivar, who is gay, passionately speaks out against a British society that harbors homophobia while drinking beer at a pub. The play “Wife” (2024), which achieved a triple crown at the 56th Dong-A Theater Awards, shed light on the past and present oppression experienced by women and sexual minorities under the inequalities surrounding gender and sexual orientation. The play envisions a future where these groups can live as their true selves, but how far have we come from the days of blatant hatred?

On December 18, 2023, the Vatican sparked controversy online by officially announcing a doctrinal document authorizing blessing for same-sex couples. While this shift in religious stance might suggest a more accepting society for sexual minorities, the reality remains harsh for them. In South Korea (hereafter Korea), conservative groups and politicians continue to obstruct the Comprehensive Anti-Discrimination Law, hate speech* plagues Queer Festivals, and legal recognition for same-sex families remains absent. These issues highlight the challenges Korea faces in embracing diversity. The Argus explores how far we have come using the play “Wife” as a springboard and what challenges lie ahead in creating a more inclusive society.

*Hate speech: Speech that promotes hatred against race, gender, nationality, and so on.

Before Reading

Wife (2024)

“Wife,” a Korean adaptation of British playwright Samuel Adamson’s work, portrays women and sexual minorities in four different eras: 1959, 1988, 2024 and 2046. The play focuses on the inequalities in relationships between characters. Audiences witness power imbalances play out not just between men and women, but also between heterosexuals and homosexuals, and even within same-sex couples. Each of these characters, regardless of gender or sexual orientation, finds themselves in a position of relative vulnerability, a position the play refers to as “wife.”



Lover (1959): Women and Homosexuals under the Ideology of Patriarchy and Normal Family

“Keeping secrets is nothing unless they come out and become powerful.”

The first act starts in 1959 in Suzannah’s dressing room. Suzannah, an actress portraying Nora in Henrik Ibsen’s play, “A Doll’s House,” passionately embodies Nora’s fight for freedom. This theatrical fervor stands in stark contrast to Suzannah’s own life, where she hides her true self: a lesbian unable to reveal her sexual orientation due to societal constraints. Suzannah’s lover Daisy arrives with her husband Robert in the dressing room. Daisy, hiding her identity as a lesbian, reluctantly marries Robert and even becomes pregnant with his child. Daisy confesses her love to Suzannah, declaring she will abort the unwanted baby and divorce Robert. However, Suzannah pleads with Daisy to avoid rash decisions and exits the room. Left alone, Daisy expresses her anger to Robert, hitting her pregnant belly with her fists, only to be restrained by her husband. The act closes with Suzannah’s ultimate rejection of Daisy’s confession and Daisy trapped as Robert’s “wife.”



▲ Daisy (R) enters the dressing room where Suzannah (L) takes a break after the stage ends.

The act reflects the patriarchal atmosphere in the 1950s Britain. “A Doll’s House,” the play within the play, mirrors the struggle of the time. Nora, the protagonist, embodies the yearning for liberation. Having endured years as a submissive wife, she finally leaves her oppressive husband’s grasp. Suzannah and Daisy’s contrasting realities highlight the limitations placed on women by societal norms. Both women are forced to conform to a system that prioritizes men, leaving them with a deep sense of bitterness. According to the book “Right to Found Family” (2022) written by Kim Soon-nam, a Steering Committee Member of the Institution for the Right to Found Family, patriarchy is a manifestation of the “normal-family-ideology.” This ideology views the nuclear family, based on marriage between heterosexual men and women, with their biological children, as “normal.” Furthermore, it reinforces a patriarchal hierarchy within the family unit, with men positioned above women. This system inherently deems non-traditional sexual orientations, such as homosexuality, as

“abnormal,” and women as subordinate.

The concept of the normal family is deeply rooted in the Korean society. Despite the 2005 repeal of the patriarchal family system,* societal perception and legal recognition remain unchanged. Article 779 of the Korean Civil Code restricts the definition of family to those formed through marriage and blood ties. This article states, “Family members shall consist of the following persons: the spouse, lineal blood relatives and brothers and sisters.” This excludes individuals who provide care and support within a family unit but lack a legal marital or blood connection. Consequently, they are denied access to crucial family benefits and support systems.

Why does Korean law only recognize the normal family and exclude other family structures? Lee Jong-geol, a Steering Committee Member of the Institution for the Right to Found Family, suggests that the government lacks understanding of the evolving family landscape. Lee explains, “Existing population policies focus on maintaining society through the nuclear family model for reproduction purposes. This approach leads to a blind spot regarding changing family structures or perhaps an intentional denial of them.” This reproduction is further emphasized by Article 8 of the Framework Act on Healthy Families, which stipulates, “All citizens shall recognize the social importance of marriage and delivery.” Korean family norms remain centered on reproduction as a means to sustain the nation. Inevitably, this marginalizes individuals who do not conform to normal-family-ideology, including those with diverse sexual orientations and gender identities. Lee emphasizes the injustice of denying legal protections and support systems to individuals who function as families, providing care and support for one another. The play “Wife” serves as a call for a more inclusive definition of family that embraces all forms of love and commitment.

*Patriarchal family system: A system in which the head of the family, typically the father or eldest male, is the legal representative of the family and responsible for the household including family registration in Korea.



Partner (1988): Spread of Hatred toward Sexual Minorities

“Come out of the closet!”

The second act opens in a pub, where lovers Eric and Ivar — both gay men — are deep in conversation. Ivar, fueled by anger, expresses frustration about the prevailing trends of

homophobia* in the British society. He continues to advocate for the improvement of LGBTQ+ rights throughout the act. However, Eric seems hesitant to be honest with himself. Ivar criticized Eric's fear of being open. Within their relationship, Eric feels he remains trapped in a subservient role, acting more as Ivar's "wife" than as a true partner. Suddenly, as the pub owner shouts, "Get out right now. You two are making a mess of here," their conversation is cut short. Eric and Ivar inevitably leave the pub together, concluding the act.

The backdrop of Act 2 is the 1980s. The AIDS epidemic, fueled by media frenzy, led to a surge in homophobia. Therefore, coming out as a sexual minority at that time often led to social stigma. This hatred was not only prevalent among the general population but also perpetuated by public figures, exacerbating the plight of sexual minorities. Margaret Thatcher, the Prime Minister of the United Kingdom at the time, only made things worse with policies like Section 28 in February 1988. The law prohibited the promotion of homosexuality in education and publications. According to "Outrageous! The Story of Section 28 and Britain's Battle for LGBT Education" (2022) written by Professor Paul Baker of Lancaster University, this policy caused significant distress for homosexual students and teachers within schools. The ambiguity of the phrase "Prohibition of 'promote homosexuality'" in Section 28 was noted because it allowed room for interpretation. While the policy did not explicitly state that a teacher could be dismissed for coming out as homosexual, promoting homosexuality could be broadly interpreted. After a teacher comes out, if students start asking the teacher questions about homosexuality or develop an interest in it, it could be interpreted as the teacher promoting homosexuality. Thus, although this clause does not directly attack homosexuality, it implies a message prohibiting anything related to homosexuality. The implementation of Section 28 led to self-censorship among homosexual individuals within the school community.

Hatred toward homosexual individuals takes on increasingly concrete forms over time. In the play, Eric, who had previously kept his sexuality hidden, comes out and participates in a pride parade in Australia, only to be shot and killed. The presence of hate groups targeting LGBTQ+ events is a common occurrence. In Korea, despite the growing visibility of LGBTQ+ culture through annual festivals like the Seoul Queer Parade since 2000, these celebrations are not immune to negativity. Kim, a 25-year-old woman, residing in Gwangjin

Ward, Seoul, participated in the Seoul Queer Parade in July 2023. Stepping out of the subway station, she encountered anti-LGBTQ+ protestors wielding homophobic banners. Kim stated, "A person dressed as Jesus hanging from a red cross was spewing insults against LGBTQ+ into a microphone." Kim, who had also attended parades in Germany, noticed a significant contrast. Kim remarked, "While the Seoul Queer Parade felt more like an opportunity to educate people about various sexual orientations, the queer parade in Germany was a complete festival atmosphere where everyone could fully enjoy themselves." She added, "Above all, the noticeable difference between the two was the absence of hate groups within the festival in Germany."

Han, an executive of HUFU Outerplanet, who ran a booth at the Seoul Queer Parade in 2023, witnessed hate firsthand. Han explained, "Hate groups lined the parade route and hurled insults like 'you guys are dirty' and 'wish you hell' at participants carrying flags." Han described the emotional impact of encountering hate speech, saying, "When I hear them, I feel a mix of embarrassment, sadness, injustice, and anger simultaneously, and some words linger in my mind for a long time." However, the only thing that Han could do was to ignore them. Han said, "As I ponder over the hateful words, I question if I can always live openly as myself." Despite growing social acceptance, including legalization of same-sex marriage in some countries, the hate seems to intensify. "As the overall social atmosphere becomes more favorable to LGBTQ+, the hatred from haters seems to intensify," Han explained. Nevertheless, Han believes in the value of these festivals. Han stated, "For sexual minorities, these events represent a desperate need for a space where we can simply exist as ourselves." Han added, "The festivals provide a safe space where those who pretend to be someone else every day can breathe freely." Even with the constant opposition from hate groups, these festivals, where LGBTQ+ are welcomed for who they are, continue to be events that offer solidarity, support, and encouragement to minorities.

*Homophobia: A feeling of dislike or fear toward homosexuals



▲ A man dressed as Jesus hanging from a red cross spews insults against homosexuals in front of the parade participants.

©Kim Ji-yoon

 **Husband (2024): Conflicts among Minority Groups**


“I do not engage in homophobia!”

Claire, Eric’s daughter, along with her partner Finn, visits Eric’s former lover and the owner of a theater troupe, Ivar, to seek investment for their play “A Doll’s House.” Claire shares the tragic news of Eric’s participation in a pride parade in Australia, where he was fatally shot. However, Ivar claims not to remember Eric and insists that he no longer engages in homosexuality. This is a stark contrast to the bold activist Ivar used to be. Claire cannot help but ask why he can no longer live as a hero like before. As the conversation unfolds, Ivar’s new lover, Cas, a biological male, enters. The sight of their intimacy further confuses Claire. Claire expresses dissatisfaction with Cas portraying the female role of Nora in “A Doll’s House,” insisting that Nora must be played by a woman. However, Ivar fails to understand Claire’s perspective.

Act 3 portrays the intricate web of inequalities that can exist within relationships. These inequalities primarily encompass those between men and women, as well as heterosexuals and homosexuals. Ivar, a gay man, occupies a minority position in society. Yet within his relationship with Claire, a woman, he holds a position of relative power due to his gender. Despite Claire highlighting the importance of Nora being played by a woman, which symbolizes women’s empowerment, Ivar’s dismissal of her viewpoint reflects the power imbalance between them. Meanwhile, Claire, a heterosexual woman, might appear to be the aggressor, pushing Ivar to act as a stereotypical “out” gay man. Her demand of Ivar to fight for the rights of sexual minorities as he had done before is far-fetched. This illustrates how the perspective of heterosexuals distorts their understanding of sexual minorities in that they often impose specific expectations on sexual minorities, requiring them to prove their existence, without realizing it, as Claire did. In this way, individuals like Claire and Ivar can occupy both privilege and disadvantage depending on the context.

The concept of intersectionality, coined by American sociologist Kimberle Crenshaw, argues that an individual’s identity is a complex web of interwoven aspects. To truly understand the social inequalities people face, the intersected elements should be considered together. “Intersectionality x Feminism” (2018) written by Han Woori and co-authors presents the idea of an “axis of privilege and oppression.” This means that different social groups, like men and women, straight people and LGBTQ+ individuals, or racial groups, all

contribute to an individual’s identity. As intersectional theory proposes, even within the LGBTQ+ community, men and women may experience oppression differently. The same goes for gender, a heterosexual woman and a lesbian woman may face distinct forms of hardship. When one form of inequality overlaps with another, it creates a more intricate disadvantage. For example, the hardships experienced by Daisy, a woman and lesbian introduced in Act 1, cannot be understood solely by examining her identity as a woman or as a lesbian. Moreover, the oppression experienced by Daisy and Ivar, both sexual minorities, cannot be discussed without considering their genders. Depending on how their identities intersect, the types of oppression they experience will differ. Therefore, addressing inequality starts with a nuanced understanding of each minority group’s specific context, the complex interplay of factors that shape people’s experiences.

 **And (2046): Beyond Negative Freedom toward Positive Freedom**

“I liked when I was oppressed. I could do anything.”

The above line uttered by Ivar in Act 3 perfectly captures the paradox faced by sexual minorities. Back when oppression was prevalent, Ivar simply craved negative freedom,* the freedom from being discriminated against. With the repeal of the Section 28 in 2000, it seemed liberation had arrived for sexual minorities. However, the play reveals another obstacle: the lack of positive freedom.* Societal attitudes have shifted somewhat, but the system does not easily allow positive freedom. During the era of oppression, resisting the status quo was a defining part of Ivar’s identity. Now, with oppression gone and a void in its place, he feels a sense of emptiness. What is left to fight for? Leaving behind such questions, Act 4 offers a glimpse of hope. It portrays a future where sexual minorities can live authentically. Daisy, the daughter of Claire and Finn, visits Suzannah’s dressing room and hands her the tambourine passed down through generations. The names of the actors who played Nora in “A Doll’s House” are etched on it in order. The tambourine, imbued with Nora’s spirit of resistance against mainstream values, reflects the ongoing fight for minorities’ rights.

For sexual minorities to achieve, positive freedom, the government must play a critical role. Positive freedom requires restructuring social institutions to create a level


playing field for all. In Korea, a bill called the Comprehensive Anti-Discrimination Act is being debated. This legislation aims to prevent discrimination based on various factors, including gender, race, sexual orientation, and so on. The significance of the Act is explained by Jang Ye-jeong, the co-executive chairperson of the South Korean Coalition for Anti-Discrimination Legislation, who is leading the enactment of the bill. Jang points out the importance of the Act in addressing the shortcomings of the current Individual Anti-Discrimination Act. Jang points out, “A disabled woman facing wage discrimination might struggle to prove whether the bias for that discrimination is due to her gender or disability. The current law doesn’t address these complex situations, leaving many loopholes.” The Comprehensive Anti-Discrimination Act serves as a shield, protecting individuals with multifaceted identities from discrimination. However, there is opposition to the bill, particularly regarding the inclusion of “sexual orientation.” The Ministry of Justice initially proposed excluding this category, despite recommendations from the National Human Rights Commission in 2007. Jang argues that this omission “ignores existing discriminatory practices” against LGBTQ+ individuals, who currently lack legal protections. Meanwhile, conservative religious groups argue that the Anti-Discrimination Act would prevent criticism of minorities, including homosexuals. Jang argues, “The core purpose is not to suppress free speech, but to raise the level of social common sense regarding hate speech.” For instance, teachers who make discriminatory remarks like, “Don’t engage in homosexuality,” could be challenged under the Act. Jang emphasizes that enacting the legislation requires “the political will of the government.” Only through a legal framework can society move toward consensus. The ideal outcome is for individuals who express hateful sentiments to exercise self-restraint due to evolving social norms, not legal restrictions.

Alongside the cessation of discrimination against minorities,

institutional changes are necessary to allow them to live on equal footing with so-called “ordinary” citizens. “My partner went to the emergency room, but I couldn’t sign the consent forms because I wasn’t considered family.” This incident reported through the media, illustrates the helplessness experienced by members of same-sex couples. The lack of legal recognition as family units prevents them from having basic rights like being each other’s legal guardians. This is where the Life Partnership Relations Act comes in. The Act would provide legal protections for cohabiting couples who share a life together. It grants the right to those who wish to live together, regardless of marriage or blood ties. The need for this law has been discussed since 2015, but progress has been slow. However, in April 2023, lawmakers Yong Hye-in, a leader of the Basic Income Party, and Jang Hye-young, a member of the Justice Party, reignited the debate by reintroducing the bill. Nevertheless, the journey is not smooth. Lee, a Steering Committee Member, explains, “The biggest obstacle is the resistance of conservative politicians who refuse to acknowledge the changing social landscape.” Additionally, Lee points out, “These politicians view the Act as a shortcut toward legalizing same-sex marriage,” which is why they delay its enactment. This issue is aligned with the movement opposing the enactment of comprehensive anti-discrimination laws. Lee states, “Korean society’s obsession with the heterosexual family model is the root cause of isolation and inequality. It hinders care and solidarity among all members of society.” It is time to reconsider the family system by allowing minorities to form families and receive legal support, thereby embracing diverse connections among minorities.

*Negative Freedom: The freedom ensured by allowing individuals to live freely without unjust interference or oppression from the state’s coercive power

*Positive Freedom: The freedom provided by the state. It entails the provision of welfare, such as housing and education, under the responsibility of the state, ensuring that individuals obtain practical freedom through the guarantee of human rights.

What does it mean to live as one’s “true self?” Suzannah, Daisy, Eric, and Ivar all dreamed of a world where they could live authentically. The traces of anger and contemplation about the pain they experienced raise a crucial question: What needs to change for Korean society to truly embrace social minorities, including women and LGBTQ+? Sexual minorities are not just figments displayed in artworks but are individuals who live within our society. It is time to dismantle the concept of “normalcy” that has marginalized them. We need to build a society that welcomes and celebrates everyone for who they truly are. 

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▲ The actors who played Suzannah (L), Ivar (C), and Daisy (R) greet the audience at curtain call.

Bridge to Justice: Aligning Legal Sentiment with the Judicial System

By Kim Yi-eun
Staff Reporter of Social Section



Recently, Korean dramas such as “The Devil Judge” (2021), where the entire nation participated in strong condemnation of criminals, or those like “Vigilante” (2023) and “Taxi Driver” (2021, 2023), which aim to achieve justice through individual actions, have gained immense popularity with their compelling narratives. The public’s preference for and interest in such productions are indicative of their frustration and dissatisfaction with conservative judicial rulings, such as lenient sentences. Does uncompromisingly strengthening punishments for criminals hold the solution to achieving the level of justice the people desire? To make the right judgment on this matter, understanding the reasons for the discrepancy between public legal sentiment* and actual verdicts and penalties is essential. In honor of South Korea (hereafter Korea)’s Law Day on April 25, The Argus analyzes the causes of the gap, contemplating how to find a balance between the two and how to seek appropriate measures to enhance public trust in the judicial system.

*Legal sentiment: The feelings individuals have regarding judgment of right and wrong or the law. Although the concept is unclear and lacks a clear definition, it generally refers to the emotions that individuals feel toward sentencing of the judiciary.



▲ In the drama “The Devil Judge,” set in a fictional dystopian Korea, the entire nation participates in a live courtroom show.



▲ In the drama “Taxi Driver,” rainbow taxi company takes on revenge for victims of injustice.



▲ In the drama “Vigilante,” the main character is a police university student at day time but a vigilante who personally judges criminals at night.



Phenomenon

Low Rate of Recognition for Self-Defense

01

What if you returned home at dawn and found a stranger trying to steal something from your house? Could you handle the situation calmly without panicking? In March 2014, an incident known as the “thief brain-death case” occurred in Gangwon Province. The house owner, upon returning home, attempted to subdue a burglar by hitting him with his fists and a clothes horse. The thief became brain-dead and passed away in December of that year. Article 21, Paragraph 3 of the

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▲ The “thief brain-death case” brings many controversies about self-defense.

Criminal Act states that an act caused by fear, excitement, or confusion at night or under other uneasy conditions will not be punished. However, in the aforementioned case, the house owner was found guilty due to the argument

that his act went beyond self-defense and constituted assault. According to comments on a January 29, 2016 article from Newsis related to this incident, many expressed discontent with the court's ruling. Comments such as, "Then we should just watch when a thief breaks in," and "Are we supposed to check whether the thief has a weapon or not before hitting or overpowering them?" were made, indicating a discrepancy between the court's decision and the public's legal sentiment. According to the Financial News dated August 15, 2023, in July in the city of Incheon, a man who assaulted another party wielding a knife in order to protect himself, was not legally deemed to be acting in self-defense. This was because the assault occurred after the attack itself had ended, meaning after the assailant had dropped the knife he was holding. Additionally, there was an incident in the city of Busan where the manager of an efficiency apartment was assaulted by a resident with a monkey wrench, prompting him to use pepper spray and restrain him by pressing on his neck. However, in June 2023, the court determined that the action constituted active offense rather than passive resistance and brought charges of special violence against the apartment manager. Comments on this article, such as "Are they saying to just let them kill me when they are coming at me with weapons?" and "This is a verdict for criminals" indicate widespread discontent with the court's decision.

Korean courts tend to be more passive in recognizing self-defense compared to other countries. Actually, according to the thesis "Enlargement and Preparation Plan of Self-Defense" (2014) by the Korean Institute of Criminology and Justice (KICJ), since the enactment of the Criminal Act in 1953, until 2014 there had been only 14 cases where the courts recognized such acts as self-defense. The reason is the overly specific conditions required to meet the criteria for self-defense. According to Article 21, Paragraph 1 of the Criminal Act, for the justification of a defensive act, the act should have been performed in order to defend one's own or another person's legal interest from impending and unjust infringement and under the condition of reasonable grounds for that act. In response, the Korean National Police Agency has outlined eight criteria for self-defense. Firstly, the defensive action must be in response to the other party's attack. The defender must not provoke the situation and must refrain from initiating violence first. Additionally, the use of weapons or dangerous objects is prohibited, and violence should not continue after the attacker has stopped their assault. Furthermore, the extent

of harm suffered by the opponent should not exceed that of oneself and must not cause injuries that would take more than three weeks to heal completely. Due to these stringent conditions that must be met to qualify for self-defense, if the defense is deemed excessive compared to the attack, the defender may be subject to punishment, legally transforming them from a victim to an assailant.



Cause

Narrow Range of Recognition and Ambiguity

The frequent occurrence of situations in Korea where victims are punished as perpetrators, as seen in previous cases, is largely attributed to the narrow and ambiguous legal definition of self-defense. According to Shin Yi-chul, Chair of the Department of Police Science at Wonkwang Digital University, "All legal norms and systems should be viewed as reflecting the legal culture of a nation and the legal consciousness of its people." This indicates that social and cultural factors influence the narrow scope of recognition for self-defense. "As a justification for self-defense, there are principles such as the 'principle of self-protection,' which asserts that individuals should be allowed to defend themselves against unjust intrusions in situations where the state cannot intervene, along with the 'principle of upholding the rule of law,' which involves protecting the legal order from acts aimed at undermining it. However, influenced by a legal culture emphasizing communal values, the courts have historically prioritized the maintenance of social order over individual freedom and rights," explained Professor Shin regarding the background of the Korean courts' significantly limited recognition of self-defense. The research report "Criteria for Self-defense Judgment and the Public's Legal Consciousness in Overseas Jurisdictions" (2019) written by the Judicial Policy Research Institute, states that, the United States, influenced by individualistic values, prioritizes internal factors over external and situational factors in determining self-defense, emphasizing individual freedom and rights. In contrast, influenced by a tradition of collectivism, Korea tends to have narrower criteria. Furthermore, the condition of "reasonable grounds" in the article about self-defense is ambiguous and subjective. Professor Shin explained, "The concept of reasonableness not only includes whether the defense against an infringement is necessary but also whether it exceeds socially ethical limits, making the judgment criteria

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unclear and open to different interpretations depending on the era and circumstances.” He further added, “The interpretation of meeting the requirement of ‘reasonable grounds’ is entirely up to the discretion of the courts, raising concerns that the exercise of the right to self-defense may be undermined, resulting in relative legal protection gaps.”



Prospect

The Clarification and Expansion of Meaning and Range

In situations where there is a significant gap in perception between the citizens and the courts due to strict judgments regarding the requirements for self-defense, there may be unjust victims, such as individuals who become offenders due to defensive actions taken on witnesses of an infringement of others’ legal interests, leading to passive responses to crimes and an inability for citizens to actively protect their safety. Professor Shin explained the necessity of expanding the range of recognition of self-defense, stating, “Recognition of self-defense is for emergency situations when individuals are attacked where the state cannot protect them from illegal acts. To overcome the criticism that the current system failed to protect citizens in need of protection of their rights and interests, it is necessary to broaden the scope to something at least greater than it currently is.”

Then is it right to recognize all defensive actions as self-defense? Not necessarily. Overly recognizing self-defense can actually lead to unintended consequences. There is a risk of claims of self-defense being exploited, leading to an increase in private revenge incidents and other forms of misuse in criminal activities. On the other hand, in the United States, a woman who was with her young son called 911 saying that strangers were at her door. When help was delayed, she asked, “Is it okay to shoot him if he comes in this door?” and the 911 responded, “You have to do whatever you can do to protect yourself.” Subsequently, the woman shot and killed one of the men who broke into her home, and it was deemed self-defense, although there is ongoing debate over the extent to which self-defense is permitted. However, despite the differences in circumstances between countries like the United States, where firearm possession is allowed and Korea, actively expanding the range of self-defense could potentially lead to confusion in maintaining social order. It is crucial to find an appropriate

balance regarding the recognition of self-defense. Professor Shin suggested that, in this regard, “The ‘principle of self-protection’ should be prioritized rather than the ‘principle of upholding the rule of law,’ and we should legislatively consider ways to specify criteria for determining what actions can be recognized as self-defense under the Criminal Act.” He added, “A flexible approach is clearly necessary in recognizing self-defense, and investigative and judicial authorities should not remain overly conservative in their judgments but rather apply them more actively from the perspective of the victim,” hoping that those who have endeavored to protect themselves will receive proper legal protection. In order to bridge the gap between the legal sentiment of the people and the judgments and penalties, it will be necessary to define clearer boundaries and criteria for self-defense and find an appropriate balance by relaxing the scope of recognition without compromising social order.



Phenomenon

Slap-on-the-Wrist as Punishment

02

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▲ Many citizens come out to see Cho Doo-soon's release.

What if a criminal who has caused significant harm to you receives a reduced sentence due to being intoxicated at the time of the crime or being a first-

time offender? One of the most notorious cases in Korean society that sparked significant controversy was the infamous “Cho Doo-soon Case.” In December 2008, Cho Doo-soon kidnapped and sexually assaulted an 8-year-old on her way to school. Although the prosecution sought life imprisonment, Cho was sentenced to 12 years in prison, considering his diminished capacity due to intoxication at the time of the crime. Moreover, he already had 17 previous convictions including sexual violence and death resulting from bodily injury. The leniency in Cho’s sentencing was based on Article 10 of the Criminal Act, which allows for a mitigation of punishment for acts committed by a person who is deficient in the ability to make discriminations or to control one’s will because of a mental disorder. As his release approached, there was widespread public discontent over the lenient punishment, and numerous posts threatening personal retaliation against

him surfaced on the Internet. A petition titled “Opposition to Cho Doo-soon’s Release,” posted on the Blue House’s national petition board on September 6, 2017, garnered over 615,000 signatures. This illustrates the public’s discontent with the light punishments for criminals and their concerns about safety and security when criminals are released back into society.

As another example of lenient punishment is the sentencing of stalkers. According to symposium data from Korean Womens’ Development Institute and Sentencing Research Association on “Stalking Crimes and Sentencing,” among the 385 cases prosecuted and confirmed as violations of the Act on Punishment of Crime of Stalking from January to May 2023, only 21 cases resulted in actual imprisonment, accounting for a mere 5.45 percent. In addition, probation accounted for the highest proportion at 33 percent, followed by dismissal of charges at 32 percent, and fines at 27 percent. Despite concerns from the public regarding stalking crimes, slap-on-the-wrist punishments continue to prevail.

sentencing guidelines for 46 major crimes, including murder, theft, and fraud, are in effect. While these guidelines are not legally binding, judges must provide a rationale in their verdicts whenever they deviate from the sentencing guidelines, thus preventing arbitrary departures from the guidelines without reasonable justification. In an interview with the Weekly Chosun, Kim Han-Kyun, a researcher for the KICJ stated, “The current practice involves setting a range from the lowest to the highest penalty for a crime and using 70 percent of the middle range as the sentencing guideline, so it’s based on the average values of previous cases.” He pointed out that the sentencing guidelines have been established based on subjective judgments. However, there is a disparity between the perceptions of judges who have shaped these judgments and the legal sentiments of the public.

For example, according to a survey conducted by the Commission on crimes related to child or youth sexual exploitation materials, judges’ perceptions of appropriate sentencing were significantly lower than the statutory penalties. According to a report by the Commission confirmed by The Hankyoreh on April 24, 2020, the statutory penalty for crimes such as producing child or youth sexual exploitation materials is imprisonment for five years or more, up to life imprisonment. However, among 668 judges who responded to the survey, 31.6 percent chose a standard sentence of three years, excluding aggravating or mitigating factors, while only 1.6 percent of judges chose the maximum sentence of nine years or more. Furthermore, in cases of distributing the materials with a statutory penalty of less than seven years, 20 percent of the responding judges suggested a standard sentence of one year most frequently. This illustrates the lenient attitudes of the judges and the possibility of light sentences being imposed as a result.

However, just because sentencing guidelines exist does not guarantee that the strong punishment desired by the public will always be implemented. Due to reasons such as expressing remorse or having a disadvantaged home environment, individuals may receive lighter sentences because of mitigating factors. Despite the implementation of strengthened sentencing guidelines after the Nth Room Incident,* it still failed to meet the legal sentiment of the public. This is because the actual application of the sentencing guidelines had not been properly carried out as expected. According to an investigation by JTBC, among the 409 defendants in the first trial for illegal filming charges in 2021, the majority received mitigated



Cause

Lenient Sentencing and the Issues of Applying Sentencing Guidelines



▲ The sentencing guidelines serve as criteria that judges can refer to when determining the punishment.

One of the factors contributing to the gap between public legal sentiment and judicial reality is the issue of lenient sentencing and the application of sentencing guidelines for crimes. The statutory punishment, which specifies the types and ranges of sentences in the law, is broad, leading to significant variations in the severity of penalties for the same crime based on the judge’s discretion. To narrow this

gap, sentencing guidelines have been established to provide judges with reference points when determining sentences. These guidelines outline mitigated, standard, and aggravated sentences, as well as factors for mitigating or aggravating a sentence. The sentencing guidelines are expanding their scope by prioritizing crimes with high occurrence rates or significant societal importance through the Supreme Court Sentencing Guidelines Commission (hereafter Commission). Currently,

©Supreme Court of Korea

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sentences, with only 30 percent receiving aggravated penalties. As seen in the comments of the news article, many expressed dissatisfaction with the leniency of the punishments, stating reactions like, “Being a first-time offender, showing remorse, and claiming mental instability due to alcohol consumption lead to leniency? Don’t be ridiculous.”

*Nth Room Incident: The incident involved the widespread sharing and sale of sexually exploitative videos and personal information of women, including minors, through the messaging app Telegram. It shocked the whole nation and brought to light the severity of digital sex crimes in Korean society.



Prospect

Proper Punishment for Victims

Professor Shin emphasized the need to strengthen the legal system and to have stricter examination criteria for sentencing guidelines for offenders. He stated, “Sentencing guidelines should be strengthened rationally to ensure that judges take into account not only the circumstances of the victims but also the legal sentiments of the people.” Furthermore, he suggested the establishment of a sentencing investigation committee to narrow the gap, allowing for substantial consideration of public opinions and ensuring that courts reach reasonable conclusions. With the enhancement of sentencing guidelines, more related factors will be considered, leading to a significant reduction in sentencing disparities among courts. Ultimately, this will improve public trust in the judiciary system and bring it closer to the legal sentiments of the people.

In addition, to prevent the abuse of mitigating conditions that provoke public anger, such as disadvantaged environments, community service or donations, and remorse, stricter assessment criteria should be presented rather than indiscriminate documents or formal letters of apology that the public may not understand. The overall assessment should meticulously examine not only the attitude of the suspect but also include substantial compensation plans for victim restitution, ensuring that the suspect is genuinely remorseful before any mitigation in sentencing is considered. Professor Shin stated, “The courts often believe that granting leniency and forgiveness will prevent recidivism, but it is difficult to find evidence to support such a notion.” According to the Ministry of Justice, the recidivism rate within three years stood at 23.8 percent as of 2022, meaning one out of every five individuals commits a crime again and serves a prison sentence. Regarding sentencing, Professor Shin

emphasized, “The victim’s situation and the victim’s opinions on punishment should be faithfully and actively reflected. Only then can appropriate punishment be imposed on the perpetrator, serving as an effective preventive measure against further crimes.”



Phenomenon

Protection of the Personal Information of Criminals

03

What if a serious crime occurred nearby, but you were not given the identity of the perpetrator? In July 2022 at Inha University a student attempted to sexually assault a fellow female student who was drunk. During the incident, the female student fell out of a window, but the perpetrator did not call for help. Instead, he fled the scene and disposed of the victim’s clothes. The victim was later found unconscious and was transported to the hospital but unfortunately passed away. The suspect was charged with causing death of another by quasi-rape, but his personal information was not disclosed because the crime did not fall under the criteria for disclosure. According to comments in the article of The Korea Economic Daily from July 19, 2022, many citizens did not approve of the non-disclosure of personal information, stating, “The victim tragically died, yet the perpetrator receives legal protection. Who exactly are we protecting by concealing the face of a criminal?” The debate over the disclosure of the suspect’s personal information arises from the clash between the citizens’ right to know and the suspect’s portrait rights and personality rights. Until recently, the disclosure of personal information was permitted only in cases where there was sufficient evidence to believe that the individual committed a crime involving brutal means and causing significant harm, solely for the public interest, such as safeguarding the citizens’ right to know, preventing recidivism, and deterring crime, and only for suspects of specific violent crimes, including murder and rape and other sexual crimes. However, there has been criticism regarding issues of effectiveness, as sometimes the disclosed photos depict the suspect’s appearance from a long time ago rather than their current state at the time of the arrest, as well as a narrow scope of crimes covered under this policy.

From June 26 to July 9, 2023, the Anti-Corruption & Civil Rights Commission surveyed 7,474 citizens through “e-people.” The results showed that 96.3 percent of the

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▲ Anti-Corruption & Civil Rights Commission conducts a survey about the disclosure of personal information.

that recent photos (mugshots) of offenders should be disclosed without their consent. Many citizens argue that disclosing the personal information of offenders is essential for protecting the right to know and for preventing crime and recidivism. Some also support the disclosure of offender’s information as a form of social punishment aiming to isolate them from society. These examples reflect the gap between citizens’ legal sentiment and the current system regarding the disclosure of personal information.

respondents answered that expanding the disclosure of personal information for violent crime offenders was necessary, and 95.5 percent of the respondents answered



Cause

Side Effects and Issues of Effectiveness in Disclosing Personal Information

The primary purpose of disclosing personal information is to guarantee the public’s right to know and to prevent recidivism and crime. However, does the implementation of this system produce only positive effects as intended? That may not be the case. Kim Dae-keun, a researcher at KICJ, explained in his article titled “‘What does he look like?’... Disclosure of personal information for public curiosity is unconstitutional,” published in the JoongAng Ilbo. He stated that “The disclosure of personal information fundamentally meets the requirements of defamation and publication of facts of suspected crime under the Criminal Act,” saying that it conflicts with the constitutional principle of the presumption of innocence. Furthermore, he pointed out that unnecessary harm may come to the families or acquaintances of the suspect, and secondary victimization of the victim could occur. He added, “There is a need to address the phenomenon where some suspects of violent crimes seem to exaggerate their remorse, as if they were conscious of the sentencing process during the disclosure of personal information,” expressing concern that the system could be distorted, allowing criminals to exploit it to their own advantage. He continued, saying, “It is difficult to deny that the driving force behind maintaining the system is public curiosity

about the suspect.” He gave a skeptical response because of the fact that the exposed suspects are often perceived not as individuals but as targets for exclusion and isolation from society.

Has the disclosure of personal information had a significant impact on preventing recidivism? According to the report “Community Notification: A Study of Offender Characteristics and Recidivism” (1995) written by Donna D. Schram and Cheryl D. Milloy, comparing the recidivism rates of groups where the personal information of sex offenders was disclosed versus those where it was not, the recidivism rate of the group with disclosed information was 19 percent, while it was 22 percent for the group without disclosure, indicating similar results. Furthermore, in the master’s thesis “An Evaluation of the Effectiveness of Sex Offender Notification on Recidivism” (2016) by Lee Hyung-jae, examining the relationship between the disclosure of personal information and recidivism among approximately 19,000 sexual offenders registered in the sex offender registration system from 2008 to 2014, it was found that “the disclosure of personal information did not have a statistically significant correlation with recidivism.” Kang Seoyoung, a researcher at the Constitutional Research Institute, said in a paper “A Constitutional Study on the Disclosure System of Suspects” (2021) that “There is a discussion that arises whenever serious crimes receive public attention, suggesting the expansion of the scope of crimes or information subject to disclosure,” pointing out that such discussions only distort the essence of crime and hinder the pursuit of fundamental solutions for crime prevention. Furthermore, she criticized the trend of treating the disclosure system as a panacea, stating, “The state behaves as if it easily fulfills its important duty by exposing suspects of serious crimes to the public. Moreover, it is inappropriate to choose humans as a means of crime prevention.”



Prospect

A Balance to Maintain Social Order

The Act on Disclosure of Personal Information of Suspects, etc. of Specific Serious Crimes, commonly referred to as the “mugshot disclosure bill”, came into effect on January 25, 2024, and has expanded the type of crimes subject to disclosure. Previously, only specific violent crimes and sexual crimes were included, but now it encompasses crimes

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of organizing criminal organizations, some drug crimes, and others. Additionally, the range of individuals subject to disclosure has been extended from suspects to include the accused. Previously, facial photographs could not be taken without the consent of the suspect and mugshots could not be disclosed, but now it is possible to capture and disclose recent mugshots of suspects. This could be seen as a step closer to the legal sentiment of the public. However, there are concerns regarding the legitimacy and effectiveness of the system, such as potential for unjust damage to one's reputation or social stigma before guilt is established, as well as the issues with the consistency of decisions made by the Personal Information Disclosure Review Committee.




▲ A website “Digital Prison” discloses personal information of criminals.

“Digital Prison” was created with the purpose of directly disclosing the personal information of malicious criminals and subjecting them to social judgment due to perceived lenient punishments. At that time, the personal information of individuals such as the operator of the child exploitation website “Welcome to Video” and the coach accused of preying on athletes from Gyeongju City Hall was exposed. Some individuals frustrated

with the disclosure system took it upon themselves to publicly share the personal information of perpetrators directly on the Internet. However, this could potentially incite private vengeance, and vengeance in a rule-of-law state may lead to social disorder. Once a suspect's personal information is disclosed through the media, the repercussions are significant and irreversible. The primary purpose of correctional institutions like prisons is to rehabilitate and reintegrate offenders into society so they can live productive lives again. However, publicizing personal information can stigmatize individuals, leading to exclusion and isolation from society, which is a concern that cannot be overlooked.

“There are various concerns regarding the disclosure of personal information, and it is important to carefully consider the rights of suspects when deciding whether to disclose such information. However, there is a need for specific reasons and consistent explanations to ensure that the public can sympathize and understand when disclosure does not occur,” suggested Professor Shin as a way to reduce the gap between public legal sentiment and the implementation of the disclosure system. He also proposed, “Considering the legal sentiment of the public and the current societal context, it is necessary to revise the disclosure system to establish clearer criteria. I hope that a unified committee overseeing nationwide disclosure cases will be formed, rather than separate committees under regional police agencies. Also, discussions on legislation mandating disclosure for certain heinous crimes based on specific criteria should be conducted,” aiming to find a balance and promote the development of the disclosure system.

Many citizens often fail to understand and feel discontent with the current judicial system's rulings and practices concerning the scope of self-defense, the severity of punishment for criminals, and the disclosure of criminals' personal information. Only when the discrepancy between public legal sentiment and the actual judicial rulings and level of punishment for criminals is resolved can trust in the judiciary system be restored among the populace. In a country governed by the rule of law, it cannot always be deemed valid or right for the judicial system to fully reflect the public's legal sentiment. However, just as legal norms and systems reflect the legal culture of a nation and its citizens' legal consciousness, judicial and investigative agencies should not take lightly the societal shifts in public awareness and legal sentiment among the populace. Instead, they should strive to find a proper balance and bridge the gap between the two. 

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Casting Shadows: Factors Casting Influence on Voter Behavior





By Cho Subin

Staff Reporter of Theory & Critique Section

The proportional representation ballot for the 21st National Assembly Election in South Korea (hereafter Korea) in 2020 surprised many with its length of 48 cm, 1.4 times longer than the previous election's 33.5 cm, the longest on record. For the upcoming 22nd general election in April, it is anticipated that the ballot sheets could extend up to 79.3 cm in length. This projection arises from the assumption, as of February 6, that all 50 political parties currently registered with the Central Election Commission, along with 11 political parties in the process of establishment, will field candidates. Despite the Semi-Mixed Member Proportional Representation (SMMPR) system's aim to allow smaller parties to represent diverse voices, the proliferation of superficial satellite parties created by major parties compounds the issue of longer ballots. Politicians strategically leverage the voting system and may attack rivals by raising suspicions related to their personal lives in order to secure votes. However, voters' decisions are influenced by various factors, including the electoral system.

Voters are influenced by many external factors when choosing candidates, but what factors influence their selection of parliament members who will represent their views? Furthermore, how does Korea's SMMPR impact voting behavior, and would changing the electoral system alter that behavior? The Argus explores factors influencing the voting behavior, including the sociological and socio-psychological, and analyzes the impact of the SMMPR, aiming to help readers reflect on their voting criteria and become well-informed democratic citizens.

1 Influence of Group Belonging 

 Social Identity: Voters Who Are Influenced by Their Group

“Yi Dae Nam,”* “Generation 586,” and “Gae-ddal.”* These are the words that were mentioned frequently in the 20th Presidential Election of Korea in 2022. These Korean terms group some voters into “men in their 20s,” “people who were born in the 60s, went to college during the 80s, and are currently in their 50s,” and “young women in their 20s and 30s who support the Democratic Party candidate, Lee Jae-myung as fervently as his daughter.” The 20th President Yoon SukYeol and the 21st National Assembly member Lee Jae-myung, who were candidates at the time, targeted “Yi Dae Nam” and “Gae-ddal,” respectively, dealing with issues of gender conflict.

Candidate Yoon directed his campaign toward men in their 20s who perceived themselves as unfairly discriminated against due to their exclusive obligation

to serve in the military and unfounded accusations of sexual misconduct. He pledged to address men’s grievances by proposing measures such as abolishing the Ministry of Gender Equality and Family, enhancing penalties for perpetrators of sexual offenses, and increasing the monthly salary of military personnel to 2 million won (US\$1515.1). On the other hand, candidate Lee asserted his commitment to ensuring a more secure and improved quality of life for women. He proposed implementing legislation to penalize dating violence and extending support for safe housing facilities tailored to single-woman households, specifically addressing the concerns of women who felt vulnerable to sexual crimes. Since the introduction of this strategic policy, according to an exit poll by Korea’s major broadcasters: KBS, MBC and SBS, 58.7 percent of men in their 20s and younger voted for Yoon, while 58.0 percent of women in their 20s and younger voted for Lee, meaning that six out of 10 men in their 20s and six out of 10 women in their 20s voted for a certain candidate. It



▲ Lee Jae-myung (L) and Yoon Suk Yeol (R) from two major parties competes in the 20th Predisidential Election.

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▲ Thirty eight women-related civilian organizations are holding a press conference at Seoul Cheonggye Plaza on Nov. 19, 2021.

should be noted that in the other age groups, there was no significant difference in the percentage of votes between the two candidates. Thirty eight women-related civilian organizations including Korea Women’s Associations United held a press conference at Seoul Cheonggye Plaza on November 19, 2021 and criticized that the candidates exploited gender conflict as a strategy by targeting voters in their 20s, an age group where gender conflict was relatively severe.

According to the sociological researchers often referred to as “The Columbia School,” which laid the foundation of American sociology, voters cast their ballots for candidates based on their socioeconomic affiliations. In 1960, drawing from research conducted during the 1950s, they determined that voters are members of numerous social groups, encompassing family, educational institutions, interest groups, and peers. Moreover, the researchers concluded that factors like generational cohorts, gender, educational attainment, occupation, racial background, and religious beliefs intertwine over an extended period, exerting a cumulative influence on voting behavior. In addition, they identified three processes through which voters’ attitudes influence their voting decisions. The first process is “differentiation.” Voters recognize differences from other groups in the process of sharing the values and behaviors of their social groups, which strengthens their differentiation. The second process is “transmission.” Voters are influenced by the values and attitudes passed down from generation to generation when making political decisions. The final process is “contact,” through which voters reinforce their existing value systems by making more frequent contact with people in their group than

with people in groups they do not belong to. Of course, there are times when this is weakened in the process of communicating with other groups of people. This weakening is due to the concept of “cross-pressure,” which can lead to abstention from voting, according to the study “Voting: A Study of Opinion Formation in a Presidential Campaign” (1955) conducted by Berelson, Lazarsfeld, and McPhee.

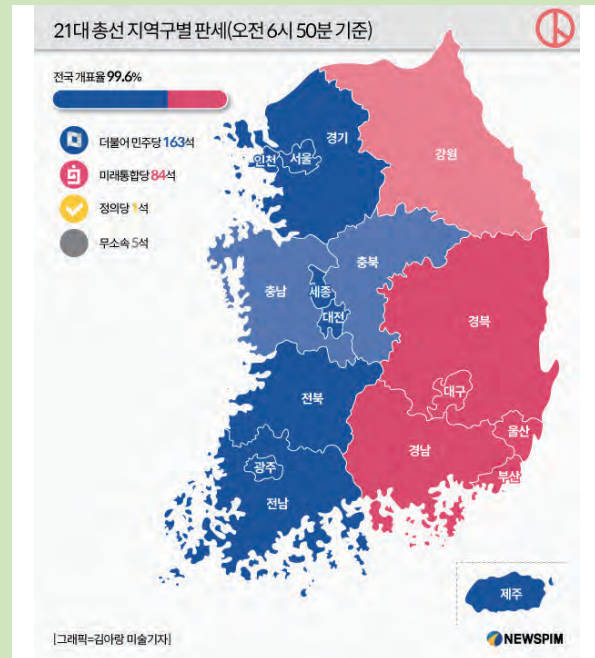
Meanwhile, politicians, effectively exploit these intergroup rifts, such as gender divisions. This was evident in the case of Korea’s elections, where each party capitalized on the divide between men and women in their 20s. While their attempts to address gender conflict were criticized by several women-related civilian organizations for fueling it, the election results have underscored the divisions within Korean society. William Riker, an American political scientist, describes this phenomenon as the “election rift theory.” This theory suggests that politicians strategically exploit specific societal cracks among the various divisions to further their own interests, such as winning elections. According to this theory, the persistence of regionalism in Korea since 1987 can be attributed to politicians leveraging regional divides to mobilize voters.

*Yi Dae Nam: This usually refers to men in their 20s as of the early 2020s, with clear anti-feminist and conservative tendencies. It is an abbreviation for a Korean word meaning “man in his 20s.”

*Gae-ddal: This refers to women in their 20s and 30s who support Lee Jae-myung, who was the candidate of the progressive party. It comes from the popular Korean drama series “Answer me,” which refers to a character in the series, “a daughter who is rough on the outside but loves her father on the inside.” It literally means “Dog-daughter,” using dog for “bad.”

Party Identification and Party Preference: Voters “Cheering” for a Political Party

After elections in Korea, if one color a map of Korea according to the party receiving the most votes in each region, one will see that it is neatly divided into blue on the left and red on the right. This is largely the result of Korea’s “regional sentiment” wherein Honam region including Jeolla Province supports progressive parties represented by blue, while conservative parties are represented by red in Yeongsang region including Gyeongsang Province. Since the 1971 Presidential Election, this regionalist voting behavior has been evident in Korean politics. Following democratization in 1987, regional sentiment gained traction, significantly impacting voter decisions.



▲ The map of Korea is colored with blue on the left and red on the right, according to the elected constituency members’ political parties, in the 21st General Election held in 2020.

In particular, the first presidential election after democratization in 1987 featured candidates who were divided along conservative and progressive lines. Roh Tae-woo hailed from Gyeongsang Province, while Kim Young-sam represented Yeongnam region, Kim Jong-pil hailed from Chungcheong Province, and Kim Dae-jung hailed from Jeolla Province. As the opposition parties split, the conservative party’s candidate Roh was eventually elected. As the ruling party’s failure to secure a majority in the National Assembly elections, the president sought unity with opposition candidates in 1988. Eventually in 1990, a three-party coalition formed, excluding Kim Dae-jung from Jeolla, which further exacerbated regional tensions,



▲ President of Korea and Democratic Justice Party Chairman Roh Tae-woo (C), Reunification Democratic Party Chairman Kim Young-sam (L), and New Democratic Republican Party Chairman Kim Jong-pil (R) jointly announces a three-party coalition at the Blue House on Jan. 22, 1990.

highlighting the enduring influence of regionalism in Korean politics. This sense of unity with political parties is similar to professional baseball fans supporting their team even if the team had a poor season and remaining steadfast.

Similarly, some voters solely rely on preference when assessing candidates, without considering the candidate's promises or track record. In the 1960s, political science professors at the University of Michigan, who were called "the Michigan school," criticized the sociological view of "the Columbia school," arguing that voters' social characteristics, such as gender, age, and education level, do not always reflect their political preferences. They noted that the social groups influencing voting behavior vary by country and era, highlighting "party identification" as the primary socio-psychological factor influencing voting behavior. Party identification refers to the psychological connection voters develop with a specific political party during political socialization, often influenced by parental guidance before the age of 18. This sense of identity leads to stable and loyal allegiance to the chosen party. It is important that the party identification is not formed through rational calculations of political gains and losses, but rather remains a long-term psychological attitude unaffected by such calculations.

So, does the party identification last a lifetime? Richard G. Niemi, a political scientist studied at the University of Michigan, argued that once a preference for a party is formed, it does not change, but rather intensifies. Philip E. Converse, a political scientist at the University of Michigan, suggested that older voters tend to have a stronger sense of party identity. Continuously voting for a particular party reinforces the sense of unity and loyalty, thus maintaining stability in party identity. This sense of party identity acts as a "perceptual screen," allowing voters to receive information in a way that favors the party with which they feel a sense of unity and influences their understanding of political phenomena.

There is skepticism regarding the universal applicability of party unity, because it originated in the context of the United States' two-party system. This concept is complex and adaptable, influenced by factors like election issues and retrospective evaluations of past leaders, making it challenging to translate to other societies. Indeed, in Europe, where political parties align along class divisions,


there can be a simultaneous sense of unity with multiple parties sharing similar ideologies. Additionally, unlike the American society of the 1950's when this research was conducted, voter trust in the political system sharply declined through the mid-1960s due to the anti-war movement, resulting in a decrease in the number of voters identifying with a particular party.


If so, can the voting behavior of Korean voters be explained by party identification? There are ongoing discussions about whether Korean voters' political attitudes are primarily shaped by their party preferences, which are more influenced by political ideology than by party unity. Kim Chun-sik, a professor of the Division of Media & Communication at HUFSS, said, "Unlike in the United States, voters in Korea tend to match their personal political and ideological inclinations with their preferred political parties." In other words, in the Korean political landscape, where parties frequently emerge, dissolve, or rebrand, political preference within conservative and progressive spheres outweighs party loyalty. As elections approach, the narrowing approval rating gap between two major parties reflects how voters, driven more by political ideology than party allegiance, eventually support the party aligning with their ideology as the election unfolds.

While there are voters with clear political and ideological leanings, there will certainly be voters with no such leanings. Professor Kim added that in Korea in particular, there are a majority of "centrist" voters who do not have a clear inclination, and these centrists often decide the outcome of the vote. It is important to note that centrists are most likely to be influenced by the political and economic context leading up to the election when deciding how to vote. Accepting the social situation, the media will be the major factor, as it does not merely deliver the statements of politicians, but often presents a perspective. Professor Kim emphasized the influence of the media on voting behavior, saying, "It is important for the media to convey what policies and perspectives the political parties have on certain political issues, and what policies they have implemented in relation to them. Voters' perceptions of the situation are largely shaped by the media's portrayal of these factors."

Additionally, in recent years, "negative partisanship" has emerged as a significant factor influencing voting behavior. Negative partisanship refers to the phenomenon

where voters cast their ballots not because they strongly support a particular candidate, but rather because they vehemently oppose another candidate. In recent elections, professor Kim has noted that the prevalence of negative partisanship has outweighed strong preferences for political parties. During the 2022 Presidential Election, both major candidates faced scrutiny over their spouses' personal lives, including allegations of academic credential falsification and other questionable behavior. Many voters expressed willingness to vote for the candidate they disliked less, leading to the term "unfavorable election" being coined. On the other hand, regarding regional sentiment, while it may be waning among younger generations, most still consider it an important factor.

2	Influence of Personal Criteria	
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 **Rational Choice Theory: Rationally Calculating Voters**



▲ The sentences from top to bottom read, "Lee Myung-bak is hungry" and "I will save the economy," in the candidate Lee Myung-bak's campaign advertisement scene, during the 17th Presidential Election in 2007.

"I will save the economy." This is a promise that President Lee Myung-bak, who won the 17th presidential election held in 2007, made during and after his election campaign to signal that his top priority was to overcome

the economic crisis. During that time, Korea faced a significant economic crisis due to global financial instability stemming from the subprime mortgage crisis, compounded by rising unemployment and widening economic inequality after the 1997 financial crisis. Consequently, voters sought a president capable of addressing economic challenges, leading many analysts to attribute President Lee's election victory to his background as a CEO. As such, voters often base their decisions on the

current economic conditions or social issues.

However, previous theories had suggested that voters were seen as passive individuals who based their decisions on emotional factors like "group affiliation" or "party identification" rather than making rational assessments of candidate pledges. In essence, voters were characterized as tending to rely on emotional preferences rather than critically evaluating candidates' promises. Do all voters make irrational choices? It is not uncommon to encounter individuals who decide their vote after reading candidate manifestos. In response, revisionists, including economist Milton Friedman, argued that voters "rationally" consider the political benefits of a particular party based on four preconditions. Voters want only the minimum information they need for decision-making, they want to maximize their own political interests, using less effort within the information given, and they use voting as a tool.

The theory that explains this is the mathematical model of basic rational choice theory. This is done by multiplying the expected utility of each policy (x, y and z) by the probability of each policy being implemented, represented as "Pr." This involves deriving the expected utility that the voter will receive as a reward if the voter performs action A. The voter then calculates the expected utility of each voting action (A) and selects the action with the highest expected utility.

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$$EU(A) = Pr_a(x)u(x) + Pr_a(y)u(y) + Pr_a(z)u(z)$$

▲ Rational voters calculate their Expected Utility (EU) based on their behavior (A).

In this manner, rational voters engage in a rational judgment process. Then, what do they evaluate to calculate the expected utility? When voters base their vote on a candidate's policy promises, this is called "issue voting." Economic issues are paramount in Korean voting behavior, depending on the voter's assessment of the social or personal economic situation at a certain point in time leading to retrospective and prospective voting. Retrospective voters evaluate past economies to judge incumbents' achievements, such as in the 2022 Presidential Election, where real estate policy was key. They calculate expected political utility based on these evaluations. The former President, Moon Jae-in, was criticized for his failed real estate policies, which led to a surge in housing prices. A January 2022 Hankook Ilbo poll found that 51.8 percent

of respondents said they would prioritize “real estate and housing stability” when selecting a candidate to support in the presidential election. Indeed, Professor Kang Won-taek’s research titled “Issues in the 2022 Presidential Election: Focusing on the Evaluation of the Moon Jae-in Government’s Real Estate Policy” (2022) revealed that the ineffective real estate policies significantly influenced voters who shifted their support from Moon Jae-in to Yoon Suk Yeol, who proposed tax relief pledge. These voters perceived Moon’s comprehensive real estate tax as too burdensome and considered tax reform important for the next government. In summary, dissatisfied evaluation for the policy led some former Moon Jae-in supporters to change their voting preferences.

On the other hand, prospective voting, is a projection of the future state of the economy. Prospective voters assess the expected utility of an alternative party in power by comparing it to the utility provided by the current ruling party. As we have seen in the case of former President Lee Myung-bak, the “economic vote” was driven by the expectation that opposition candidate Lee’s CEO experience would rescue the economy, based on voters’ socio-economic circumstances and their expectations, rather than evaluating the former president.

3 Influence of Electoral System

❏ If the Electoral System Changes, Will the Voting Results Change?

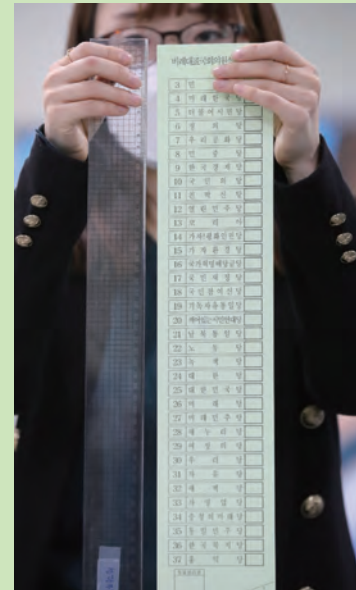
The National Assembly elections held in April 2020 marked the introduction of the SMMPR. In the upcoming April 2024 elections, all 46 proportional representatives will be elected under the SMMPR, differing from the previous elections in April 2020, where 30 out of 47 members were elected through the SMMPR, while the remaining 17 members were elected through a Mixed Member Majoritarian system. Additionally, proportional representation members are selected based on pre-ranked candidate lists within political parties. These members are allocated according to the percentage of votes each party obtained. Remaining 254 members are elected from individual constituencies, where each area serves as a voting unit, based on the highest number of votes received.

Under the SMMPR, voters are provided with two separate ballots: one for selecting a candidate to represent their constituency and another for choosing a political party. The parliament is then formed by distributing the total of 300 seats based on the percentage of votes garnered by each party. Then, the number of elected constituency members from each party is subtracted

from the allocated seats. The half of the remaining seats are filled through proportional representation. Through this mechanism, SMMPR aims to facilitate the entry of smaller parties, which may have lower chances of securing seats in constituencies.

However, in January 2020, some political parties and lawmakers in Korea filed a constitutional petition,* arguing that Article 189 of the Public Official Election Act, which stipulates a SMMPR, is unconstitutional. They argued that as more members from a constituency are elected, fewer proportional representation seats are available. Consequently, the value of votes garnered by the majority party may not be entirely reflected in the allocation of seats, thereby potentially contravening the principles of equal suffrage and democracy. This linkage between the results of district elections and the allocation of proportional representation seats to a political party is cited as problematic.

In the end, the Constitutional Court rejected the petition in 2023, arguing that the SMMPR cannot be said to violate the Constitution as long as the electoral system does not unreasonably restrict the people’s right to vote as enshrined in the Constitution. However, the debate over the effectiveness of the SMMPR continues. This is



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▲ Prior to the 21st National Assembly election in 2020, an official from the Central Election Commission is displaying completed proportional representation ballot papers at a printing company in Daegu.

because the big parties have created satellite parties to hinder the entry of smaller parties into parliament, thus undermining the intention of introducing the SMMPR. In the scenario of large parties, where a significant number of district members are elected, the increased number of district members reduces the proportion of proportional representation members that can be elected. This situation can be disadvantageous for securing seats in the SMMPR. Consequently, satellite parties are being formed to enhance the chances of securing proportional representation seats.

Politicians continually debate about the electoral system due to its significant impact on voting behavior among Korean voters. Experts assert that while criteria such as personal attributes or social group affiliations do influence voting behavior, the electoral system itself plays a crucial role in shaping voter preferences and decisions. For example, in Korea's various elections, like the presidential, where only one candidate with the most votes wins, many voters worry that their votes will not significantly impact the outcome and will be wasted. As two major parties hold a majority in parliament, candidates from these parties have a greater chance of being elected. Hence, if a candidate advocating for desired policies aligns with a small party, voters may hesitate in their decision-making process. Therefore, owing to the influence of the electoral system, wherein only the candidate with the highest number of votes is elected, even if there is a preferred party or candidate, opting to vote for another party or candidate is termed strategic voting. If up to two members of the National Assembly can be elected per constituency, there is a higher probability that voter preferences will be reflected compared to when only one member is elected. In essence, the likelihood of casting a sincere vote — voting for one's preferred party or candidate— increases under such circumstances.

So, how will the SMMPR affect voters in the upcoming 22nd National Assembly elections? Some argue that it

could lead voters to reflect their sincere preference, while others suggest it may intensify the two-party system. Lee Jae-mook, a professor of Political Science and Diplomacy at HUFs, anticipates that the system will encourage voters to adopt an anti-wasted votes mindset, saying, "In a winner-takes-all system, voting for small parties may seem pointless, as votes may go unused. However, in a SMMPR, smaller parties receive votes proportionate to their support, reducing the sense of wasted votes."

On the other hand, there are predictions that the SMMPR will stimulate voters' anti-resignation mentality and lead to strategic voting. Cho Jin-man, a professor of Political Science and International Studies at Duksung Women's University, said, "Since Korean politics is currently polarized, the confrontation between the two camps will be strengthened in the upcoming general election." Even with the SMMPR, voters may still perceive tactics like satellite parties and resort to voting for one of the two main parties, potentially diminishing the system's intended purpose. He also emphasized that it is undemocratic for voters having sovereignty, to be indifferent to the electoral system or vote for satellite parties without considering the politics of the two main polarized camps.

When examining the SMMPR's impact on voters, the key consideration is whether this system effectively accommodates diverse voter preferences. Professor Cho emphasized that "The political sphere will respond somewhat if voters raise issues centered on the future generation of voters and gather their opinions. Therefore, voters should be mindful of how the electoral system impacts their voting behavior. In other words, voters need to be aware not only that the electoral system influences their voting behavior, but also how it influences themselves."

³Constitutional Petition: A claim that can be made when a fundamental right is violated by the exercise or non-exercise of public power, which includes the legislative power of the National Assembly and the power of the President created by the Constitution.

Is the act of voting a completely individual choice? As part of a community called "society," voters are influenced by various factors including their groups, politicians, and the electoral system. Some of these influences are meant to help us make good voting decisions, while others are meant to manipulate our choices. That is why it is important for voters to constantly examine their own standards and examine the system. Voters must be aware of the casting shadows that might have been casting influence on their voting behaviors. 📖

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Using Math to Dig into the Election



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By Lee Seun

Staff Reporter of Theory & Critique Section

The symbol of democracy, the election, is approaching. The National Assembly election in South Korea (hereafter Korea) which takes place on April 10, 2024, has been conducted through the citizens' votes since the very first election held on May 10, 1948. Korea utilizes a proportional representation* to elect its representatives. There are numerous ways to distribute the seats in the proportional representation, and many scholars, including the Belgian mathematician Victor Dhondt, have derived new theories in attempts to adopt the most democratic and fair method.

Is Korea utilizing the best choice for the seat allocation? Currently, Korea uses the “largest remainder method.” Because a distribution method that can achieve perfect democracy is yet to be determined, it is necessary to re-examine whether or not Korea is using is the best democratic approach. Despite having the right to vote in every election, many citizens are not well-informed about the seat allocation method. Therefore, as the 22nd general election approaches, The Argus aims to provide readers with an opportunity to contemplate the best election method by examining the hidden mathematical theories behind the election, along with their advantages and limitations.

*Proportional Representation: An election system in which the number of elected candidates is determined in proportion to the vote rate of the political party. It is a system that was created to reflect the proportion of voters supporting each party in the composition of the National Assembly.

Book “Mathematics for President” (2012)

This book is an historical examination and interpretation of the issues and threats inherent in the electoral process. It aims to unravel the attempts by ancient, medieval, and modern scholars to interpret the problems of democratic procedures and to find solutions to them. This book, which explores how the issues embedded in elections threaten democracy, describes how democracy has evolved from its inception to the present. Through this process, the book shows how the values demanded by that era have been applied in reality and institutions.

What is Proportional Representation?

Electoral System in Korea

The 22nd National Assembly election, which takes place on April 10, is an election to select members of the National Assembly of Korea, often simply referred to as the general election. The total number of seats for the representatives is 300, and the electoral system adopts a Semi-Mixed Member Proportional Representation system with single-member districts. Under the single-member district system, 254 representatives are elected from the local constituencies, while 46 are elected under the Semi-Mixed Proportional Representation system through the national election. In the single-member district system, each constituency elects one representative. Voters cast their vote for one candidate only, and the candidate with the most votes wins the seat. Proportional representation determines the number of elected candidates in proportion to the vote rate of the political party. This method was created to reflect the proportion of voters supporting each party in the composition of the National Assembly. In other words, if a party receives N percent of the vote, they receive about N percent of the seats in the legislature. Professor Lee Jae-mook from the Department of Political Science and Diplomacy at HUFSS explained, “A good electoral system requires good proportionality. Proportionality means that the share of seats is distributed in proportion to the share of votes. However, in Korea, this proportionality is very low.” In essence, an ideal proportional representation system would ensure that the percentage of seats a party receives matches their percentage of the vote, but is it easy to achieve this ideal system? Are the various proportional representation systems implemented around the world truly perfect?



▲ Voters are standing in line to cast their ballots.

Background of Proportional Representation

Proportional representation was first introduced in the 6th National Assembly election in 1963. It is important to understand the difference between constituency and party voting in advance. In constituency elections for the National Assembly, voters cast their ballots for individual candidates, while in proportional representation, voters cast their ballots for parties. If the voting results using proportional representation are tallied, the vote percentage of each party is obtained. Based on these percentages, seats are allocated proportionally to each party, which is the essence of proportional representation. The need for proportional representation arises from the necessity to reflect the voices of various minority groups and diverse sectors of society in the legislature. Proportional representation also serves to ensure that individuals with expertise in specific fields, who may not receive attention in constituency elections, have the opportunity to contribute their expertise in the legislature. For example, there was the first naturalized citizen elected in the 19th National Assembly and the first visually impaired and the youngest representative in the 21st general election.

After Korea’s democratization in 1987, there were significant changes in the National Assembly electoral system. Previously,

a proportional representation system known as the nationwide district system existed, where if the ruling party did not have more than half of the seats, two-thirds of the remaining seats were unilaterally allocated to the ruling party, with the opposition party receiving the rest. This system underwent another change starting from the 14th general election in 1992. The second change allowed a party to receive a seat if it surpassed 3 percent of the total vote share, even without a constituency. The electoral system in Korea has thus opened pathways for diverse individuals to become representatives, making elections progressively more democratic and diversifying the system to better reflect a variety of voices.

The most significant change came with the introduction of the “1 Person 2 Votes” system starting from the 17th National Assembly election in 2004. Prior to this, the “1 Person 1 Vote” system was used, where voters only cast their ballots for National Assembly constituency candidates. The proportional representation seats were allocated based on the percentage of votes each party’s constituency candidates received. However, in 2001, the Constitutional Court ruled that a system electing both candidates and parties without a separate party vote violated the Constitution. This was because it violated the principle of direct election, one of the four principles of elections. The system of first voting for district candidates and then equating this vote percentage with the party’s vote percentage was seen as a violation. The fact that votes for independent candidates were not reflected was also an issue. In essence, the value of votes cast for a party and those cast for an independent candidate would be different, thus violating the principle of equal election. This is because votes for independent candidates would essentially become invalid, similar to abstentions, under the “1 Person 1 Vote” system.

Following this rule, the election system was revised to the “1 Person 2 Votes” system, where voters cast separate votes for candidates and parties. Starting from the 17th National Assembly election in 2004, voters directly cast their votes for parties, and candidates were elected in the order predetermined by the party list based on their party’s vote share. In the past, by using only the majority-based system to determine the number of seats in the National Assembly, larger parties tended to dominate, leaving smaller parties with fewer seats. The proportional representation system is designed to reflect all voting results in the allocation of seats, not just those of the plurality winners. Introduction of the proportional representation system increased the diversity of policies,

ensuring that the voices of not only the majority parties but also the minority parties.

Mathematical Theory Applied to Proportional Representation

“Largest Remainder Method” Advantageous to the Minority Party



▲ Korea, Germany, and Switzerland use the largest remainder method.

The largest remainder method was invented by the German mathematician Horst Niemeyer and is widely used in countries that have adopted proportional representation. This method is utilized in countries such as Korea, Germany, and Switzerland. The largest remainder method first distributes seats to political parties using the natural number portion of the result calculated by multiplying the party’s vote share by the total number of seats. Then the remaining seats are allocated in descending order of the fractional part. For example, let us consider a total of eight seats and a total of 1 million votes, with Party A receiving 420,000 votes, Party B receiving 300,000 votes, Party C receiving 200,000 votes, and Party D receiving 80,000 votes. The vote shares for each party would then be 42 percent, 30 percent, 20 percent, and 8 percent, respectively. Converting these percentages to 1.00 for 100 percent and multiplying by the total number of seats gives 0.42×8 , which equals 3.36 seats for Party A, 0.30×8 , which equals 2.40 seats for Party B, 0.20×8 , which equals 1.60 seats for Party C, and 0.08×8 , which equals 0.64 seats for Party D. The first distribution begins with this figure. When the figure of each party’s approval rating multiplied by the total number of seats is converted to natural numbers, it becomes three, two, one, and zero, respectively, and Party A would receive three seats, Party B two seats, Party C one seat, and Party D zero seats through the initial allocation.

After the initial allocation of six out of eight seats in the first allocation, two seats remain. Now the second allocation takes place. The remaining two seats are allocated based on the higher number after the decimal point. The fractional

parts for each party are as follows: 0.36 for Party A, 0.40 for Party B, 0.60 for Party C and 0.64 for Party D. When listed in descending order, the sequence becomes Party D, Party C, Party B and Party A. Therefore, the remaining two seats are distributed to Party C and Party D, resulting in the final seat distribution of three seats for Party A, two seats for Party B, two seats for Party C, and one seat for Party D. However, it has been argued that it is unfair for smaller parties to receive more seats relative to their vote share, as seen in the case of Party D receiving one seat with only an 8 percent vote share in the example above. To address this, the Droop Quota method was introduced.

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Party	(vote share)(100%=1.00) *(total number of seats)	first allocation + second allocation	final seat allocation
A	$0.42 \times 8 = 3.36$	3 seats + 0 seats	3 seats
B	$0.30 \times 8 = 2.40$	2 seats + 0 seats	2 seats
C	$0.20 \times 8 = 1.60$	1 seat + 1 seat	2 seats
D	$0.08 \times 8 = 0.64$	0 seats + 1 seat	1 seat

▲ Party A receives three seats, Party B two seats, Party C two seats, and Party D one seat through the final allocation.

🔗 “Droop Quota Method” Reveals Dilemma in Largest Remainder Method

The Droop quota method, named after English mathematician Henry Droop, initially allocates seats using a natural number portion calculated by multiplying the approval rating by the total number of seats plus one. The remaining seats are then distributed in a way similar to the largest remainder method, where seats are allocated in descending order of the fractional parts. Let us use the same example as before with a total of eight seats, and assuming Party A received 420,000 votes, Party B received 300,000 votes, Party C received 200,000 votes, and Party D received 80,000 votes. Multiplying each party’s vote share by the total seats plus one gives us 0.42×9 or 3.78 seats for Party A, 0.30×9 or 2.70 seats for Party B, 0.20×9 or 1.80 seats for Party C, and 0.08×9 or 0.72 seats for Party D. If this figure is converted to a natural number and the first distribution is made, Party A will be allocated three seats, Party B two seats, Party C one seat, and Party D zero seats. The two remaining seats are then allocated, with one seat going to Party C with the largest fractional part, and the second seat going to Party A with the second largest fractional part. This results in a final seat distribution of four seats for Party A, two seats for Party B, two seats for Party C, and zero

seats for Party D. The Droop quota method is advantageous for major parties and disadvantageous for minor parties when compared to the largest remainder method. However, it is highly controversial to use a value that artificially adds one to the total number of seats in order to solve the problem of more seats than necessary being allocated to the minority party to allocate more seats to the majority party with high approval ratings. Additionally, while the Droop quota method was introduced to address limitations of the largest remainder method, as the number of seats increases, using the largest remainder method actually produces more appropriate results. For instance, with 100 seats, minor parties like Party D receiving eight seats with a low vote share might not raise much controversy.

Party	(vote share)(100%=1.00) *(total number of seats+1)	first allocation + second allocation	final seat allocation
A	$0.42 \times 9 = 3.78$	3 seats + 1 seats	4 seats
B	$0.30 \times 9 = 2.70$	2 seats + 0 seats	2 seats
C	$0.20 \times 9 = 1.80$	1 seat + 1 seat	2 seats
D	$0.08 \times 9 = 0.72$	0 seats + 0 seats	0 seat

▲ Party A receives three seats, Party B two seats, Party C two seats, and Party D one seat through the final allocation.

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However, the Droop quota method exposes one dilemma of the largest remainder method. The previous example using the total number of seats plus one can be considered the same as the results using the largest remainder method when the total number of seats is nine. In the scenario where the total seats are eight, Party D receives one seat using the largest remainder method. However, when the number of seats increases by one, Party D ends up with zero seats. This dilemma, where an increase in the total number of seats results in a decrease in the number of seats for a party with the same vote share, is known as the “Alabama Paradox.” Furthermore, in cases where another party enters the election or when only one party’s vote share changes while another party’s seats increase, there can be instances where the obtained seats decrease despite the unchanged vote share. To address these issues, a method of distributing seats one by one was devised, rather than calculating the total number of seats collectively. In the Netherlands, for example, while the first-round seat allocation is calculated using the Droop quota method, the second-round allocation of remaining seats is done using the greatest divisors method, where seats are allocated one by one.

 Sequential Greatest Divisors Method



▲ Belgium, Brazil, Spain, and Japan use the greatest divisors method.


The greatest divisors method was proposed by Belgian mathematician Victor Dhondt in the late 19th century. It is a method of allocating seats by dividing each party's vote count by one, two, three, and so on, sequentially, and allocating seats in descending order of the resulting quotients. This method is used in countries such as Venezuela, Belgium, Brazil, Spain, Japan, and Hungary. For example, let us consider a scenario where there are eight seats in total and Party A received 137 votes, Party B received 94 votes, Party C received 63 votes, and Party D received 33 votes. First, dividing by the natural number one results in the original vote counts. The party with the highest vote count, Party A, receives the first seat. Then Party A's votes are divided by two. This yields 68.5 votes for Party A, 94 votes for Party B, 63 votes for Party C, and 33 votes for Party D. In this case, Party B has the highest vote count, so Party B is allocated one seat. Since it is Party B's first seat allocation, it is divided by two as well. This results in Party A having 68.5 votes, Party B having 47 votes, Party C having 63 votes, and Party D having 33 votes. In this situation, Party A has the highest vote count, so Party A receives the third seat, totaling two seats after receiving the first and third seats. Then the next natural number after two, which is three, is used to divide the initial vote counts and compete with other parties. This process continues, and after the third seat allocation, Party A has 45.6 votes, Party B has 47 votes, Party C has 63 votes, and Party D has 33 votes. Following this method, the fourth seat goes to Party C, the fifth seat goes to Party B, the sixth and seventh seats go to Party A, and finally, the eighth seat goes to Party D. The final seat allocation is Party A with four seats, Party B with two seats, and Party C and D with one seat each.

Party	A	B	C	D
vote counts	137 (first seat)	94 (second seat)	63 (fourth seat)	33 (eighth seat)
vote counts / 2	68.5 (third seat)	47 (fifth seat)	31.5	16.5
vote counts / 3	45.6 (sixth seat)	31.3	21.6	11
vote counts / 4	34.25 (seventh seat)	23.5	15.75	8.25
final seat allocation	4	2	1	1

▲ Party A receives four seats, Party B two seats and Party C and D one seat each through the final allocation.

Whether the allocation results are advantageous or disadvantageous for each party is determined by the number of seats per vote. The closer this ratio is to 1, the fairer the allocation is considered. As this ratio increases, it means that each vote is given a higher value than its original vote counts, which can be seen as advantageous for the parties. For example, when the seats per vote ratio is 1, it means that parties receive seats proportionally to their original vote counts. However, as this ratio increases beyond 1 to 1.1, 1.3, and so on, votes are given a higher value than their original count, leading to more advantageous allocations. In the greatest divisors method, the party with the most advantageous allocation has the minimum seats per vote ratio, meaning that when most parties apply the optimal allocation equation, this ratio converges to 1. This ensures that no party receives a disproportionately advantageous allocation, rendering the greatest divisors method as the optimal allocation equation.

However, the greatest divisors method also has one notable drawback. It considers unreasonable allocation results as optimal. This means that large parties can receive an oversized allocation. In the previous example, the total vote count was 327 and Party A received 137 votes, less than half of the total yet obtained more than half of the seats. Additionally, despite Party C's nearly half of Party A's votes at 63, they only received one seat, which is a quarter of Party A's seat count. To address these issues, the Sainte-Lague method was introduced.

 Seat Distribution Method Using the Sainte-Lague Method

The Sainte-Lague method is a method of distributing seats by dividing by



▲ Sweden and Norway use the Sainte-Lague Method

1.4, 3, 5, and so on, and allocating seats in descending order of the quotient. This method is commonly used in Sweden, Norway, and other Nordic countries. Let us consider the same example with eight seats where Party A received 137 votes, Party B 94 votes, Party C 63 votes, and Party D 33 votes. Unlike the previous example where all votes were divided by one initially, the Sainte-Lague method starts by dividing all the votes by 1.4. This results in Party A having 97.8 votes, Party B 67.1 votes, Party C 45 votes, and Party D 23.5 votes. Party A, with the highest quotient, receives the first seat. After Party A receives a seat, their initial votes of 137 are divided

by the next number, which is three, and it competes with the other parties' votes. Accordingly, with Party A now having 45.6 votes, Party B 67.1 votes, Party C 45 votes, and Party D 23.5 votes, Party B receives the second seat, as they have the highest quotient. Next, Party B's initial votes of 94 are divided by 3. Thus, Party A has 45.6 votes, Party B 31.3 votes, Party C 45 votes, and Party D 23.5 votes. Afterwards, by following this pattern, the party with the highest number of votes takes the next seat, and after that party takes two or three seats, the initial number of votes divided sequentially by 5, 7, and so on, is used to compare the number of votes of other parties. This process continues, and the third and sixth seats go to Party A, the fourth and eighth seats to Party C, the fifth seat to Party B, and the seventh seat to Party D.

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Party	A	B	C	D
vote counts	137	94	63	33
vote counts / 1.4	97.8 (first seat)	67.1 (second seat)	45 (fourth seat)	23.5 (seventh seat)
vote counts / 3	45.6 (third seat)	31.3 (fifth seat)	21 (eighth seat)	11
vote counts / 5	27.4 (sixth seat)	18.8	12.6	6.6
final seat allocation	3	2	2	1

▲ Party A receives three seats, Party B and C two seats each and Party D one seat through the final allocation.

Unlike the other methods, the Sainte-Lague method was once modified. Previously, it originally divided the initial votes by odd numbers, 1, 3, 5, and so on, and allocated seats in descending order of the quotient. Let us consider the same scenario as before and instead of 1.4, let us use 1 for calculation. This results in the same sequence as 1.4, 3, 5. However, the order of allocating one seat at a time changes. For example, in the case of Party D, with the sequence 1.4, 3, 5, and so on, it would take until the seventh to receive its first seat, whereas with the sequence 1, 3, 5, and so on, Party D

would receive a seat by the fifth. In the Sainte-Lague method, where the spacing between rows is larger than that of the greatest divisors method, the order of seats allocated to the minority party is advanced, which is generous to the minority party but not so to the majority party. However, to prevent being excessively generous to the minority party, the initial vote count is divided by 1.4 rather than 1. Thus, by starting the calculation with division by 1.4 instead of 1, the Sainte-Lague method maintains the balance between smaller and larger parties, making it the most advanced theory among the mentioned methods.

Party	A	B	C	D
vote counts	137 (first seat)	94 (second seat)	63 (third seat)	33 (fifth seat)
vote counts / 3	45.6 (fourth seat)	31.3 (sixth seat)	21 (eighth seat)	11
vote counts / 5	27.4 (seventh seat)	18.8	12.6	6.6
final seat allocation	3	2	2	1

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▲ Party A receives three seats, Party B and C two seats each and Party D one seat through the final allocation.



Proportional representation has evolved over time in an effort to create a more ideal democracy by reducing the gap between a party's vote share and the allocation of seats. It is the result of the continuous efforts of various mathematicians to find a balance between majority and minority parties and between support rates and seat allocations. However, the current mathematical theories also have their limitations, which means the quest for the optimal method remains. The Argus recommends that readers consider this basic mathematical theory in proportional representation as a starting point and to think broadly about a more optimal method for future elections. 🗳️

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It Is Time to Say Goodbye

By Cho Eun

Editorial Consultant

Fu Bao, the giant panda that weighs about 100 kg and lives at Everland, a zoo in South Korea (hereafter Korea), fascinates people with her astonishing cuteness. Since the summer of 2023, she has become one of Korea's most famous and beloved animals. Her videos on YouTube have exceeded 500 million views. The book "I'm a Happy Fu Bao Grandfather-Miraculous Days with the Bao Family" (2023) by Kang Cher-won, the zookeeper who raised Fu Bao, became a bestseller in the first week of March 2024. Pop-up stores selling Fu Bao goods in the Hyundai Department store in the city of Seongnam, Gyeonggi Province, 20 kilometers southeast of Seoul, have sold more than 5.5 million items, including keyrings and calendars. This phenomenon of Fu Bao's popularity prompts the question of why and how this panda is so loved. Is it fair to attribute this solely to cuteness and the YouTube algorithm? By exploring why Fu Bao captivates so many, we may uncover our deeper values.



"Parting is a sweet sorrow, that I shall say good night till it be tomorrow."

Like the renowned quote from Shakespeare's "Romeo and Juliet," (1597) tragic love is an all-time popular theme. Many times, stories of tragic love seem more beautiful, and they capture our minds so easily. Fu Bao also embodies a story of tragic love. Fu Bao gained fame with the fact that she had to leave Korea. With less than a year to go, video views boomed, and visitors began to flock to the zoo to see the celebrity with their own eyes.

But why must she leave and where is she going? Every panda in the world is owned by China, even those born outside of China. This is because of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which blocks the international trade of endangered animals and plants. CITES was enacted by the International Union for Conservation of Nature and Natural Resources (IUCN) in 1973, and pandas, which were classified as endangered species,

particularly inhabiting Sichuan, China, were also included in the agreement. However, in line with the old history of panda diplomacy that China has followed for more than a century, pandas are loaned to different countries all over the world. The lease conditions include baby pandas, that are born elsewhere, for breeding to maintain their population and existence. Thus, every newborn panda must return to China before they turn four years old when they become sexually mature.

Born in 2020, Fu Bao is now four years old and must return to China. On March 3, 2024, her last exposure to the public ended in a large crowd, as she had to be quarantined from the outside for a month before she left. This prearranged farewell moved the public and garnered enthusiasm. It was similar to overseas examples such as with Xiang Xiang from Japan and Yuan Meng from France, both of whom went back to China with their fans left grief-struck.



"You are my baby panda forever."

However, Fu Bao was more than just a fad. As shown by Kang who said, "You are my baby panda forever," the love of the zookeepers toward Fu Bao moved people's hearts. According to a survey by an online panel service, "Because of the strong chemistry with the zookeeper" topped the list of reasons for liking Fu Bao, with a rate of 38.2 percent. The public's obsession began with the adorable video of baby Fu Bao tugging Kang's boots, looking as if she did not want him to go. Triggered by that, other videos showing the chemistry between zookeepers and Fu Bao gained popularity, earning Kang the nickname "Fu Bao's grandfather." The love of the zookeepers seemed much more like the love of a real family, rather than just a relationship between an animal and a zookeeper. Also, it appeared that this love was not one-sided. Fu Bao embodied the figure of a complete granddaughter such as leaning on Kang, acting cute, and even sulking at him. Kang's sweet and warm words when talking to Fu Bao, as if he were talking to a human, and Fu Bao's reaction, as if she understood it all, showcased the transcendent and sublime power of love.

The inspirational love between a human and a panda made people think about their own families and acted as a place filler for the lack of connection that people in this era are experiencing. The number of one-person households reached 34.5 percent in 2022, according to the Korean Statistical Information Service (KOSIS). With 34.5 percent of people living alone, and more living apart from their families, the parental and family-like love between Fu Bao and Kang provided comfort and satisfaction to those lonely individuals. Moreover, the story of Fu Bao's family showed the mother's love through Ai Bao, Fu Bao's mother panda, showing the process of breeding and ultimately birthing Fu Bao. The recent videos also featured Ai Bao giving birth to two baby twin pandas, Rui Bao and Hui Bao, making this big family story complete. The chronicling of the Bao family, including Fu Bao's family and the zookeeper grandpas, aroused a kind of nostalgia for families of the past, when the nuclear family provided love and made family members feel cherished.



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The whole story of Fu Bao's birth, growth, and separation makes people feel like they are watching their own life story. We might also have seen the history of how we grew up reflected through her growth and felt reminiscent of when we were young. Perhaps it is natural for us to be engrossed by her life because we have been able to witness every first in Fu Bao's life. Just as the name Fu Bao implies, a treasure that gives happiness, she has made us reflect on the love we all have received and deserve. This love between humans and animals appeared superficially tragic but also made people feel the love they were missing. Similar to the joyful reconciliation between the two families in the novel "Romeo and Juliet," I hope that this love will end up as a happy ending, not a tragedy, even when faced with the inevitable choice to say goodbye. 🐼

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The Aesthetics of Leisure

By Lee Jue-hyun
Editorial Consultant



In Germany, daily life flows slowly. Instead of personal cars, people use buses and trams, and they commute on bicycles along the well-equipped dedicated lanes. Even when a bus suddenly breaks down or a train is delayed for over 30 minutes, nobody becomes impatient or irritable. Walking along the streets, parks can be encountered at any moment and one can spend their day walking their dogs, reading books. They use baskets instead of plastic bags as a matter of course, and they neatly leave bags they do not need on street stalls for others to use, considering it a minor inconvenience. This country may be a bit slower, but one can feel how their flexibility in dealing with the things that make up their daily lives contributes to creating a beautiful society. 

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All photos are taken by Lee Jue-hyun

The Most Influential Figures across a Lifetime

Kim Su-yeon

The friend I met first in high school has influenced me a lot. As a teenager, I just assumed her love would always be there, unconditionally. Then, one day, her blunt honesty about my selfishness forced me to take a hard look at myself. It hurt me at that time, but I came to realize how stingy I had been. Honestly, I had not known how to receive love because I have never experienced that kind of love before. That moment has shaped me ever since. Every day, I strive to become a better version of myself, partly as a way of apologizing to her. Now I make a real effort to show kindness to those who give me love.

Lee Se Eun

I have a friend who has given me an opportunity to rethink the meaning of true friendship. In the past, I used to believe that I should never talk negatively to a friend. However, a friend I met in high school listened to my thoughts without prejudice and embraced my negative opinions as a natural humanity. Thanks to her, I was able to have conversations about my true values, and it gave me an opportunity to learn more about myself. It was then that I first realized that I could grow through conversations with friends. Now I realized that true friends are those who share their stories openly and move forward together.

Lee Jue-hyun

It was more meaningful to face individuals who disliked me rather than receiving constant love. Initially, I questioned why someone would harbor resentment toward me, grappling with self-doubt. However, as I encountered various people, I realized that some might dislike me for a certain aspect, while others appreciated me for the very same reason. It became clear that satisfying everyone was an unattainable goal. Since then, I have believed that becoming a better person and striving to do my best in pursuing what I wanted were more important. Although it might be hard to say I do not get hurt anymore from those dislikes, I gained certainty that even if I faced setbacks, I would remain steadfast.

Kim Yi-eun

A friend I met in high school had a significant impact on me. My first impression of her was that she was quiet and shy. However, as time passed, we became closer, and now I cannot imagine my life without her. She was so kind and good that everyone acknowledged her goodness. As we spent our whole high school life together, I admired her positive energy and attentive nature, which made me reflect on myself and encouraged me to be better. I still get positive influences from her, and now I am trying to positively impact others myself.

Cho Subin

Singer G-DRAGON has been a significant influence on me since my teenage years. Since becoming his fan at the age of 15, he has had a significant impact on me in terms of fashion, values, and self-identity, setting a clear direction in life. Especially, witnessing his gratitude for his success and fans reminded me of the importance of striving for excellence and giving back. Of course, he may not always have shown the most desirable side of himself. However, his music and performances have guided me through life's twists and turns, gathered my thoughts, and moved me forward toward my next goal. I sincerely appreciate him and wish him everlasting happiness.

Cho Eun

It is a somewhat staid answer, but the person who has most deeply affected me is my father. Born in the baby boom era of 1959, he shares my passion for food, music, movies, and everything else. Always up at 5 o'clock for dawn prayer, he is intelligent, considerate, and even humorous. This endearing man listens attentively to my stories and concerns. Instead of offering the bitter advice I already know, he believes in me, waits for me to calm down, and then lightens the mood with jokes to soothe and comfort me. How could I not acknowledge that he has shaped me into a spontaneous, loving individual?

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