

# South Korea Police State: National Intelligence Service (NIS) Arrests Rep. Lee Seok-ki: Did ROK Lawmaker Really Try to Overthrow the Government?

By [Global Research News](#)

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## The Arrest of Representative Lee Seok-ki

In the early dawn of August 28th, South Korea's top intelligence agency, the Nat'l Intelligence Service (NIS), raided the offices and residences of ten Unified Progressive Party (UPP) members including first-term Rep. Lee Seok-ki. The NIS promptly arrested three party officials including Hong Soon-seok that afternoon and went on to arrest Rep. Lee on September 4th. Lee was arrested at his office in the Nat'l Assembly building just a few hours after the Nat'l Assembly voted to wave Lee's non-arrest privilege as a representative. The NIS arrested three more party officials on September 30th, bringing the number of people arrested in this incident to total of seven.

The NIS indicted Lee for three charges: violating criminal law by 1) plotting an insurrection and 2) inciting an insurrection and violating the notorious Nat'l Security Law by 3) "acting in concert" with the North.

South Korean criminal law defines an insurrection as "violence for the purpose of usurping the national territory or subverting the Constitution" and punishes preparations, attempts, conspiracies, and agitation or propaganda for it as well. Lee held a lecture for UPP members of Gyeonggi Province (surrounds Seoul) on May 12th in which he allegedly incited overthrowing the government and plotted to do so with the attending members. However, the NIS failed to back up their charges with any hard or circumstantial evidence other than what was said by Lee that day. The UPP has not accepted NIS' claims that Lee intended to prepare an insurrection and raised questions on authenticity of the transcript of the meeting leaked to the press by the NIS.

The Nat'l Security Law has been criticized internationally since its birth in 1948. Also domestically, starting from 1953 when South Korea's first Supreme Court chief justice insisted that the Nat'l Security Law should be abolished because criminal laws could sufficiently provide for its provisions, there have been continuous calls to abolish the law. In fact, Clause 1 of Article 7 is so controversial that even the current President Park Geun-hye expressed when she was in the opposition that it should be abolished. Nonetheless, it is exactly this article that the NIS has applied to indict Lee and others for being sympathetic to the North's nuclear program and singing activist songs popular in the North.

There have been sensational articles after articles in the South Korean media as this scandal

grew. Most of the reports turned out to be false and allegations were dropped from the NIS' investigation reports that formed the basis of the prosecution's indictment. For example, the media provided false information such as that Lee had huge amounts of foreign currency at his home, that Lee visited the North and discussed anti-government activities, or that a supporter of Lee researched how to make home-made bombs, which continuously appeared in the news to fuel the public's anti-North "red complex".

Throughout this process, the NIS violated Lee's human rights in various ways. They raided his home without the presence of Lee or his proxy, kept him under full-body CCTV surveillance during his detention and blocked him from receiving letters or visitors. But the most serious violation is that his access to counsel was limited only in the presence of the prosecution.

Who Is Rep. Lee Seok-ki?

Just like many in his generation were, Rep. Lee (b. 1962) of the Unified Progressive Party was a student activist fighting for democracy. He entered university in 1982 under the rule of General Chun who came into power through a military coup and the bloodshed in the 1980 Gwangju uprising. He spent years in hiding from the NIS and the police and was finally arrested in 2002 for his activities in an organization called Min-hyuk Party which was labeled as anti-governmental entity by the Nat'l Security Law. At the time the opposition parties and progressive activists categorized all who were arrested in this incident as political prisoners and strongly condemned the application of the Nat'l Security Law. Lee was released in 2003 and pardoned 2 years later, recovering his right to vote and run in elections.

The newly-freed Lee actively supported Democratic Labor Party (DLP) organized by his long-time colleagues since the 1980s and its successor, Unified Progressive Party (UPP). He put all his energy and efforts in helping the party in local and national parliamentary elections. He also founded a political consulting firm, the CNP, which contributed greatly in remarkable victories increasing the DLP's local seats by more than three-fold in 2010 and more than doubling the UPP's Nat'l Assembly seat from six to thirteen in 2012. Lee also founded Social Trend Institute that played a main role gathering public opinion and devising election strategies. Lee's continuous successful aid to progressive candidates in the 2000s earned him the support and respect of the UPP members and officials that led to his rise to the second position in the UPP's party list in last year's parliamentary election.

Rep. Lee played an active role as a member of the Nat'l Assembly's Science, ICT, Future Planning, Broadcasting and Communications Committee. He worked hard to balance the unequal South Korea-US relations, to promote reconciliation and cooperation between the two Koreas and to promote impartiality in the media. He officially proposed 4-party talks among the two Koreas, China and the U.S. when tensions escalated on the Korean Peninsula in early 2013, and the drastic reduction of subsidies to the U.S. military forces in Korea from the South Korean government. Both proposals garnered much interest from the press. Rep. Lee also played a key role in derailing President Park Geun-hye's first choice for the Minister of Science, ICT and Future Planning, revealing the former Bell Lab. CEO's links with the CIA.

However, the ruling conservative Saenuri Party and security agencies including the NIS never lost their suspicion of Rep. Lee. They believed Lee was a "North-sympathizing communist" and "trouble-making revolutionist" trying to destroy the legal order. Of course, Lee's arrest in 2002 did provide some basis for distrust. However, this sort of suspicion and labeling was not based on any kind of actual actions and, similar to the McCarthyist frenzy in the post-WWII U.S., their

political attacks had no evidence whatsoever.

What did Rep. Lee Actually Say in His May 12th Lecture?

It was the lecture Lee did in a May 12th 2013 meeting with the UPP members in the Gyeonggi Province that has been under fire. In fact, the NIS's and prosecution's indictments are based solely on this lecture. The NIS and the prosecution claim that Lee incited an insurrection among the attendees and plotted to overthrow the government with the attendees' support.

Lee's lecture was on the heightened tensions between the North and the US in early 2013. Both sides paraded their full military strengths in every aspect. The North carried out a nuclear test and threatened the US saying they could strike first. In turn, the U.S. brought in their B-2s, B-52s and submarines capable of launching ballistic missiles into the Korean Peninsula implying the possibility of attacking the North. The international English media reported that the U.S. was carrying out a scenario established in a "playbook", which was finalized at the end of 2012.

Any kind of military clash between the North and the U.S. would automatically involve South Korea. The South has a military alliance with the U.S. and its war-time command is under the U.S.'s control. It is common sense in South Korea that it would have to support U.S. troops if the U.S. starts a war against the North.

Lee presented his objective views on this point and voiced his deep concerns on what would happen to progressive activists if a war would actually break out. In fact, during the Korean War (1950-1953), after coaxing a hundreds of thousands of people to register in a state-led anti-communist organization in a politically uncertain climate, the South Korean government killed more than 200,000 of those registered in a witch hunt to weed out potential sympathizers of the North. Under the political situation like South Korea, it is always a possibility that the UPP members may face a similar ending.

Some members who attended the May 12th meeting suggested ways to obstruct the U.S. military if a war broke out in the Korean Peninsula, but Lee tried to dispel such ultra-radical suggestions and called for a pacifist movement through various methods such as public campaigns.

One of the biggest reasons Lee's arrest became such a sensation in Korea is because the media covered Lee's lecture extensively. The NIS had recorded his lecture using espionage techniques and leaked parts of the transcript to the media, in violation of criminal procedures. The public was alarmed at some of the expressions of the lecture and public sentiment rapidly turned against Lee. The two Koreas use the same language and share thousands of years of history up to 1945. But since being divided, certain terms became a taboo in each side of the border. A main example is "Chosun," the last official country name of a unified Korea before Japan's colonization in 1910. After the division of the two Koreas, the North resumed using Chosun as its official name while the South adopted a new name, and ever since calling Korea "Chosun" became a taboo in South Korea. However, Lee used the term "Chosun" to refer to Korea several times, pouring fuel on the conservatives' claims that Lee was a North-sympathizer.

Whether Lee can be convicted solely on the basis of his May 12th lecture is a legal question. Yet, societies under the rule of law generally do not persecute people for merely voicing their opinions. Nonetheless, South Korea has de facto legalized such persecutions based on its

unique situation of confronting the North and many have been imprisoned and even executed under such charges.

### The UPP's Position

Lee Jung-hee (the Chair of the UPP) claims that Lee Seok-ki's so-called plot to overthrow the government is an elaborate scheme of the conservative establishment. Her main points are as follows:

First, the ruling conservative Saenuri Party devised this plot to eradicate the possibility of a future power transfer to the opposition parties. South Korea's opposition parties consists of, the Democratic Party (DP), which is liberal and moderate, and smaller social democratic progressive parties. The opposition joined forces during the April 2012 general elections and, although the Saenuri party got a slim majority in seats (152 out of 300), the opposition won a large number of popular votes. To prevent the continuance of this successful alliance, the conservative forces decided to attack the weaker progressive parties, especially using its alleged links to the North to put the DP on guard by rousing its "red complex". As a result, they succeeded in breaking up the alliance that was cooperating on revealing how South Korea's top intelligence agency meddled in the 2012 presidential election until right before this incident.

Next, President Park Geun-hye and the Saenuri Party wanted revenge on Lee Jung-hee herself. In the most popular TV debate during last year's presidential campaign, then-UPP candidate Lee Jung-hee created a sensation with her blunt criticisms of Park. It must have been unprecedented humiliation for the daughter of former President Park Chung-hee who ruled South Korea with an iron fist for 18 years following his military coup in 1961. In particular, Lee Jung-hee noted during the debate that Park Chung-hee adulated Japan under its colonial rule and was a proactive Japanese collaborator. Such disclosures created ripples in the nation and President Park Geun-hye continued to face the repercussions after sworn in this year. Many Koreans believe that Lee's arrest was, in a large part, political payback.

Lastly, the growth of progressive parties in and of itself poses a threat to the conservative forces. After entering the Nat'l Assembly in 2004 with ten seats, the UPP retained their presence in the parliament with 5 seats in 2008 and carried off a great success in 2012 with 13 seats. Unlike the moderate DP, the UPP had many radically progressive policies that were gradually adopted by the DP as the UPP's power grew. By the end of 2011, even the Saenuri Party shed blue to adopt red as its official color—the color that traditionally symbolized the progressives. The growth of the progressives was pulling South Korean politics to the left, which caused great alarm to the conservatives. Lee's arrest was a step towards disbanding progressive parties, and in fact, the prosecution has set up a special task force to dissolve the UPP.

However, South Korean politics does not follow a single person's design, even if that person is the president. Korean people have continuously expressed their opinions and oppositions directly through large street rallies and protests whenever their wishes were not properly being heeded.

After Lee's arrest, numerous demonstrations denouncing the NIS' meddling in last year's presidential elections and the persecution of Rep. Lee Seok-ki took place. These demonstrations led to the birth of a joint committee of the progressives across the society including the national labor union, Korean Confederation of Trade Union (KCTU), National

Peasants Alliance, Association of the Families of Political Prisoners and other main progressive groups in the religious community.

Concerns about the NIS and the current political situation are growing around the world as well especially among the international media and intellectuals. Asia-Pacific Deputy Director at Amnesty International expressed her concern in the statement regarding the persecution of Rep. Lee Seok-ki on September 11th and national civil groups in Japan also denounced this plot on September 19th. Conscientious intellectuals are also joining in the effort. 206 Korean studies scholars overseas, including Owen Miller, made an announcement to “convey their concern for the threat democracy in South Korea is facing and expressed their solidarity with South Koreans and help block the reversion to dictatorship” and 57 scholars including Noam Chomsky and Michel Chossudovsky also made a similar statement.

South Korea is internationally known for its economic success and vibrant democracy. It is now the 15<sup>th</sup> largest economy in the world and has had 6 consecutive democratic presidential elections with shifts of powers. It is less known that such absurdities like the Lee Seok-ki scandal are still happening.

\*We hope this leaflet will help provide an alternative view different from the lop-sided main narratives and bring more international attention to the weakened state of South Korea’s democracy.

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