National Security Conservatism and Enduring Support for the National Security Act in South Korea

Steven Denney
University of Toronto

Christopher Green
Leiden University

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Abstract

This paper explores popular support for South Korea's National Security Act, a controversial law designed to deter pro-North Korea behavior and speech through restrictions on freedom of expression and movement. With foundations in the colonial era, the Act is mainly a product of the country's national division and Cold War-era competition with North Korea, representing a legal manifestation of anti-Communist ideology. Broad in scope and open to arbitrary application, the Act runs contrary to the spirit and institutions of liberal democracy. We ask why, despite heavy criticism of the Act and several decades of democratic deepening, it has yet to be abolished or significantly revised. Using the latest public opinion data from the World Values Survey (2018), and supplemented by earlier data from the East Asia Institute (2015), we explore opposition to abolishing the Act overall and by political identification, gender, and political generations. We find relatively high levels of support for the Act and an absence of definitive differences in opinion across subgroups. Robustness checks, using measures for support of sanctions against North Korea and the principle of anti-Communism, corroborate our findings. We conclude that South Korean political culture, especially on matters related to North Korea and national security, leans conservative. Our findings contribute to research on South Korea's political culture and limits to democratic deepening, in addition to questions related specifically to the Act itself.

Keywords: South Korea, National Security, Public Opinion, Anti-Communism, North Korea

1 Introduction

Through fits and turns, South Korea has gone from dictatorship to democracy and then towards consolidation. A non-linear process if there ever was one, most major indicators nevertheless point to democracy being the "only game in town" in South Korea. Varieties of Democracy, for instance, classify South Korea as a "liberal democracy," one of few in East Asia, and its liberal democracy and civil society ratings indicate South Korea is one of the most liberal democratic countries among all democracies in the Asia Pacific (Denney 2020). Besides system-level indicators, public opinion analysis finds that South Korean attitudes towards political and social rule are largely democratic, especially among residents born and socialized under democratic institutions (Denney 2019a; Denney 2019b: 38-58; Dalton and Shin 2014). Evidence of declining support for democracy across generations in many Western democracies (Foa and Mounk 2016) cannot be replicated for East Asian democracies, including South Korea (cf. Foa et al. 2020: 13).

Since democratic reforms were conceded in 1987 by the ruling Democratic Justice Party (Slater and Wong 2013), there has been a relatively peaceful and successful transition of power from ruling party to opposition approximately once per decade.[1] Yet nestled within rapid, positive shifts towards South Korea becoming a consolidated democracy are seemingly anachronistic vestiges of an authoritarian past. Shin (2020) identifies some shortcomings, including suppression of dissent and free speech, but his analysis is one-sided and arguably partisan, focusing specifically on the Moon Jae-in administration. Yeo (2020) provides a more balanced treatment, identifying institutional and cultural barriers around freedom of speech, abuse of presidential powers, and politicization of federal prosecutions (typically of

[1]The liberal democratic index at Varieties of Democracy finds that over the course of two conservative administrations (2008-2017), the quality of South Korea's liberal democratic institutions did erode markedly. Further, the impeachment and removal of former President Park Geun-hye, who international organizations describe as having engaged in bribery, extortion, public-private collusion, and suppression of free speech (Freedom House 2019), certainly tested those relatively young democratic institutions and shone a light on residual support for non-democratic norms (largely among those citizens who came of age prior to democracy). See Denney (2017) and Dalton and Shin (2014) on generational divides regarding democracy and democratic rule in South Korea.

government critics). Others, including Pak and Park (2019), Mobrand (2018), Lee (2017), and Haggard and You (2015) have raised these same points and identified other constraints on South Korea's democracy, such as limits to political representation and the general lack of party institutionalization.

A quintessential example of institutional and cultural limits to democratic deepening is the country's anti-communist and anti-North Korea security legislation, the National Security Act (NSA; the Act). Borne of a time when violent left-wing nationalist resistance was common and the South Korean state was weak, the Act forbids South Koreans from having contact with North Koreans and travel to North Korea, as well as all public expressions of support for North Korea and possession of publications from the country.

By almost any measure, the Act is at odds with South Korea's modern, increasingly liberal and information-saturated society. Then, why is the National Security Act still on the country's statute book? Why has there never been a successful attempt to even ameliorate its excesses, let alone abolish it?[2] This paper seeks answers to this question, asking as we go into the third decade of the 21st century, do South Koreans (still) support the National Security Act?

Using public opinion data from the latest wave (2018) of the World Values Survey and the East Asia Institute's Korean Identity Survey (2015), we explore overall support for the Act and determine whether there is any discernible difference by political identification, gender, or generations. Overall, support for the Act remains relatively high – between 48 and 63 percent, depending on the question used. Although there is some evidence of declining support, we find no substantive difference by subgroups, suggesting that there are no political cleavages around which a political effort could be made to abolish it. Using robustness checks for support for North Korean sanctions and anti-Communism, we find that there is a national

[2]We recognize that amendments to the Act have added some clarity and limits to arbitrary use. Article 1, Clause 2, for instance, was added in 1991 and is meant to do both. It reads, "In the construction and application of this Act, it shall be limited at a minimum of construction and application for attaining the purpose as referred to in paragraph (1), and shall not be permitted to construe extensively this Act, or to restrict unreasonably the fundamental human rights of citizens guaranteed by the Constitution." We hold such amendments are minor and do not substantively change the law.

security bias in South Korea, and one that provides an explanation for why an otherwise anti-democratic piece of legislation remains. Our findings contribute to an updated understanding of South Korean political culture, attitudes towards the National Security Act, and limits to further democratic deepening in South Korea.

2 History of the National Security Act

One of South Korea's most infamous pieces of legislation, the National Security Act is almost as old as the state itself – 72 years and counting. Enacted on 1 December 1948 following the formation of the Republic of Korea on 15 August of the same year, the NSA began life as a response to the challenges posed by the political and ideological inclinations of many southern Koreans in the aftermath of 35 years of Japanese colonial rule, as well as the existence of an antagonistic, Soviet-backed state in the north of the peninsula. The Act was, per Cho (1997: 132), "A product of the acute struggle between antagonistic ideological forces and the legal expression of anti-communism and anti-North Korea ideology."[3]

The Act goes further back still, having been modelled on a repressive security law that Tokyo used to suppress the activities of pro-independence activists during its occupation of Korea between 1910 and 1945 (Cho 1997: 132; Haggard and You 2015: 172). In its infancy, the NSA provided the new and rather fragile government of the ROK, hamstrung by limited state capacity under conditions of frequently violent domestic political contestation, with an ostensibly legal basis for repression of "unlikable in-group members", mostly left-wing nationalists (Shin, Freda and Yi 1999).

Until the fall of the Rhee government in the face of student protests in early 1960, as Kim (1998) recalled in Weolgan Mal, a South Korean magazine popular with activists in the 1980s, "Just using the expression 'peaceful unification' infringed anti-communist laws." Public debate about North Korea did emerge with the demise of the Rhee government.

[3]Cho Guk took up, and then was forced by scandal to resign from, the post of Minister of Justice in the administration of Moon Jae-in (2017-2022).

However, its successor regime was short-lived, and the military dictatorship of Park Chung-hee, established in May 1961, put the subject of North Korea back in a box, preferring to emphasize centralizing state functions and enhancing political control. Kim (2015: 288) and Son (2011: 239-240) are among those to assert that the NSA even had the practical effect of elevating anti-communism, which in the South Korean case is better described as anti-North Korea-ism, into a national guiding principle, or *guksi*.[4]

What is the current use of the Act? Throughout the democratic era and on into the 21st century, prosecutions under the NSA have continued unabated, though they have declined markedly in number. As Figure 1 demonstrates, using data published by the ROK Ministry of Justice, there have been an average of 66.2 prosecutions under the NSA each year since 2003.

[Figure 1 about here]

However, an average of 66.2 prosecutions annually hides significant variation. The number of prosecutions under the NSA fell during the aforementioned Roh presidency (2003-2008), reaching a low of 32 in the year in which Roh left office, but rose again under Lee Myung-bak (2008-2013), a conservative former mayor of Seoul. Numbers reached a 21st century high point of 197 under Lee's successor, Park Geun-hye (2013-2017) in 2013, when South Korea's security services halted a ham-fisted but seemingly genuine plot to overthrow the South Korean government in the event of war with North Korea (Green 2015; Choe 2014).[5] Prosecutions under the act fell again thereafter, and have reached historic lows under the administration of Moon Jae-in, elected in mid-2017. This is where they are likely to stay until at least 2022, when the next presidential election takes place.

[4]For an account of how this situation survives in some senses in the present, see Sung (2017: 486-490).

[5]Plenty of South Koreans think the case was a fabrication lead by the National Intelligence Service, the controversial ROK state intelligence agency. See, e.g., Lee (2016: 142-167). Lee is the former leader of the Unified Progressive Party, which was forcibly disbanded following the Lee Seok-ki case.

3 Hypothesizing Support for the National Security Act

The NSA is written too generally and has tended to be applied too broadly, as Amnesty International (2012; 2015) has emphasized. It has been used to stifle public debate about North Korea over decades – during both authoritarian and democratic eras – resulting in non-trivial limits on freedom of expression for South Korean citizens. It is a salient piece of the puzzle of what Daniel Pinkston writing for International Crisis Group (2014) describes as "intelligence pathologies" in the South. A former senior South Korean intelligence service official posited the viewpoint that the Act "is anachronistic [and] has largely been overtaken by changes in politics and society."[6]

It is not, however, the point of this paper to ask whether or not the NSA should be abolished, though given that it demonstrably presents a challenge to democratic rule, logic would seem to point that way. Rather, we wish to ask why little political effort has been made to bring abolition about. As the aforementioned former senior intelligence official put it, "Is it nostalgia? A Pavlovian response?" In an effort to get to the bottom of this conundrum, we derive three testable hypotheses about support for the National Security Act between relevant groups that map onto political/social cleavages in South Korean society.

First, we consider the relationship between political identification and NSA support. While there are relatively few programmatic issues in South Korean politics that are strongly associated with either political ideology (Hellmann 2014; Wong 2014), North Korea policy and security concerns are among them.

Even today, conservative political ideology in South Korea is defined in significant part by anti-communism (or anti-North Korea-ism) and is squarely rooted in the authoritarian tradition of ruling parties of the pre-democratic era, whereas progressivism is defined more by opposition to a strong anti-communist/North Korea agenda and the authoritarian excesses of the country's past (Lee 2005).[7] Viewed through the lens of the libertarian-authoritarian

[6]Interview with former senior National Intelligence Service official, 17 October 2020.

[7]Hong Joon-pyo of the Korea Liberty Party ran as the conservative presidential candidate in the 2017 presidential election in South Korea. He referred to his main competitor and current president, Moon Jae-

dimension of ideology, South Korean conservatives are on the more authoritarian end of the spectrum, whilst progressives tend towards libertarian (Evans, Heath and Lalljee 1996: 95-96). Conservatives are more likely to favor tough, and freedom-limiting, measures to prevent social disorder, whilst progressives focus more attention on freedom of speech and opposition to censorship (Kang 2008: 467-472). Accordingly, we consider the following hypothesis:

H1: Self-defining conservatives will show more support for the NSA, and progressives will show less support.

Second, we look at gender identification. Given the gendered nature of nationhood in South Korea, examining the association between NSA support and gender is warranted. As Moon (2005) shows, Korean nationhood and identity are rigidly gendered and hierarchical; a product of the militarization of society. Men, in particular, are seen as holding highly patriarchal views in general (Kim 2006) and, due largely to mandatory military service, militaristic and/or nationalistic views on nationhood in particular (Kwon 2001). Given their exposure in the military and broader socialization experiences, we expect men to express greater levels of support for authoritarian measures, especially those meant to combat the perceived pernicious influences of North Korea, compared to women. Thus, the following hypothesis:

H2: Support for the NSA will be higher among men than women.

Lastly, we examine NSA support among different political generations. Work in political socialization underscores the importance of formative experiences, arguing that events which take shape during the critical formative years of one's life (approx. ages 12-25) play a constitutive role in forming ideas, attitudes, and preferences that are resilient over the course

in, as a pro-communist sympathizer (Hankyoreh 2017). South Korean progressives are often criticized for their insistence on "struggle" politics, a harkening to the authoritarian era, rather than focusing on more programmatic issues such as economic inequality, gender and sexual discrimination, political liberties (e.g., free or protected speech), and other issues seen as limiting South Korea's liberal democratic deepening (see, e.g., Shin 2020: 101-103).

of the life cycle. The conditions under which people come of age tend to be shared, defining what Sigmund Nuemann would call a "political generation." Building on the previous work of Karl Mannheim (1952), Nuemann (1965: 235) held that the conditions which determine whether one belongs to a political generation are "common experiences, the same decisive influences, [and] similar historic problems." Evidence that formative experiences matter and engender enduring attitudes and predispositions that last across the life cycle has been found for a score of social, economic, and political values in Western societies (e.g., Abramson and Inglehart 1995; Inglehart 1983, 1997; Jennings 2002; Plutzer and Berkman 2005) and in East Asian countries (Chang and Wang 2005; Rigger 2006; Denney 2019b).

If the proposed relationship between political socialization and broader attitudes is true, then we can expect those coming of age in an increasingly democratic and pluralistic South Korea to hold views consistent with democratic institutions, namely: protection of civil and political rights, as democratic theory holds (Nodia 1992; Kunovich 2009). Those who came of age under authoritarianism, we surmise, will have internalized the logic and rationale of the regime, especially its anti-communist/anti-North Korea state and national identity. Research finds that, even under authoritarian regimes, political attitudes tend to reflect the values and ideas of the time and are resilience over time (Verba 1965; Conradt 1980; Montero et al. 1997; McDonough et al. 1998; Neundorf 2010; Denney 2019b).

Accordingly, we view those socialized in South Korea's authoritarian and democratic eras as holding derived from those systems. Consistent with theories of political generations, then, we test the following hypothesis:

H3: Authoritarians will show greater levels of support for the NSA than democrats.

4 Data and Methodology

We use two data sources. First, the latest wave of the World Values Survey (WVS), a sample of 1,245 adult residents of South Korea[8] during the month of October 2017. The second source is the 2015 East Asia Institute's Korean Identity Survey, a sample of 1,006 residents completed in the month of May.[9]

The variable from WVS and EAI is the same – attitudes toward the National Security Act – but the question wording differs in meaningful ways. The WVS question (with answer options in parentheses) reads as follows:

The National Security Act should be abolished.

(Strongly agree; Agree; Strongly disagree; Disagree)

The EAI survey question is written as such:

Of the following two opinions, which is closest to your own?

(The National Security Act should be kept as it is. (1) The National Security Act should be revised or abolished. (2))

For the WVS question, we measure those who disagree that the law should be abolished by counting those who answered 'strongly disagree' or 'disagree' as 1, else 0. For the EAI question, we focus on those who believe the law should continue as it is (coded 1), rather than revised or abolished (0). In both cases, we are measuring support for the law, although we note that for the WVS question, the measurement is of opposition to the law's abolition, with no consideration of revision. The second (EAI) question measures whether one believes the law is appropriate as it is and should be neither revised nor abolished. In theory, each outcome variable measures a similar sentiment, but the question wording and thus the measurement is different enough to warrant separate consideration.

[8] All but three respondents surveyed identified as citizens of the Republic of Korea.

[9] Read more about the sampling method from the WVS website on survey documentation for South Korea at: http://www.worldvaluessurvey.org/WVSDocumentationWV7.jsp. Similarly, more about EAI's survey can be read at Seoul National University's Korea Social Science Data Archive: https://kossda.snu.ac.kr/.

In addition to exploring overall support for the National Security Act, we test the three hypotheses specified in the preceding section about different group support for the law based on well-established political and/or social cleavages in South Korean politics and society using three explanatory variables.

The first is political identification. We identify political progressives and conservatives using a 10-point political scale, where one (1) is completely progressive and 10 completely conservative. We count the midway point (5) as those identifying as political centrist/moderate. Respondents answering between one and four are counted as progressive, and those choosing between six and 10 are counted as conservative. Both the WVS and EAI surveys measured political identification in the same way.

Second, using binary outcome variables in both surveys for gender, we consider whether men in particular hold different views from women. It is possible that some survey takers identify as neither male nor female, but we unfortunately have no way of taking this gender identification into account given the options provided to respondents. It is also not clear if the survey asks people how their gender was identified at birth, or how they identify at the time of the survey.

Lastly, we look at political generations as an explanatory variable. Three political generations are identified, corresponding to the distinct historical periods and political regimes: authoritarian, transition, and democratic. Individuals are assigned to a generation based on when they spent their late adolescent formative years (18-25). This approach is consistent with previous studies employing generational analysis (Chang and Wang 2005; Rigger 2006; Nuendorf 2010; Dalton and Shin 2014).

Using 1987 as the year of transition, the authoritarian generation includes those who spent the entirety of their formative years (12-25) under an autocratic regime. The transition generation includes those who were between the ages of 12-25 at the time of democratic transition, and the democratic transition includes only those who spent the entirety of their formative years under a democratic regime (i.e., those born after 1975, or those 44 years-old

or younger in 2020). Notably, this method introduces a lag for the democratic generation. Transition from autocracy and democratic consolidation takes time; this grouping method accounts for that.

For both questions/outcome variables, we specify linear probability (LPM) models, with our three predictors plus relevant statistical controls. The reason we opt for LMP models over logistic or probit regression models is mainly for ease of interpretation.[10] The regression coefficients for the LPM models can be read as the estimated marginal effect of belonging to one of the specified groups on the probability of supporting the National Security Act (NSA). That is, the change in predicted probabilities of support for the National Security Act if a person is progressive or conservative, belongs to the democratic or authoritarian generation, or identifies as male.[11] The model is as follows:

$$ln(support_i) = \beta_0 + \beta_1 political\, ID_i + \beta_2 gender_i + \beta_3 generation_i + \chi_i \pi + \epsilon_i$$

Where *support* denotes whether a person from a cross section of the population supports the National Security Act, *political ID* denotes a categorical variable for a person's political identification (progressive or conservative, with centrist as reference category), *gender* indicates a binary variable for person's gender identification (male 1, else 0), *generation* designates the political generation to which the person belongs (democratic or authoritarian, with the transition generation as reference category), χ is a vector of controls,[12] and ϵ denotes independent and identically distributed (iid) errors. Table 1 show the summary statistics for explanatory variables used. (Appendix A in the Supplementary Information provides an overview of the

[10] Although logistic regression is usually preferred, and often the most appropriate, model for dichotomous outcome variables, a linear probability model can be used in cases where the probability and log odds have an approximately linear relationship across the range of modeled probabilities. This has been estimated as between probabilities of .2 and .8, but possibly lower (Long 1997; Hippel and Workman 2016).

[11] The primary methodological concern, then, is heteroskedasticity, but we are able to correct for this using the White estimator.

[12] For the model based on WVS data, controls include education (university or not), regional dummies (for Honam, Yeongnam, and Seoul), income dummies (high-income earners and low-income earners), marital status (dummy for whether one is married now or was before, for life-cycle effects), nationalism (WVS Welzel measure), and support for democracy. The EAI model contains the same vector of controls, except there are no variables for nationalism or democratic support. See SI document for more information.

control variables used, including summary statistics.)

[Table 1 about here]

5 Empirical Findings

5.1 Descriptive statistics

First, we provide the average of South Korean respondents who support the National Security Act (NSA) by survey. Figure 2 shows that 48 percent of South Koreans in 2018 opposed abolishing the NSA with a margin of error of +/- 3 percentage points. The proportion who supports the NSA, in the form of simply keeping things unchanged, is significantly different. The 2015 EAI survey data shows that 63 percent of all respondents support keeping the law as it is, rather than supporting a revision or abolition, with a margin of error of +/- 3 percentage points.

How do we interpret the 15-percentage point difference in averages between the WVS and EAI questions on the NSA? One interpretation is that support for the NSA dropped substantially between 2015 and 2018 and that this was (presumably) a consequence of on-the-ground political developments. Certainly, events between 2016-2017 constitute a watershed moment in South Korea's political history. Sustained protests against then-president Park Geun-hye, a conservative bulwark and daughter of former dictator Park Chung-hee, for corruption allegations and charges of dereliction of presidential duty led to her eventual impeachment and removal from office (Denney 2016).[13] The movement to remove Park has been interpreted as a rekindling of a pro-democracy sentiment and opposition to authoritarianism (Kim 2017; Chang 2018). It is possible, and perhaps probable, that dissatisfaction with government and its undemocratic behavior would have led to a decrease in support for a law that was, after all, borne of a bygone authoritarian period. However, if this interpretation is correct, we

[13]Called the "Candlelight Movement" by some, due to the widespread use of candles during protests (Choe 2017).

would not necessarily expect the effect to be equal. Rather, we would expect the effect to be greater among self-identifying progressives and less so among conservatives (cf. Denney 2017).[14]

An alternative explanation posits that the difference is not reflective of changing political conditions but merely emerges from the wording of the questions. For the WVS question – the NSA should be abolished – respondents are asked to take an active stance: support or oppose the law's abolition. The EAI survey, on the other hand, provides respondents the option for the status quo (i.e., doing nothing). The questions are measuring the same thing (NSA support), but they measure it in slightly, but significantly, different ways. We thus exercise caution in comparing responses.

[Figure 2 about here]

Regarding the primary question of this paper – why the NSA has not been abolished or substantively revised – we are provided some indications. Especially for the EAI findings, the data show that a majority of South Koreans actually support the Act. Even in the case of the WVS survey findings, we can say with 95 percent confidence that the proportion who support the law is between 45 and 53 percent of the population. In other words, about half of all South Koreans. One could make the case that 45-53 percent ought to be enough to encourage consideration of the NSA's abolition, but realistically that would only be so if a sizeable majority of them were all on one side of the distribution of political opinion. Then, are there differences among relevant subgroups in the country that may provide a better, more complete answer to our question? We turn to regression analysis to provide insight.

[14]There is a 2020 iteration of the East Asia Institute Korean Identity Survey. A review of the top-line numbers indicate no substantive differences on the measures investigated in this paper, leading us to conclude that there were no significant changes in opinion between 2015 and 2020. Unfortunately, the raw data file is not yet available for public use and will not be for some time. See the documentation (in Korean) at the East Asia Institute's website, here: http://www.eai.or.kr/new/ko/main/.

5.2 Regression models

Figure 3 shows the estimated marginal effects on support for the NSA by all subgroups of interest for the World Values Survey 2018 question (see Appendix B in the Supplementary Information for the tabular output). The intercept provided can be read as the adjusted proportion of respondents who support the law (.48, or 48 percent).

Then, we can interpret the coefficients by group, starting with political identification. Those who identify as politically progressive are, on average, 8 percent less likely to support the NSA relative to the baseline. In other words, about 40 percent of all progressives support the law (or 60 percent oppose it). For conservatives, the effect is positive, but small and statistically insignificant (+2 percent). Accepting the null hypothesis, we cannot conclude that the difference for conservatives is greater than zero. We note, for clarity, that progressive and conservative attitudes are taken relative to the reference category (centrists).

For both political generations and gender, we too accept the null hypotheses. We cannot say that belonging to either the democratic or authoritarian generations is associated with a difference greater than zero vis-à-vis the transition generation, nor does identifying as male result in a statistically significant difference in support for the NSA vis-à-vis female. In Appendix D of the Supplementary Information, we present estimates based on alternative model specifications using different measures for political identification (by political party support) and for identifying generational differences. The main findings presented here are supported.

[Figure 3 about here]

Do outcomes change with a different question wording? We specify another LPM model for the East Asia Institute question – i.e., the status quo option – with the same predictors and nearly identical model specifications.[15] Figure 4 shows the estimated marginal effects on support for the NSA by the subgroups explored here. The findings are similar to the previous

[15] As documented in Appendix A of the SI, some controls used from the WVS are unavailable in the EAI survey (e.g., WVS has a democracy support variable that EAI does not).

model, based on opposing abolition of the Act. The adjusted average support (for the status quo) is .67 (or 67 percent), as per the intercept. Identical to the previous question, those who identify as progressive are, on average, seven percentage less likely to support the status quo. This puts their support at 60 percent, or two-thirds – a surprisingly high number.

[Figure 4 about here]

Different from the previous model and question, we see that respondents from the authoritarian generation are more likely than those from the transition (and democratic) generation to support keeping the NSA as it is (a 10 percent increase in support). This is not a surprising finding and is in line with our empirical expectations informed by socialization theory. Having grown up under significantly different political and social conditions, respondents from this generation will likely have internalized the logic of the pre-democratic era, when anti-communism was more heavily promoted and the threats of both North Korea and domestic left-wing agitation were much more real. However, there are neither substantive nor statistically significant effects for political conservatives, democrats, or males.

As done for the WVS data, we consider estimates based on alternative model specifications for political identification and generations (Appendix D of the SI). Like above, the findings presented here supported.

To recap our findings thus far, we find that roughly half or more of South Koreans express some level of support for the National Security Act. There are some small differences in opinion between our groups of interest. Progressives are somewhat more likely to oppose the NSA and, by EAI's 2015 measure, authoritarians are slightly more likely to support it. However, overall, we find little evidence of sufficient popular support generally or between social and political cleavages for abolishing or changing the Act. There is no preponderance of support for abolition or amendment on either side of the spectrum of political opinion. The findings, based on the linear probability models, are reproduced using logit regression models and can be reviewed in Appendix C of the SI. They are effectively identical, but the

LPM output is more straightforward and intuitive to read (without transformations) and is thus used in the manuscript.

To be expanded upon in the conclusion, we find evidence for a national security conservatism in South Korea. Before further entertaining this idea, we check our empirical findings using alternative measures of the central idea behind the NSA – containing or combating the influence of North Korea.

6 Robustness Checks: Anti-communism and North Korean Sanctions

The findings from our analysis of questions about the National Security Act indicate that there is a sort of national security consensus around the Act, or at least no politically relevant wedges across political identification, gender, or political generation. To put this thesis to additional empirical testing, we consider conceptually similar questions from the World Values Survey and East Asia Institute surveys. First, a question about sanctioning North Korean provocations. We would expect a national security conscious public to respond to North Korea provocations against South Korean sovereignty and security equally and similarly. Conversely, if there were those to whom North-South relations and prospect of détente were of greater importance, then differences in opinion would be expected. There is a case to be made that self-identifying progressives, females, and democrats are less likely to support tougher North Korea policies, for reasons explored in more detail above. The WVS asks respondents whether North Korea should be sanctioned for provocations. They are provided four responses (Strongly agree, agree, disagree, strongly disagree). We take a binary outcome of these choices (1 for support, else 0), combining the two agree choices and the disagree options.

The second question, from EAI, is about anti-communism. Given that the NSA is, by design and current use, meant to deter pro-North Korea/Communist political and social

behavior, if there is weariness or opposition with the idea, we would expect there to be notable differences across our three groups of interest. Anti-communism is typically associated with hard-right political pundits and conservative lawmakers (e.g., Hong Joon-pyo). While the anti-Communist language may strike casual observers of Korean politics as bizarre, or perhaps just an antiquated remnant of the Cold War, the backdrop upon which plays the brawn and bluster of conservative commentary is a political culture that might be more sympathetic, or at least indifferent, to such messaging than one might expect.

For measuring support of anti-communism, respondents are asked whether they think it continues to be an important component of South Korea's national identity.[16] They were given four choices: 1) Since North Korea continues to be a threat, anti-communism should be the national ideology of the Republic of Korea; 2) Even if anti-communism is not an official national ideology, it should still be defended as an important value; 3) It was needed during the Cold War, but is not needed today; and 4) Anti-communist ideology is anachronistic, because it undermines inter-Korean dialogue and is a pretext for the repression of human rights. We consider, as a dichotomous outcome variable, two measures. One, those who opted for choice one (anti-communism needed because North Korea remains a threat); and two, those who chose either options one or two (i.e., those who continue to think anti-communism is an important feature of South Korea's national identity).

Using the same model specifications as above, expect with new dependent variables, Figures 5-7 show the outcomes. First, the findings for North Korea sanctions. We see that the adjusted average is .67, which can be read that 67 percent of South Koreans support sanctioning North Korea in the event of a provocation. There are, as we would expect if the national security conservatism thesis is correct, no differences between progressives and conservatives, males and females, or authoritarians and democrats.

In Figures 6-7, we look at the regression outcomes for those who believe anti-communism

[16]Specifically, the question reads: "It is claimed that 'anti-communism' is an important component of South Korea's national identity. Regarding this, which is of the following is closest to your opinion?" [대한민국은 '반공'을 중요한 국가이념으로 삼아야 한다는 주장이 있습니다. 이에 대 한 귀하의 의견은 다음 중 어느 것에 가장 가깝습니까?]

is central to South Korea's national identity because of North Korea's continued threat and those who either believe this or simply that anti-communism is an "important value."

If we take a stricter measurement and examine only those who think anti-communism should be a national ideology (Figure 6), we see that only 36 percent of respondents believe this. The coefficient for progressives is negative but the associated is weak and not statistically significant. There is a stronger, and positive, association for authoritarians, but this, too, is statistically insignificant. When we use a more relaxed definition of anti-communism's importance, defined as either something which is important due to North Korea's existence or as merely an important value (Figure 7), we see substantial support (84 percent) and observe outcomes that mirror that of our findings for NSA support in the EAI survey. Compared to those from the transition generation, authoritarians are more likely to agree that anti-communism is important by 10 percentage points. There is not a statistically significant difference for democrats. Progressives are also less likely to agree, but the effect is not large (6pp) and significant only at the 90 percent level.

Overall, we find support for our main findings across alternative measures. In fact, nearly identical results. There are some minor differences in opinion regarding policies and ideas related to South Korean national identity and security, but the differences in opinion across subgroups are not substantive – much like the findings for the National Security Act.

[Figure 5 about here]

[Figure 6 about here]

[Figure 7 about here]

7 Conclusion

Consolidated and vibrant democracies should represent inhospitable terrain for pieces of repressive national security legislation. And yet, South Korea has one such piece of legislation,

the National Security Act, on its statute. The seemingly anachronistic 1948 law is used for a range of demonstrably anti-democratic purposes: to prosecute South Koreans who have contact with North Koreans or travel to North Korea without prior authorization, and to punish those who make public expressions of support for North Korea or are found in possession of publications from the country. It has not been widely applied during the 21st century, but has still been employed an average of 70 times per year.

The incompatibility between the continuing existence (and judicial utilization) of the National Security Act and the modern, democratic South Korea is the conundrum under discussion in this paper. It asks why the National Security Act is still on the country's statute book, 72 years after it was enacted and long after it ceased to reflect the political culture of the modern Republic of Korea. Why has there never been a successful attempt to even ameliorate the NSA's excesses, much less to abolish it? And why is there no hint of such an attempt on the horizon?

It is certainly not for want of political capacity. At time of writing in late 2020, the ruling Democratic Party is dominant in South Korean politics to the extent that it could abolish the law if it chose to do so. The reason for the ruling party's apparent reticence is, as the analysis in this paper demonstrates, that the NSA remains relatively popular. Or rather, that it is insufficiently unpopular with any single group in South Korean society to make it a politically advantageous cause to take up. As the former senior South Korean intelligence service official cited in the introduction to this paper put it, the ruling Democratic Party believes, and we agree, that "it is not worthwhile to waste their political capital on a project like this."[17]

As this paper demonstrates, among South Koreans there remains a national security conservatism that is broadly bipartisan. Support for abolition of the NSA exists, but it does not split conveniently down party lines or by gender, nor are there sufficiently large differences in opinion between political generations. There is a robust intellectual argument for abolition

[17]Interview with former senior National Intelligence Service official, 17 October 2020.

– the NSA is indisputably anti-democratic, especially Article Seven – but the circumstances of modern South Korea, including the continuing existence of North Korea, trump these concerns in the eyes of South Korean adults. For now, at least, the Act, irrespective of transgressing upon democratic freedoms, appears to be in accordance with popular sentiment.

Our main takeaway about the conservative leaning nature of South Korea' political culture is supported by alternative measures. There is broad-based support for both tough measures against North Korea (sanctions) and popular support for anti-communist ideology, even if anti-communism is no longer the *guksi* of the ROK. Most are not of the opinion that opposition to North Korea should define South Korea's national identity.

The research findings presented in this paper contribute to a newer body of research on limits to South Korea's democracy (Yeo 2020; Shin 2020; Pak and Park 2019; Mobrand 2018; and Lee 2017; Haggard and You 2015). We find specific support for Yeo's (2020) contention that certain institutional and cultural factors explain the persistence of anti-democratic behavior, specifically curtailments on free speech and executive overreach. South Korean political culture is identified as a source of opposition to further democratic deepening. We agree, and would refine the thesis to take into account the conservative-leaning nature of political opinion. Haggard and You (2015) underscore the curtailment of free speech on national security grounds as hindering further democratic development. We suggest here that national security conservatism – which favors precisely those same controls on free speech on national security grounds – enjoys rather significant popular support, and likely constitutes a notable component of South Korean national identity for those groups raised in both the authoritarian and democratic eras.

Overall, the findings and analysis presented here suggest how, in a consolidated democracy like South Korea's, a very undemocratic statue can remain in the legal code. Sustained existential threat combined with a highly militarized authoritarian legacy has conditioned South Korean society to be more national security conscious than would otherwise be the case. Such logic, we claim, has been internalized as part of South Korea's national identity.

There is, and will remain, opposition to the National Security Act, but it does not appear that the country is near the point where popular opinion demands its dissolution.

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shamanistic-evangelical-advisor/?wp$_l ogin_r edirect = 0$.

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Tables

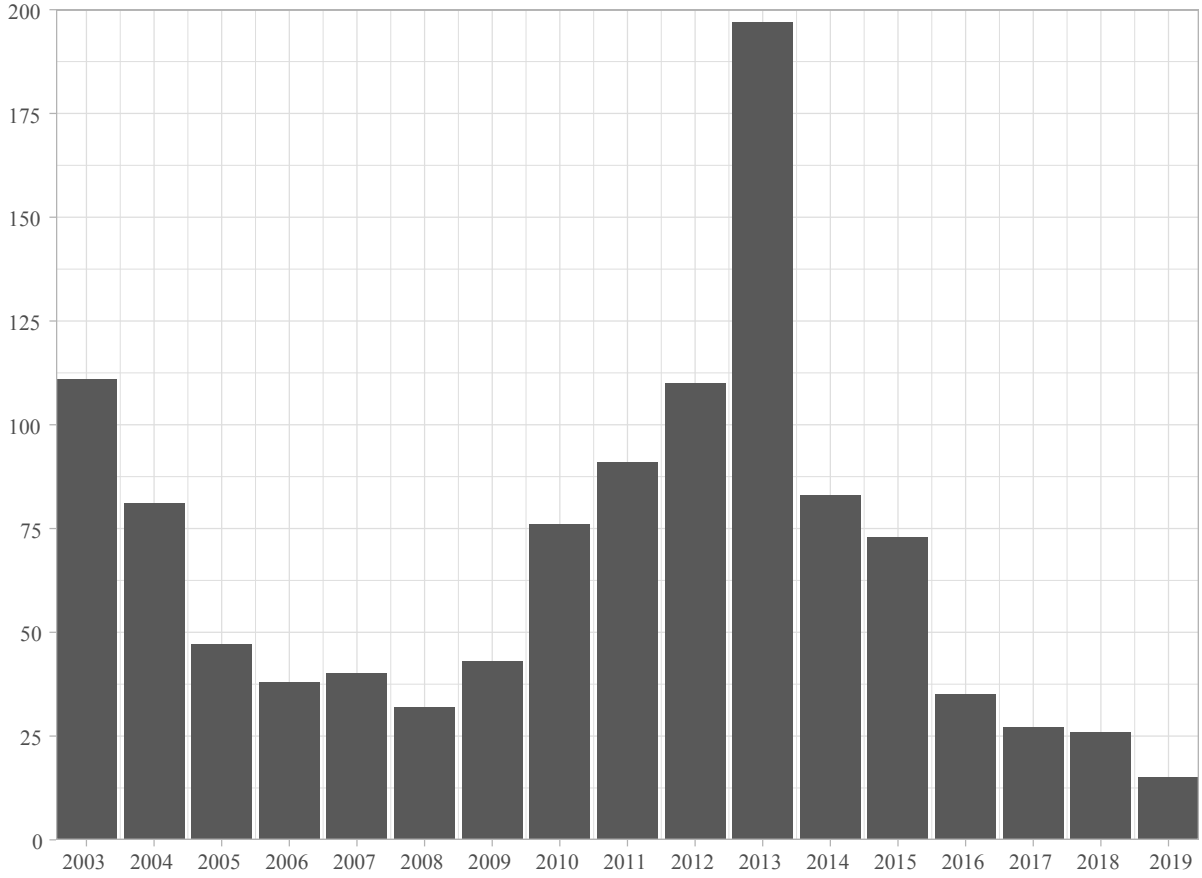
Table 1: Summary Statistics for Explanatory Variables

	World Values Survey (2018)		East Asia Institute (2015)	
Statistic	Mean	St. Dev.	Mean	St. Dev.
Political Identification				
Progressive	0.34	0.47	0.20	0.40
Centrist	0.23	0.42	0.49	0.50
Conservative	0.44	0.50	0.30	0.46
Political Generations				
Democratic	0.40	0.49	0.37	0.48
Transition	0.29	0.45	0.29	0.45
Authoritarian	0.31	0.46	0.34	0.48
Male	0.49	0.50	0.50	0.50

Figures

Figure 1

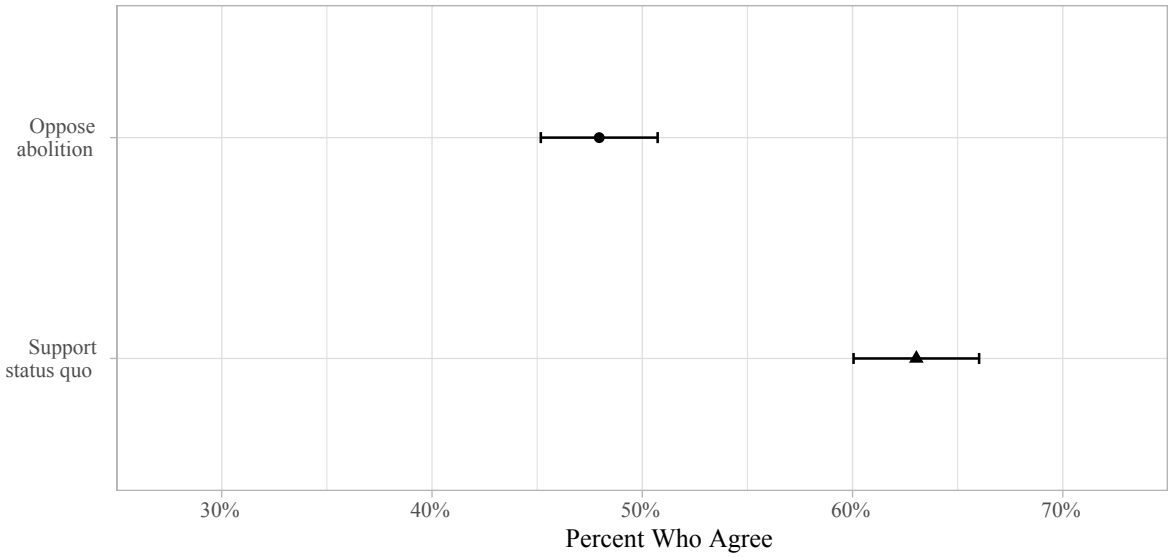
Number of Prosecutions Under the National Security Act, 2003−2019



Data: Ministry of Justice. Most recent statistics used.

Figure 2

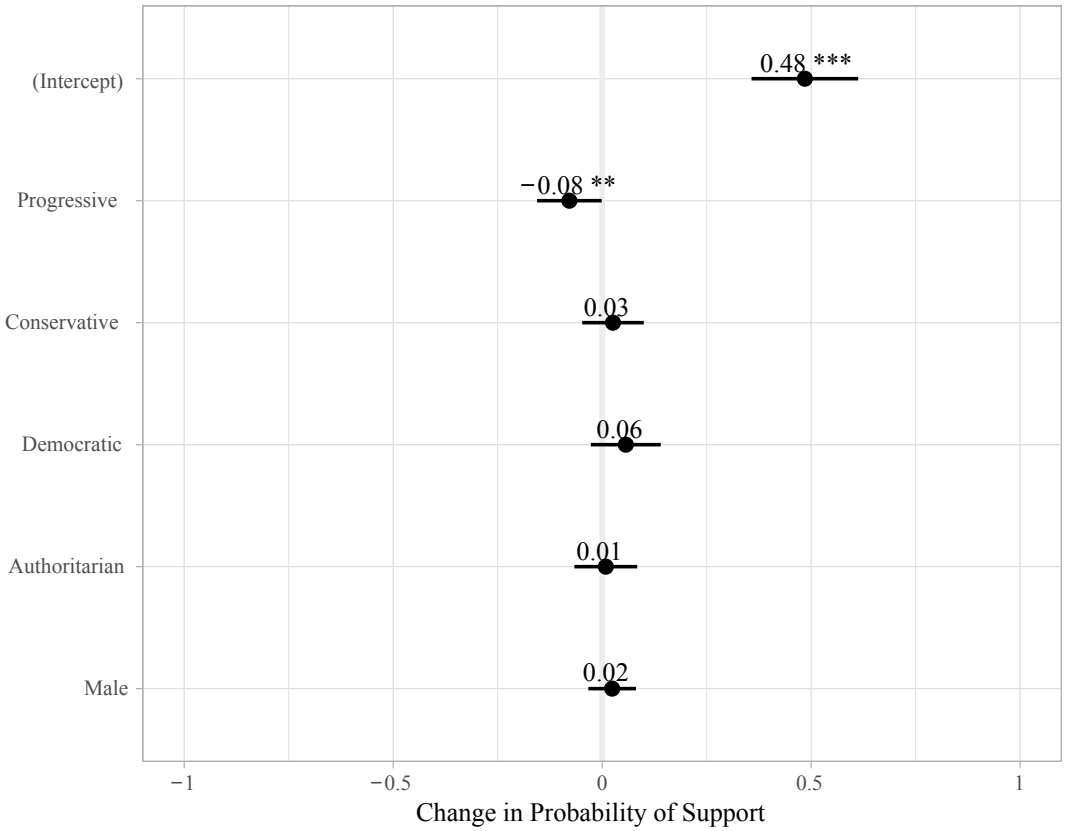
Proportion of South Korean Population that Supports National Security Act (NSA)



Sources: World Values Survey (2018); East Asia Institute (2015). Confidence intervals at 95%.

Figure 3

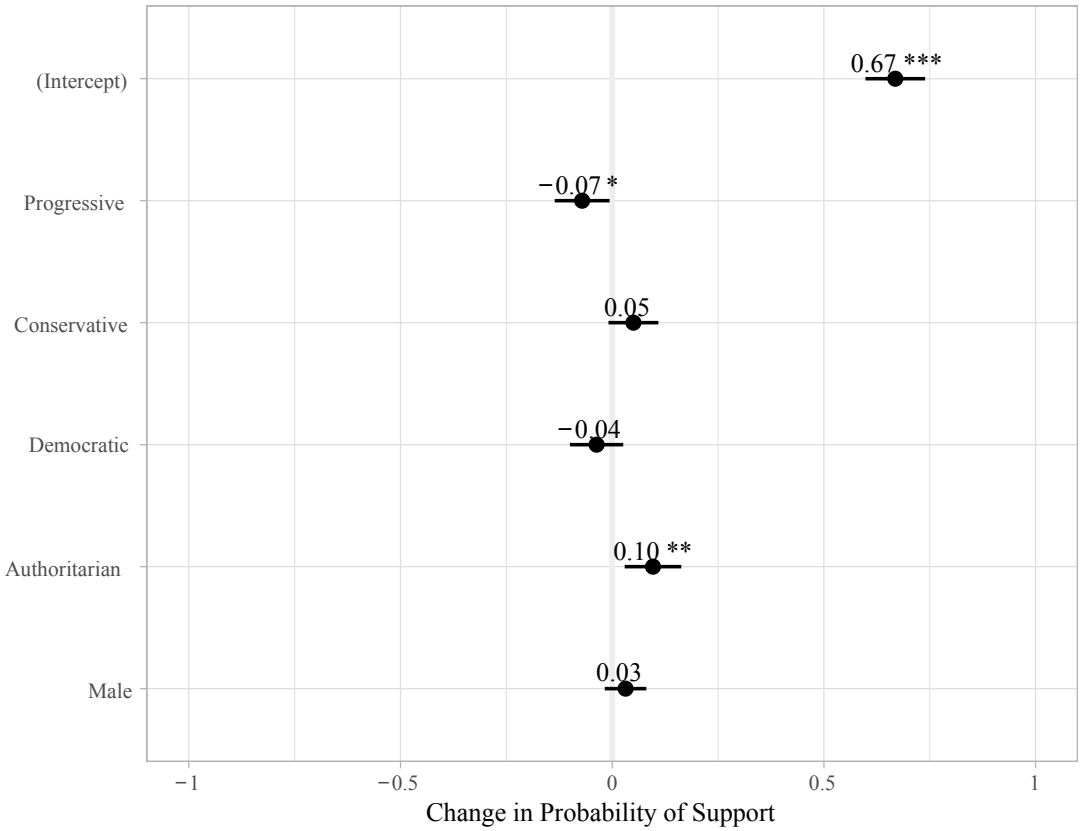
Marginal Effects on Support for National Security Law (NSL) by Groups
Opposition to Abolition



Marginal effects based on LPM model. Confidence intervals at 95%.
***=significant at .01 level; **=significant at .05; *=significant at .10
Source: World Values Survey (2018)

Figure 4

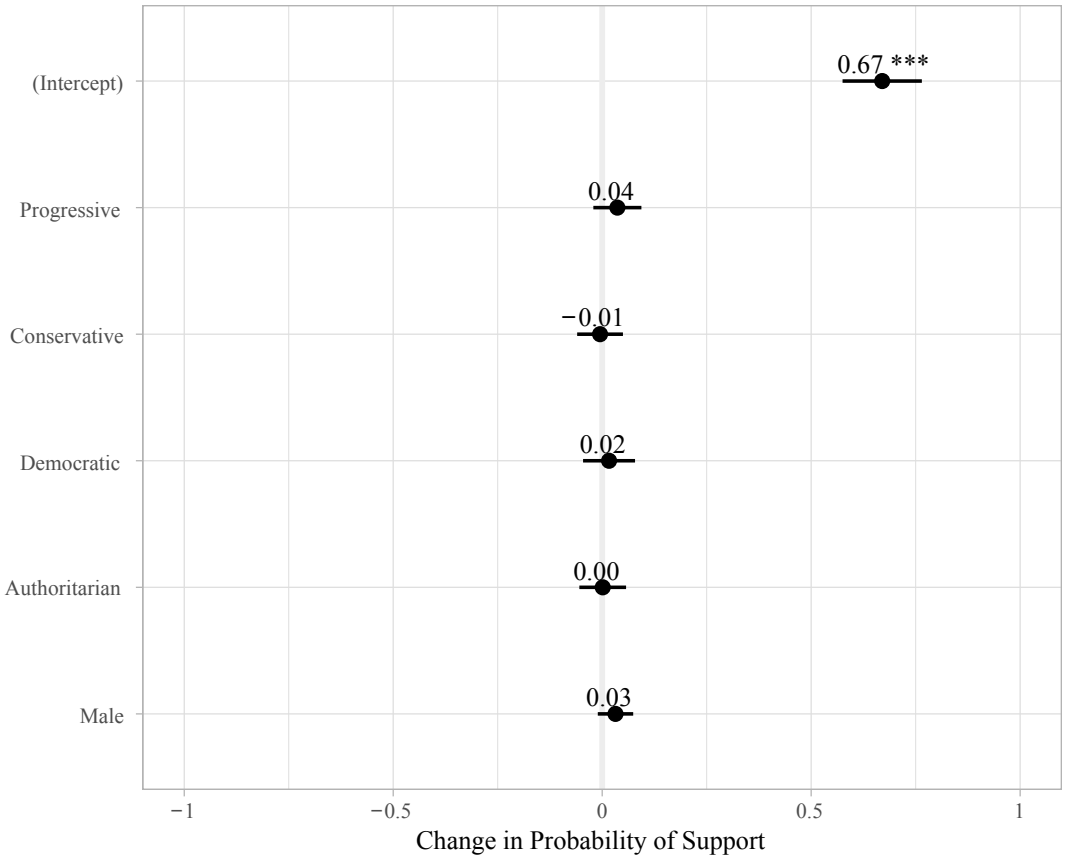
Marginal Effects on Support for National Security Law (NSL) by Groups
Support Status Quo



Marginal effects based on LPM model. Confidence intervals at 95%.
***=significant at .01 level; **=significant at .05; *=significant at .10
Source: East Asia Institute (2015)

Figure 5

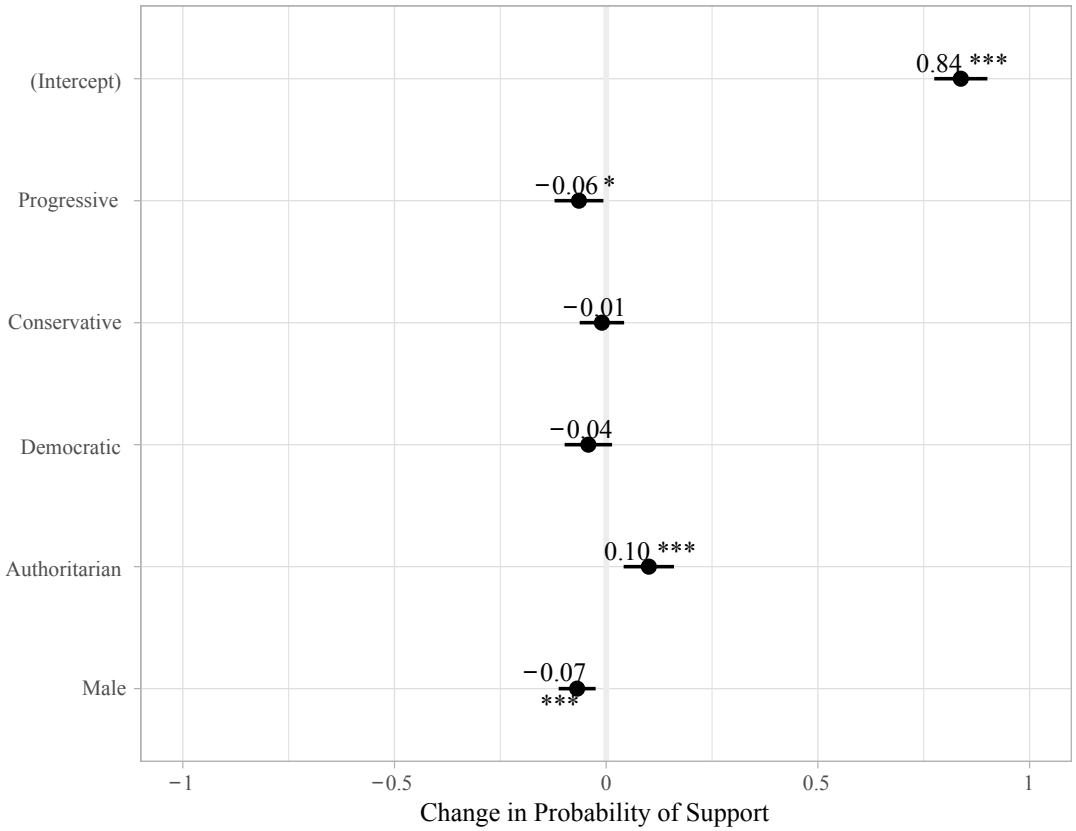
Marginal Effects on Support for DPRK Sanctions by Groups



Marginal effects based on LPM model. Confidence intervals at 95%.
***=significant at .01 level; **=significant at .05; *=significant at .10
Source: World Values Survey (2018)

Figure 6

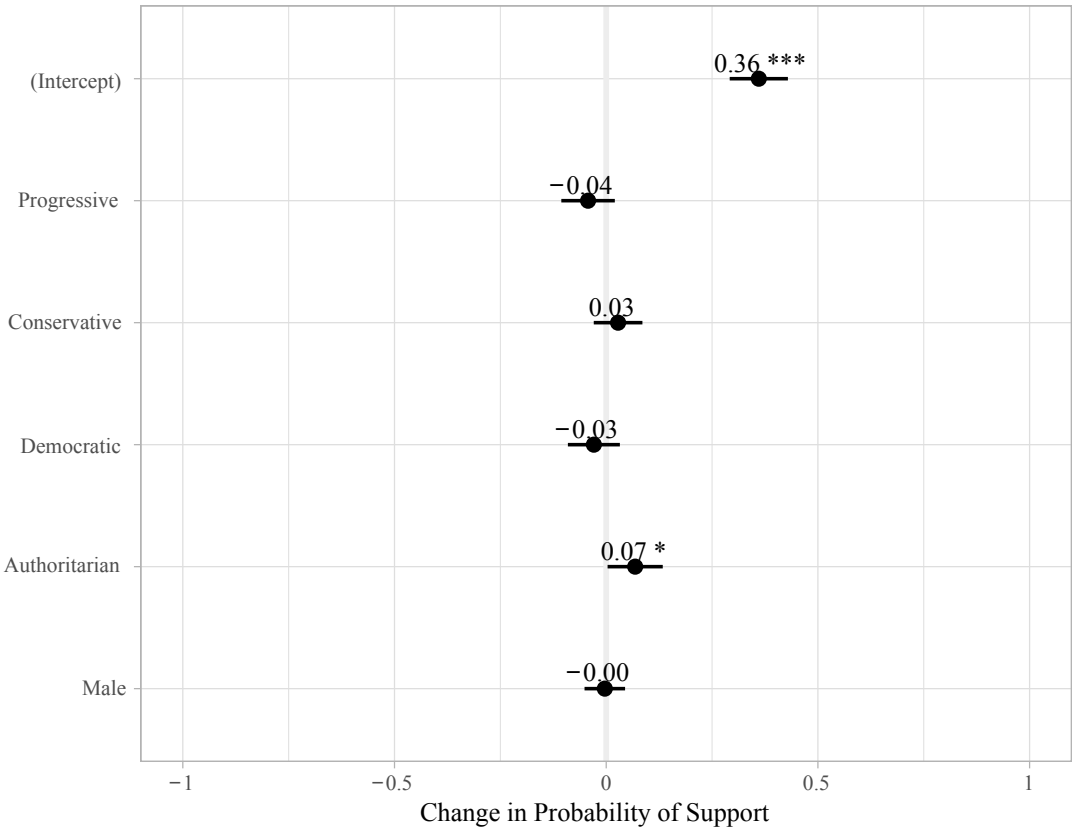
Marginal Effects on Support for Anti-Communism by Groups
National Ideology + Good Value



Marginal effects based on LPM model. Confidence intervals at 95%.
***=significant at .01 level; **=significant at .05; *=significant at .10
Source: East Asia Institute (2015)

Figure 7

Marginal Effects on Support for Anti-Communism by Groups
Important to National Identity Only



Marginal effects based on LPM model. Confidence intervals at 95%.
***=significant at .01 level; **=significant at .05; *=significant at .10
Source: East Asia Institute (2015)

Supplementary Information

Appendix A – Additional Information on Variable Construction

The text below describes variables used for controls in models that used the World Values Survey and East Asia Institute survey data.

World Values Survey (2018):

- University is defined as those with at least a university degree or higher (1, else 0).
- Seoul is defined as those who reported living in the Seoul (special city, not broader metropolitan area; 1, else 0).
- Honam is defined as those who reported living in North Jeolla or South Jeolla provinces, or the city of Gwangju (1, else 0).
- Yeongnam is defined as those who reported living in North or South Gyeongsang provinces, or the cities of Busan, Daegu, or Ulsan (1, else 0).
- Income high is defined as those whose household income on a scale of incomes (1-8) reported between steps six and eight (1 else 0). Income low includes those who reported steps 1 ("lower step") to step four (1 else 0).
- Married consists of those who were, at the time of survey, either married, living together as married, divorced, separated, or widowed (1, else 0). The point of this measurement was to capture the significant life cycle event of marriage, not to identify only those currently married.
- Nationalism high is defined as those coded, according to the Welzel defiance on "national pride in the WVS database, as "high" or "very high" (1, else 0).
- Support democracy is defined as those who chose on the democracy scale of 1-10, where 10 means democracy is "absolutely important," at or above the median (8).

Table SI.1 – WVS Controls

Statistic	*Mean*	*St. Dev.*
University	0.32	0.47
Seoul	0.20	0.40
Honam	0.10	0.30
Yeongnam	0.16	0.37
Income high	0.31	0.46
Income low	0.38	0.49
Married	0.75	0.43
Nationalism high	0.19	0.39
Support democracy	0.65	0.48

East Asia Institute (2015):

- University is defined as those with at least a university degree or higher (1, else 0).
- Seoul is defined as those who reported living in the Seoul (special city, not broader metropolitan area; 1, else 0).
- Honam is defined as those who reported living in North Jeolla or South Jeolla provinces, or the city of Gwangju (1, else 0).
- Yeongnam is defined as those who reported living in North or South Gyeongsang provinces, or the cities of Busan, Daegu, or Ulsan (1, else 0).
- Income high is defined as those whose household income is at or above 401M won (1, else 0). Income low includes those who reported a household income of 101M won or less (1 else 0).

Table SI.2 – EAI Controls

Statistic	*Mean*	*St. Dev.*
University	0.46	0.50
Seoul	0.20	0.40
Honam	0.10	0.30
Yeongnam	0.17	0.37
Income high	0.34	0.47
Income low	0.26	0.44

Appendix B – Tabular Output for LPM Models

Table SI.3 - World Values Survey Results
LPM Models

	Support National Security Act	Support North Korean Sanctions	Support National Security Act	Support North Korean Sanctions
Constant	0.46***	0.82***	0.48***	0.67***
	(0.04)	(0.03)	(0.07)	(0.05)
Progressive	-0.08**	0.06**	-0.08**	0.04
	(0.04)	(0.03)	(0.04)	(0.03)
Conservative	0.04	-0.02	0.03	-0.01
	(0.04)	(0.03)	(0.04)	(0.03)
Democratic	0.04	-0.03	0.06	0.02
	(0.04)	(0.03)	(0.04)	(0.03)
Authoritarian	0.02	0.01	0.01	0.001
	(0.04)	(0.03)	(0.04)	(0.03)
Male	0.01	0.02	0.02	0.03
	(0.03)	(0.02)	(0.03)	(0.02)
High Nationalism			-0.01	-0.05**
			(0.04)	(0.03)
University			-0.07**	-0.003
			(0.03)	(0.03)
Seoul			-0.02	0.07**
			(0.04)	(0.03)
Honam			-0.15***	0.12***
			(0.05)	(0.04)
Yeongnam			0.04	0.05
			(0.04)	(0.03)
High income			-0.02	-0.03
			(0.04)	(0.03)
Low income			-0.03	-0.04
			(0.04)	(0.03)
Married			0.02	0.07**
			(0.04)	(0.03)
Support democracy			0.02	0.11***
			(0.03)	(0.02)
N	1245	1245	1245	1245
R-squared	0.01	0.01	0.03	0.05
Adj. R-squared	0.01	0.01	0.01	0.04
Residual Std. Error	0.50 (df = 1239)	0.38 (df = 1239)	0.50 (df = 1230)	0.37 (df = 1230)
F Statistic	2.73** (df = 5; 1239)	2.55** (df = 5; 1239)	2.28*** (df = 14; 1230)	4.69*** (df = 14; 1230)

***p < .01; **p < .05; *p < .1

Table SI.4 - East Asia Institute Survey Results
LPM Models

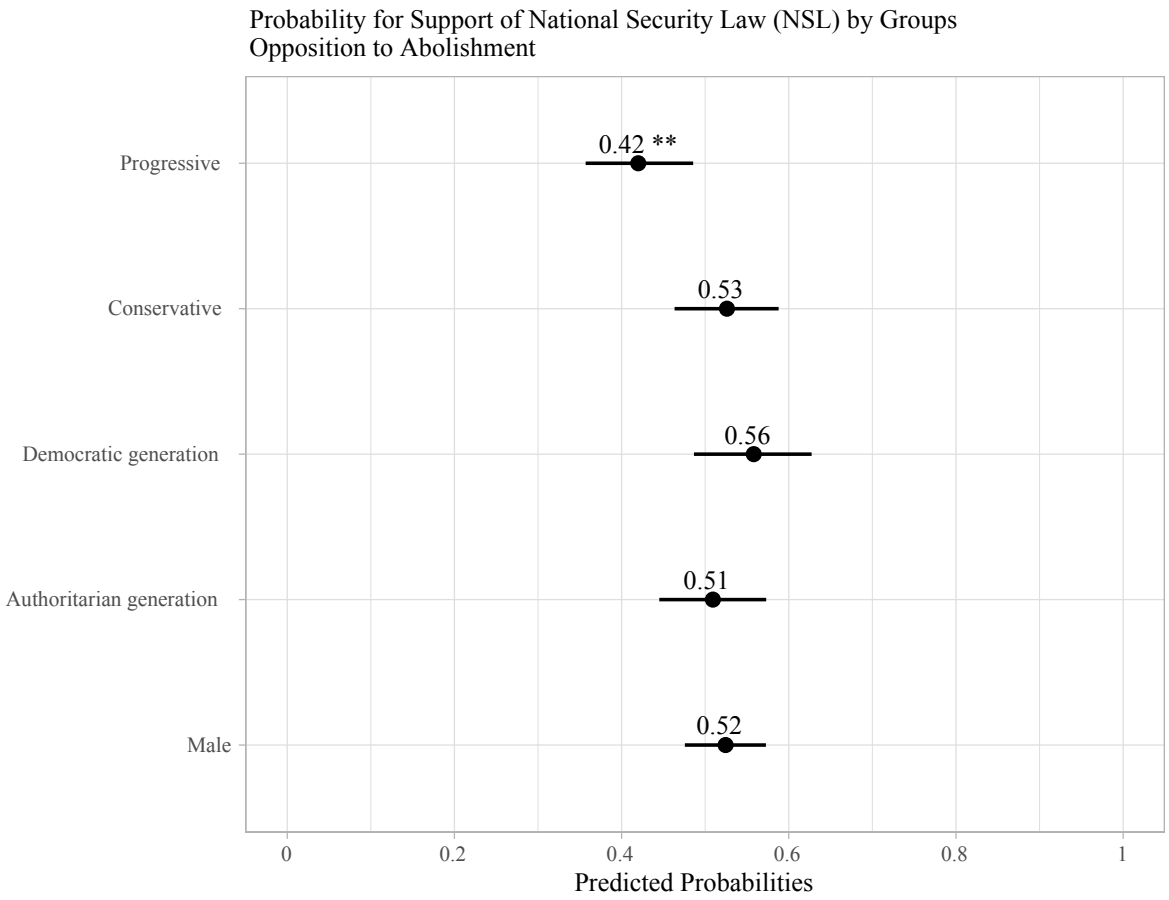
	Support National Security Act	Support Anti-Communism	Support National Security Act	Support Anti-Communism	Support Anti-Communism (2)
Constant	0.59***	0.78***	0.67***	0.84***	0.36***
	(0.04)	(0.03)	(0.04)	(0.04)	(0.04)
Progressive	-0.09**	-0.07*	-0.07*	-0.06*	-0.04
	(0.04)	(0.04)	(0.04)	(0.04)	(0.04)
Conservative	0.06*	-0.002	0.05	-0.01	0.03
	(0.04)	(0.03)	(0.04)	(0.03)	(0.03)
Democratic	-0.05	-0.06*	-0.04	-0.04	-0.03
	(0.04)	(0.03)	(0.04)	(0.03)	(0.04)
Authoritarian	0.12***	0.13***	0.10**	0.10***	0.07*
	(0.04)	(0.03)	(0.04)	(0.04)	(0.04)
Male	0.04	-0.07**	0.03	-0.07***	-0.003
	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)
University			-0.07**	-0.07**	-0.04
			(0.04)	(0.03)	(0.03)
Seoul			-0.06	-0.10***	-0.12***
			(0.04)	(0.03)	(0.04)
Honam			-0.22***	-0.04	-0.10**
			(0.05)	(0.05)	(0.05)
Yeongnam			-0.06	0.04	0.10**
			(0.04)	(0.04)	(0.04)
Income High			0.004	-0.01	-0.05
			(0.04)	(0.03)	(0.03)
Income Low			0.01	0.02	0.02
			(0.04)	(0.03)	(0.04)
N	1006	1006	1006	1006	1006
R-squared	0.05	0.05	0.07	0.07	0.06
Adj. R-squared	0.04	0.04	0.06	0.06	0.05
Residual Std. Error	0.47 (df = 1000)	0.42 (df = 1000)	0.47 (df = 994)	0.42 (df = 994)	0.46 (df = 994)
F Statistic	9.67*** (df = 5; 1000)	10.40*** (df = 5; 1000)	6.76*** (df = 11; 994)	6.61*** (df = 11; 994)	5.35*** (df = 11; 994)

***p < .01; **p < .05; *p < .1

Appendix C – Logit Models

Figures SI.1 and SI.2 replicate the linear probability models from the manuscript as logit models and report the probabilities of opposing abolition the National Security Act (SI.1) or supporting the status quo (keeping the Act; SI.2). The findings are not substantively different from the LPM models. Tables SI.5 and SI.6 present the corresponding logit model output with odds ratios (and confidence intervals at 95 percent) reported rather than log odds.

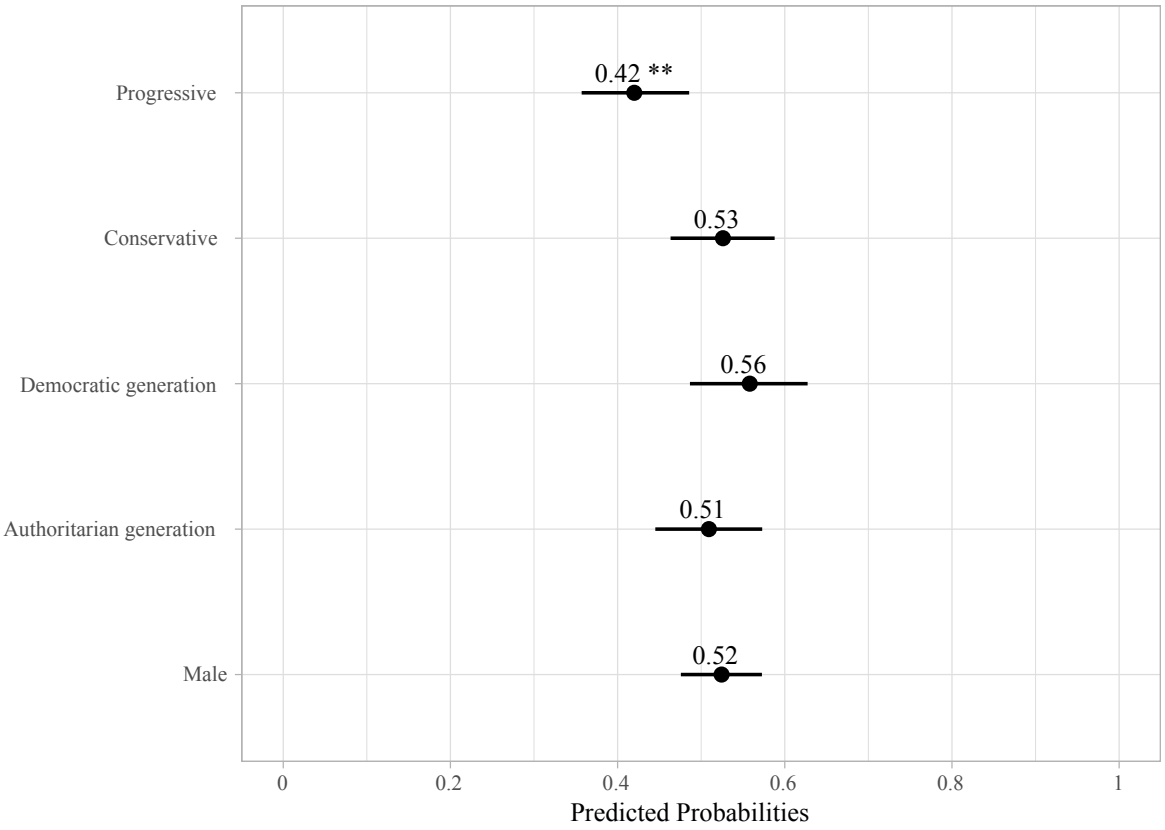
Figure SI.1



Estimates based on logit model, with socioeconomic controls. Confidence intervals at 95%.
***=significant at .01 level; **=significant at .05; *=significant at .10
Source: World Values Survey (2018)

Figure SI.2

Probabilities for Support of National Security Law (NSL) by Groups
Opposition to Abolition



Estimates based on logit model, with socioeconomic controls. Confidence intervals at 95%.
***=significant at .01 level; **=significant at .05; *=significant at .10
Source: World Values Survey (2018)

Table SI.5. Logit Checks for National Security Act Supports – WVS and EAI

	Support NSA WVS		**Support NSA EAI**	
Predictors	*Odds Ratios*	*CI*	*Odds Ratios*	*CI*
(Intercept)	0.94	0.56 – 1.58	2.03***	1.39 – 2.97
Progressive	0.72**	0.53 – 0.99	0.74	0.53 – 1.04
Conservative	1.11	0.82 – 1.50	1.28	0.92 – 1.78
Democratic	1.26	0.90 – 1.78	0.86	0.62 – 1.20
Authoritarian	1.04	0.76 – 1.41	1.60**	1.10 – 2.32
Male	1.10	0.87 – 1.39	1.16	0.89 – 1.52
University	0.76**	0.58 – 0.99	0.72	0.53 – 0.98
Seoul	0.93	0.69 – 1.26	0.77	0.54 – 1.10
Honam	0.53**	0.35 – 0.80	0.38***	0.24 – 0.59
Yeongnam	1.19	0.87 – 1.64	0.77	0.53 – 1.12
Income high	0.92	0.69 – 1.23	1.02	0.74 – 1.40
Income low	0.90	0.68 – 1.19	1.05	0.74 – 1.50
Nationalism high	0.96	0.72 – 1.29		
Married	1.06	0.75 – 1.51		
Support democracy	1.08	0.85 – 1.39		
Observations	1245		1006	
R^2 Tjur	0.03		0.07	

Appendix D – Additional Robustness Checks

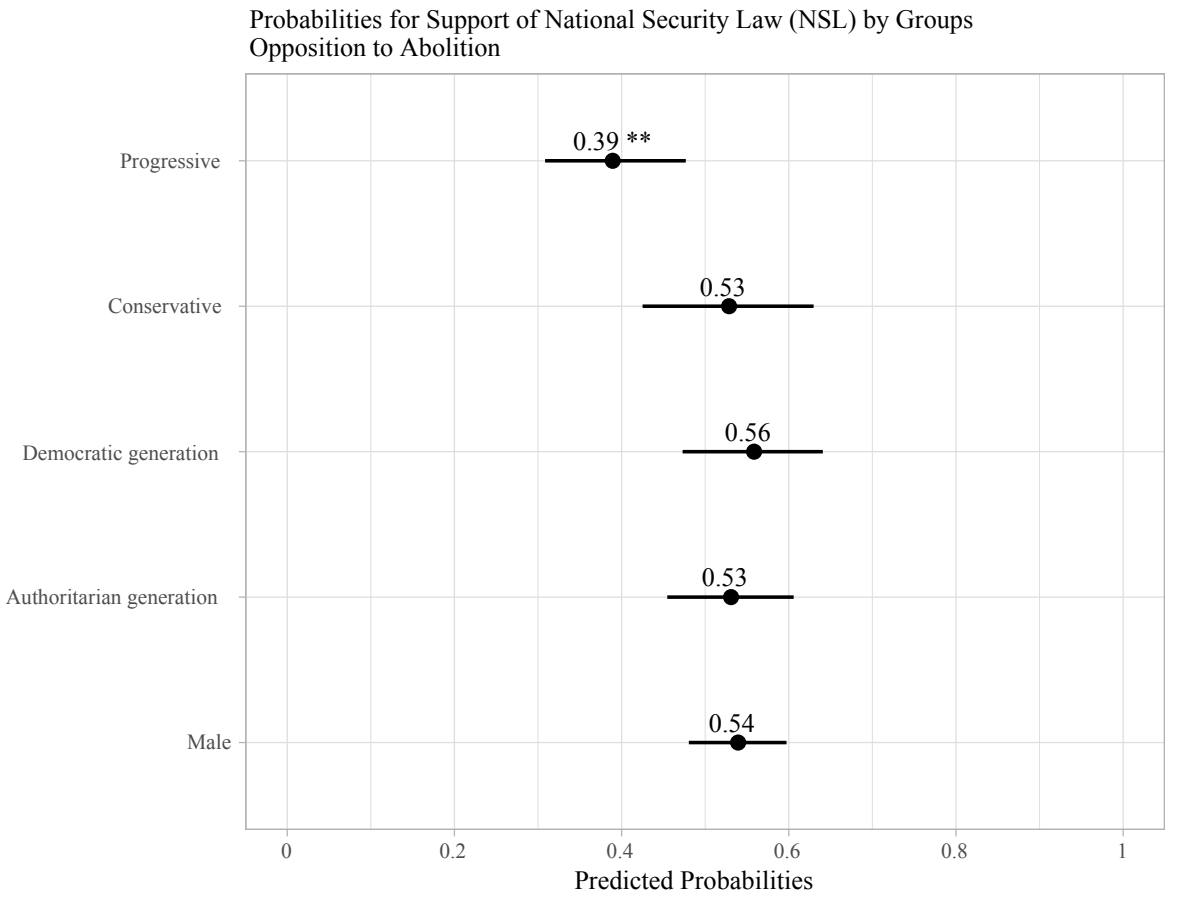
Party support for political identification

Here we consider whether the effects for political identification can be replicated using alternative measurements. First, we look at alternatives to the left-right scale, using instead political party identification. For the World Values Survey (WVS), we use the question which asks respondents which party they would vote for if there was a national election was tomorrow. The options included Liberty Korea Party (main conservative); Democratic Party (ruling; main liberal); People's Party (centrist); Bareun Party (progressive conservative); Justice Party (left, workers'); and independent (no party). Those who chose Democratic or Justice were counted as "progressive;" those who chose Liberty Korea Party or Bareun were coded as "conservative." People's and independent were counted as "centrist." A significant number of respondents did not answer (29 percent); they were not counted.

For the East Asia Institute (EAI) survey, a similar approach was taken, except the question asked which party the respondent supports. The options differ, too. Saenuri (predecessor to Liberty Korea Party) was counted as the only conservative party (Bareun did not exist at the time). "Progressive" respondents include those who chose New Politics Alliance for Democracy (today's Democratic Party predecessor) or the Justice Party. "Centrists" includes those who chose another party or no party (i.e., independent). 3.9 percent of respondents did not answer.

Figures SI.3 (oppose abolition of National Security Act) and SI.4 (support status quo) report the main models (as logits) with the alternative political identification measurement. The findings are effectively similar to the models that use the left-right scale to determine political identification.

Figure SI.3



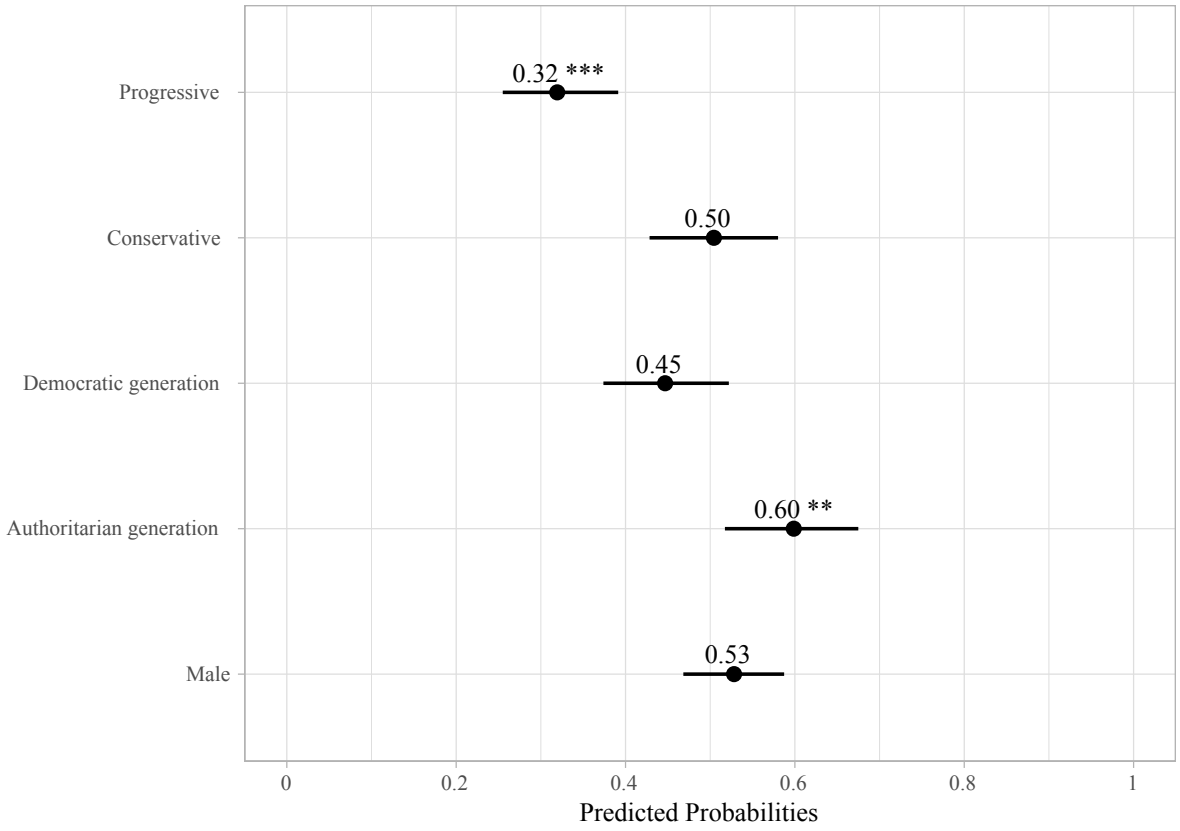
Estimates based on logit model, with socioeconomic controls. Confidence intervals at 95%.
***=significant at .01 level; **=significant at .05; *=significant at .10
Source: World Values Survey (2018)

Birth cohorts instead of generations

Although the political generations identified are historically and theoretically justified, cut-offs remain somewhat arbitrary. Instead of generational analysis, we consider birth cohorts defined by five-year intervals. The point is to eye any structural breaks or differences across time. Figures SI.5 (oppose abolition) and SI6 (support status) show variation (or the lack thereof). We see that for the WVS question (opposing abolition), there are no major differences across years of birth, with the exception of some of the oldest cohorts. There is, however, noticeable differences across birth cohorts for supporting the status quo. Those belonging to the pre-democratic birth cohorts in particular (birth in or before 1962) are more likely to support the status quo (keep the NSA). These findings are in line with the findings from the generational cohort models.

Figure SI.4

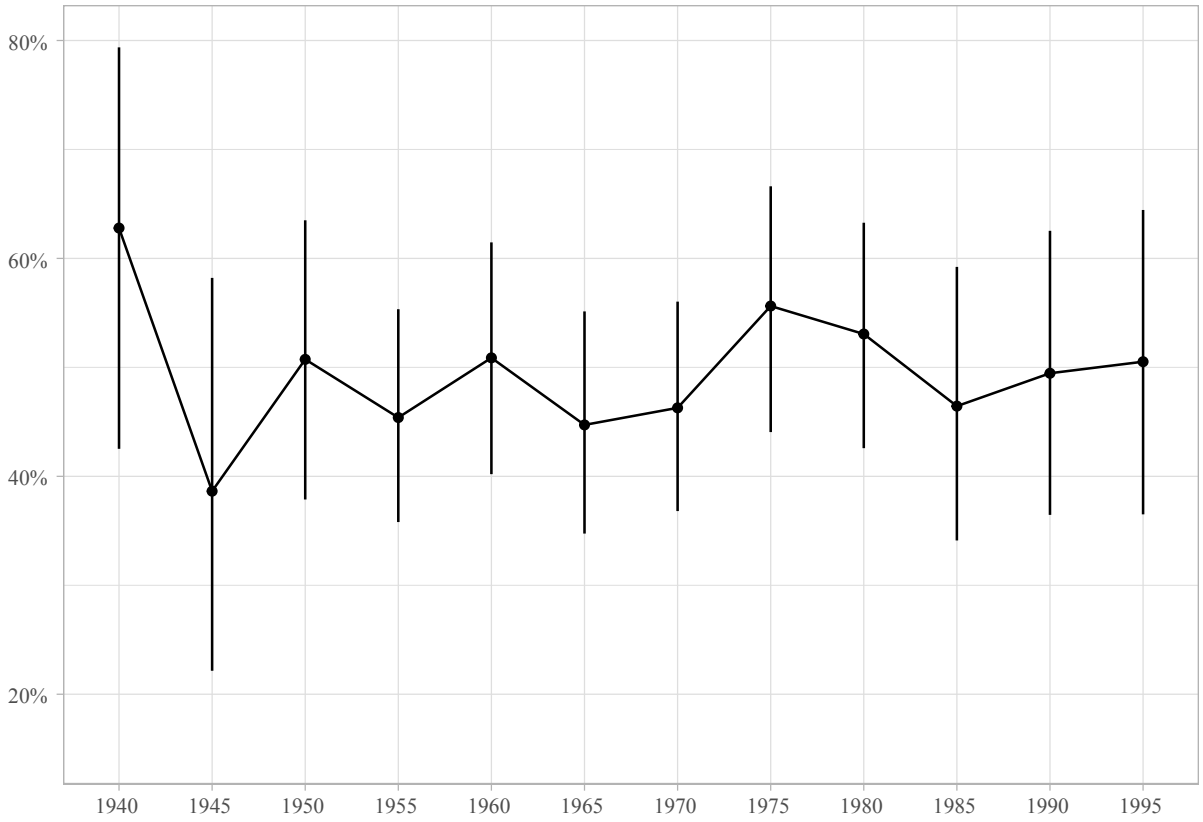
Probabilities for Support of National Security Law (NSL) by Groups
Support Status Quo



Estimates based on logit model, with socioeconomic controls. Confidence intervals at 95%.
***=significant at .01 level; **=significant at .05; *=significant at .10
Source: World Values Survey (2018)

Figure SI.5

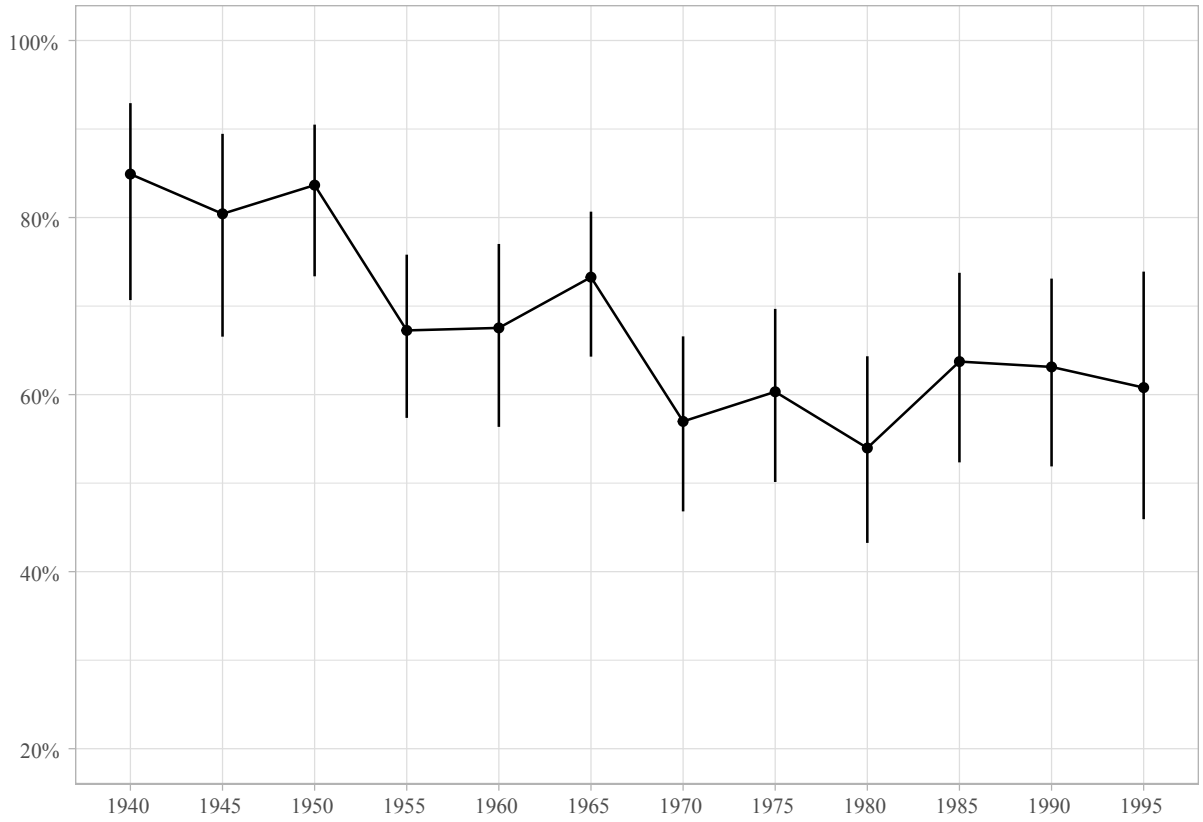
Predicted Probability of Support for National Security Law by Birth Cohorts
Oppose Abolition



Each year represents five-year intervals (e.g., 1970 = 1966−1970). Estimates based on logistic regression model with controls.
Confidence intervals at 95%. Source: World Values Survey (2018)

Figure SI.6

Predicted Probability of Support for National Security Law by Birth Cohorts
Support Status Quo



Each year represents five-year intervals (e.g., 1970 = 1966−1970). Estimates based on logistic regression model with controls.
Confidence intervals at 95%. Source: East Asia Institute (2015)