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Adaptive Activism

Transnational Advocacy Networks and the Case of North Korea

Danielle Chubb and Andrew Yeo

The international community must accept its responsibility to protect the people of the Democratic People’s Republic of Korea from crimes against humanity, because the Government of the Democratic People’s Republic of Korea has manifestly failed to do so.

*Report of the Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea*

On March 21, 2013, the United Nations Human Rights Council established the Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea (DPRK). The UN Commission of Inquiry on Human Rights (COI) was tasked to investigate “the systematic, widespread and grave violations of human rights in the DPRK, with a view to ensuring full accountability.” One year later, the COI released its report. In a powerful statement, the Chair of the Commission declared that “the gravity, scale, duration and nature of the unspeakable atrocities committed in the country reveal a totalitarian state that does not have any parallel in the contemporary world.” The report found that these human rights violations “arise from policies at the highest level of the State” and amount to “ongoing crimes

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1 UN Human Rights Council 2014, sect. V.
2 These findings include, but are not limited to: violations of the freedoms of thought, expression, and religion (where the state claims “an absolute monopoly over information and total control of organized social life”); violations of the right to food, stemming largely from discrimination, state restrictions on food aid delivery, and prioritization of resources toward military spending even in times of mass starvation; and arbitrary detention, torture, and execution, with people found guilty of political crimes “disappeared” into political prison camps where “the inmate population has been gradually eliminated through deliberate starvation, forced labor, executions, torture, rape and the denial of reproductive rights.” For the complete findings, see UN Human Rights Council 2014.
3 UN Human Rights Council 2014.
against humanity ... which our generation must tackle urgently and collectively.”

The COI’s report, released in March 2014, marked an important juncture for North Korean human rights advocacy and represented the culmination of years of dedicated transnational advocacy on behalf of North Korean human rights. The most immediate effect of the COI report was the profile it gave the issue of North Korean human rights. Once a subject relegated to the sidelines and considered secondary to the important statecraft of security and nuclear diplomacy, the human rights situation in North Korea was broadcast to the world. There is now little doubt remaining as to the legitimacy of the claim that horrific violations take place inside the country on a daily basis.

While much has been revealed about human rights in North Korea, far less has been said about the advocacy networks that drew attention to the issue and helped bring about the COI in the first place. The COI report, which for the first time documented the full litany of human rights abuses carried out by the North Korean regime against its own people, was made possible on the back of decades of advocacy and research undertaken by a global network of dedicated human rights actors. The success these nonstate actors have had in raising this issue at the highest level of the United Nations (UN) is surprising because it has occurred without direct access to the North Korean state. As we discuss in this chapter, current scholarly models of how transnational activism works assume the existence of at least some local opposition movements working inside the country. Yet the North Korea case suggests that this is not, in fact, a necessary scope condition. Moving forward, current research into human rights change also points to the conclusion that local actors are necessary for lasting human rights change, but assumes that change is top down (that is, that change happens when states are responsive to international and domestic pressure). Yet despite the absence of domestic actors, North Korean human rights activists continue to pursue better outcomes in North Korea, and not always in the “top down” way we might expect. These observations thus raise two questions which animate this opening chapter, and indeed the other contributions in this volume. First, how does a transnational advocacy network emerge to push for change in a highly repressive context where there is no domestic opposition? And second, by what pathways might transnational activists create change in such contexts?

This volume turns the spotlight onto the work of those actors who have worked tirelessly to expose the human rights situation in North Korea. Human rights actors within the North Korean transnational advocacy network include

4 Kirby 2014.
domestic and international nongovernmental organizations (NGOs), intergovernmental organizations (IGOs), government agencies, legislative bodies, foundations, think-tanks, churches and other religious organizations, journalists, scholars, students, and concerned citizens. The network therefore comprises individuals as well as organizations and coalition movements, which “form links across actors in civil societies, states, and international organizations, [multiplying] the channels of access to the international system.”

Table 1.1 provides a small sample of actors within the North Korean human rights network.

In this chapter, we explore the ways in which the case of North Korean human rights activism both confirms and challenges existing scholarship on transnational human rights activism, and the role advocacy networks play in the diffusion of human rights norms, discourse, and practice. In particular, we draw attention to the weaknesses with current models of human rights change and examine how state and nonstate actors challenge highly repressive regimes by investigating the quintessential “hard case” of North Korea. We proceed by first offering a brief review of existing models of transnational advocacy networks and human rights change and review their applicability to the task of understanding North Korean human rights advocacy. We then extrapolate three variables that we argue are critical to understanding the emergence and evolution of North Korean human rights activism: discourse, network dynamics, and defectors. Finally, we turn our attention to human rights outcomes, exploring the different mechanisms of change that link activism to outcomes. We conclude by recapping our theoretical aims and outlining what is to follow in the remaining chapters of this volume.

TRANSNATIONAL ADVOCACY NETWORKS, DOMESTIC OPPOSITION, AND THE CASE OF NORTH KOREA

Since the late 1990s, a large body of scholarship has explored the role played by transnational advocacy networks in world politics. Taken as a whole, this literature has been instrumental in documenting the ways in which nonstate actors have transformed outcomes on the world stage by wielding significant moral and ideational power. In bringing about new normative frameworks, as
well as compelling adherence (behavioral changes) to international human rights norms, the outcomes achieved by the principled actors that make up these advocacy networks have been heralded as evidence that neither states nor nonstate actors simply act out of strategically determined self-interest, but that ideas and values matter in world politics.  

8 These conceptual claims can be found in the work of scholars from the same period. See, for example, Katzenstein, Keohane and Krasner 1998; Price and Tannenwald 1996.
Keck and Sikkink’s *Activists Beyond Borders* is often taken as the launching point for any discussion on transnational advocacy networks.\(^9\) Although the idea of “networks” is what draws many scholars to Keck and Sikkink’s seminal work, their emphasis on “advocacy” is also of great relevance to the contributions in this volume. As Keck and Sikkink state, “advocacy captures what is unique about these transnational networks: they are organized to promote causes, principled ideas, and norms, and they involve individuals advocating policy changes that cannot be easily linked to a rationalist understanding of their ‘interests.’”\(^10\) Thus, the authors expose how transnational advocacy networks strategically wield resources and influence to transcend their material disadvantage vis-à-vis states and shift prevailing “structures of power and meaning.”\(^11\)

Perhaps Keck and Sikkink’s most influential contribution to the study of transnational advocacy networks is the “boomerang pattern” of information flow and international pressure directed against a rights-violating regime. When opportunities between the state and domestic actors are blocked, and local activists and NGOs are thus unable to place direct pressure on their own governments, they reach out to international allies for support. These allies – be they international NGOs (INGOs), UN groups, other states, single-issue rights organizations, or individual actors – then work to raise global awareness and apply political leverage and outside pressure against the repressive, rights-violating state.\(^12\) Beyond the boomerang pattern, Risse and Sikkink present a more dynamic “spiral model” of human rights change.\(^13\) This model, which we discuss in more detail in this chapter’s final section on compliance issues, seeks to understand the broader processes of normative diffusion. Like the boomerang pattern, the spiral model places domestic activists at its center.\(^14\)

On the surface, certain aspects of the boomerang pattern do bear out in the North Korean case, even in the absence of local dissident voices. Transnational advocacy networks have played a critical role in raising awareness, advocating, and lobbying on behalf of North Koreans who remain mostly powerless against a totalitarian state. As contributors to this volume describe (see chapters by Yeo [3], Arrington [4], Narayan [5], Hosaniak [6], and Chubb [8]), the North Korean human rights network has gained the support of significant actors, including the UN and the European Union.
While some aspects of North Korean human rights activism appear to conform to existing models of transnational networks and human rights change, other attributes of the North Korean case suggest it is an outlier. First, no civil society or domestic opposition exists in North Korea. Both the boomerang pattern and the spiral model take domestic (or local) civil society as their starting points for transnational advocacy and human rights change. Yet even without local advocates, the North Korean human rights campaign has still achieved some success. How did this happen, and what does this tell us about the limitations of existing theory? To what degree do the models described above help us understand the North Korean human rights case?

A core assumption is that a transnational network is activated (or at least enabled) by local actors providing vital information and legitimacy to actors outside the state. Domestic actors provide first-hand accounts and information about human rights violations. They alert transnational actors to the existence of abuse or strengthen and establish existing concerns. This, in turn, bolsters the legitimacy of the claims of the transnational network, rendering their advocacy more effective. In what ways, then, is the North Korean human rights case an outlier, requiring a modification of these models for highly repressive contexts, where it is difficult to gain verifiable information about human rights abuses and where local populations can neither challenge their own governments nor interact directly with the outside world?

Given that the dominant frameworks for human rights advocacy presuppose that local human rights activists (that is, grassroots movements inside the repressive state) play a legitimating role at the earliest stages of the model, how do we then account for the widespread acceptance of the claims made by North Korean human rights activists in the absence of any such locally based dissident actors? The argument that networks create a “transnational structure” for challenging norm-violating regimes from below and above, and “empower and legitimate” the claims of local activists against their own repressive regimes, appears less relevant in the North Korean context in the absence of any localized North Korean civil society. Yet, despite their absence, the transnational campaign has experienced impressive mobilizing capacity.

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15 While there are reports of North Koreans who privately criticize or speak ill of the regime, there is no evidence of mobilization or sustained collective action in North Korea. See also Joo 2014; Armstrong 2003; Tudor and Pearson 2015.


17 Risse and Sikkink 1999, 5.
and a series of significant legislative outcomes at the domestic and international levels.

Second, and related to the above, the level of repression in North Korea is virtually unparalleled in the contemporary world. While other studies examine the validity of the spiral model in highly repressive contexts, very few of them address a state like North Korea where the local population remains completely isolated from the outside world. Schwarz goes so far as to argue that in repressive, totalitarian settings where citizens are not granted political rights, there is little value to be gained from using models of human rights change: “the analysis of totalitarian regimes seems to offer little benefit since by definition little or no respect for human rights can be expected.” As Jetschke and Liese discuss in their review of the original spiral model, in cases of severe repression, authoritarian governments have proven successful in limiting the opening of domestic opportunity structures and preventing the strengthening of networks between domestic and transnational civil society. As such, this is a quintessential “hard case” test of the spiral model.

In the wake of severe repression and the absence of any visible civil society, the evidence offered by contributors to this volume, and outlined further in this chapter’s next section, reveals that the North Korean defector-activist community serves as a conduit for local opposition, even if it does not directly challenge the regime from within. It is through their work with North Korean defectors that transnational activists have managed to build a convincing case. As Hosaniak discusses in Chapter 6, the decision of the UN High Commissioner for Human Rights, an important gatekeeper of human rights legitimacy, to take up the claims of the North Korean human rights movement came about as a direct result of the High Commissioner’s meeting with former North Korean political prisoners.

In short, existing theoretical frameworks do help illustrate the trajectory of North Korean human rights advocacy today and the degree to which activists have been effective in both gaining international attention for their issue and promoting change. However, the North Korean case also reveals important theoretical and empirical limitations to our current understanding of how transnational human rights actors secure legitimacy in cases where the rights-

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18 Freedom House, which evaluates the degree of civil and political liberties of each country globally, has placed North Korea in its “worst of the worst” category for 44 consecutive years. In 2017, only Syria scored lower than North Korea. See Shim 2017.

19 Such studies include Saudi Arabia. See Alhargan 2012; Fleay 2006; Stachursky 2013. Jetschke and Liese provide a more comprehensive list and a discussion of case studies that have adopted the spiral model. See Jetschke and Liese 2013, 28–31.

20 Schwarz 2004, 205.

21 Jetschke and Liese 2013, 30.
violating actor is a closed, totalitarian state which has successfully sealed off its domestic population from the rest of the world.

DISCOURSE, NETWORK DYNAMICS, AND DEFECTORS

Three variables are central to the application of our conceptual model of change, and each of these helps shed further light on important elements of the North Korean human rights advocacy network. A deeper understanding of discourse, network dynamics, and defector voices helps elucidate how transnational human rights networks emerge and seek to bring about change in the context of a “hard case” authoritarian state such as North Korea.

Discourse

A central claim of this volume is that activists’ interpretations of their normative commitments – as reflected in their discursive frames – carry consequences for advocacy movements in terms of strategies, agendas, and outcomes. The chapters in this volume, therefore, focus on the discourse of North Korean human rights actors. By discourse, we mean the words, language, statements, and debates which appear in speech or text form from nonstate and state actors. Discursive frames refer to the ideas, principles, and norms that inform discourses. This focus enables us to examine the dynamics of the network, including its fragmented nature, at both the domestic and transnational level. It also allows us to better understand the role that defector voices have played in the evolution of the movement.

To casual observers, principled actors within the North Korean human rights advocacy network appear aligned to a common cause: ending human rights abuses in North Korea. While this assumption is true at a basic level, it belies the diversity of activists involved in the movement and fails to take into account the politicized nature of discourse over North Korean human rights. Network activists advocating on behalf of North Korean human rights fall across a broad political spectrum and pursue diverse outcomes ranging from bringing about human rights-compliant behavior in the repressive state to provoking regime change or collapse. By exploring the varieties of discursive frames that activists deploy, as well as the relationship between such discursive frames, transnational mobilization, and human rights advocacy outcomes, the

22 We assume that these are context-specific and, across this volume, vary with respect to domestic or transnational settings. The importance of context has been recognized in work on ideas and discourse and is further explored in Chapter 3. See also Schmidt 2008.
chapters in this volume are able to assess with greater rigor several important issues surrounding North Korean human rights advocacy. These include: network membership and the different coalitions and cleavages that emerge within and between domestic and transnational networks; the ways in which different human rights actors define and interpret their normative commitments, and how this has led to a high degree of contestation within the movement; the range of policy pathways and strategies promoted by diverse actors vying for prominence within the network; and, finally, the variation in state responses to North Korean human rights activism, including that of North Korea, over time and in different national settings.23

How activists and policy officials talk about North Korean human rights is often embedded in different domestic political contexts. As such, one is able to follow the evolution of North Korean human rights activism and the rise of transnational advocacy networks by tracing different discursive debates concerning human rights across time and geographic space and piecing them together. Through discourse, we uncover how the issue of North Korean human rights has been contested, debated, and politicized by state and nonstate actors alike. For instance, in Chapter 3, Yeo examines how the unfolding of human rights debates in US foreign policy strongly influenced the direction of North Korean human rights activism and the security framing of human rights in the United States. This contrasts with North Korean human rights activism in Japan and the centrality of the abductee issue in that country’s discourse, as argued by Arrington in Chapter 4.24 A comparison of North Korean human rights activism and discourse across different national contexts thus highlights the multifaceted nature of human rights advocacy across different polities.

The extent to which we find domestic differences in North Korean human rights discourse leads to additional questions regarding the type of discourse which emerges when activism shifts scale from the domestic to the transnational realm. Do domestic advocacy groups adopt the language of the broader transnational advocacy network, ultimately aligning or transforming existing frames into a global frame by embracing the language of universal rights, accountability, and compliance?25 Or do they manage to insert their own particular domestic agenda into the broader transnational human rights frame, thus influencing the agenda of North Korean human rights at the

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23 On examining how rights movements emerge, contest, and frame their activist claims in multilevel environments, see Ayoub and Chetaille 2017.
25 On the transposition from domestic to global frames, see Tarrow 2005, 63. See also Benford and Snow 2000; Della Porta 2007; Rothman and Oliver 2002; Yeo 2009.
global level? Perhaps human rights actors simply wear two hats, employing a domestically tailored frame and advocacy strategy in their home country on the one hand, while uniting with global activists, NGOs, and IGOs and adopting their movement frame when targeting North Korea at the UN on the other. Such issues are taken up in Chapters 6, 7, and 8, where the contributors explore the transnational dimensions of North Korean human rights activism.

**Network Dynamics**

Scholarship on transnational movements and agenda-setting has helped bring greater nuance to our understanding of network dynamics. While existing models of human rights change do recognize that transnational advocacy networks are inherently conflictual, scholars have long believed that networks provide the communicative environment in which participants can be expected to “mutually transform.” Keck and Sikkink, for example, see “frame disputes” among human rights activists as a powerful source of normative change within networks. Frame disputes certainly stimulate change within networks in the North Korean human rights case, but they do so often in the absence of any sort of mutual transformation. How, then, are issues defined and agendas, strategies, and policy goals agreed upon? In the case of North Korea, which is characterized by the absence of a local civil society with which to consult on key issues around strategy and policy direction, these frame disputes are rendered even more complex. What action will best bring about positive change for the North Korean people, ensuring their dignity and improving their lives? Throughout this volume, network dynamics are closely linked to discursive contestation. There is thus a close relationship between these two variables. But by separating them, we are able to more clearly identify the agential and structural forces at play when it comes to normative contestation.

In the absence of any definitive voices from inside the country answering questions such as these, it is unsurprising that there is a great deal of disagreement between “human rights” and “humanitarianism” advocates as noted by Reidhead in Chapter 2. But beyond this, human rights activists find themselves at odds over questions such as what the frame defining their advocacy

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27 On the role of network dynamics in agenda-setting, see Bob 2005; Hertel 2006; Carpenter 2014.
29 Keck and Sikkink 1999, 92.
30 See also Yeo 2014.
should be. While the COI seemed to come firmly down on the side of “accountability” and pursuing greater compliance with international law (see Goedde, Chapter 7), voices within the movement that see the North Korean regime as incapable of change, and instead advocate the pursuit of justice through policies of isolation, coercion, and change, have also played a significant role in bringing the movement to where it is today (see Chapter 3 by Yeo and Chapter 8 by Chubb). We explore both sides of this human rights narrative – and all the “sides” in between – in the chapters of this book, as these are debates that vary from country to country, and are then amplified at the transnational level.

The multivalent (a term used by Arrington in Chapter 4) nature of North Korean human rights discourse is indicative of network dynamics. Scholars including Carpenter, Bob, and Hertel argue that “network dynamics” are a key variable when it comes to issue-creation at the international level.31 One of the most striking characteristics of the North Korean human rights movement – an observation carried in each one of this volume’s contributions – is the high degree of normative contestation regarding movement principles and strategy among groups and individuals.32 As discussed earlier, this is a fractured movement, dealing with divisive issues around how to prioritize rights, pursue desirable policy pathways, and appropriate advocacy strategies and tactics. If discourse helps us uncover these differences, a focus on network dynamics helps us understand the role such normative contestation plays in determining movement agendas, strategies, and outcomes.

The chapters in this volume reveal that normative contestation has a powerful effect on network outcomes at the level of agenda-setting. The COI – a key moment in the movement’s history – has been celebrated by a diverse set of actors across the North Korean human rights movement. It represents, as Bob predicts, an “amalgam” of competing interpretations.
regarding how to affect human rights change inside North Korea. Based on these insights, in Chapter 8 Chubb examines the incorporation of a wide range of movement goals, some of them seemingly inchoate, in the COI’s report. Goedde, in Chapter 7, also speaks to network dynamics as she considers the implications of these competing normative and legal agendas for bringing about behavioral change in North Korea.

A key question for scholars of transnational activism is whether actors ultimately resolve normative contestation to make progress toward their stated goals and agenda. The chapters in this book interrogate closely the various ways in which normative contestation plays out among diverse actors within the North Korean human rights network. In the volume’s Conclusion, however, we argue that normative contestation has not been an insurmountable barrier to achieving major international exposure and legitimacy. As the North Korean case demonstrates, human rights actors are simultaneously value-driven and highly strategic. Hence, they are extremely adaptive, capable of coordinating with coalition partners on elements of the campaign which accord with their personal agendas and values. However, when necessary, they also work separately to further their own agenda, whether that be naming-and-shaming the regime, launching balloons with anti-North Korea leaflets across the demilitarized zone from South Korea to North Korea, facilitating information campaigns across the North Korean border, or seeking a more bureaucratic approach to addressing human rights issues through the utilization of transnational legal mechanisms.

Defector Voices

A final key element in understanding North Korean human rights activism is the role of North Korean defectors in the human rights advocacy network. These actors have played an increasing and instrumental role in the struggle for North Korean human rights. Among the nearly 30,000 defectors who have left North Korea and resettled elsewhere, a handful have organized to bear witness and raise national and international awareness of ongoing human rights abuses in their country of origin. These defectors have directly experienced oppression in the North Korean system, and in many cases are victims of or witnesses to state violence.

In the absence of an active local civil society movement inside North Korea, the inclusion of defector voices in the North Korean human rights campaign has been both transformative and controversial. These voices

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33 Bob 2009, 29.
formed the core evidence sustaining the COI’s recommendation of referral to the International Criminal Court. The testimonies (both on and off the record) of these survivors and witnesses were crucial in the face of the refusal of the North Korean government to allow the COI entry into North Korea. Many of these testimonies took the form of public hearings, which Commissioner Kirby argued was a decision made in the belief that it “permits the international community to assess the witnesses and to make their own assessments as to whether they are telling the truth.” At the same time, critics have challenged the veracity of defector accounts, recommending caution when relying on testimonies which cannot always be independently corroborated. This point was accentuated when the North Korean government revealed inconsistencies in celebrity defector-activist Shin Dong Hyuk’s account of his life inside the gulags, with Shin eventually admitting to fabricating portions of his memoir.

This volume documents the ways in which North Korean human rights advocates have incorporated defectors’ voices into their campaign to add legitimacy and credibility to their movement and to support the claim that North Korea exists as one of the world’s worst human rights violators. Conversely, outside support – whether in the form of funding from institutions such as the National Endowment for Democracy or through network resources from major human rights NGOs and UN organizations which amplify defectors voices – is crucial to the survival of these defector organizations. In this sense, none of the actors in the network are local in the truest sense, and, instead, all of them act as “rooted cosmopolitans,” mobilizing on behalf of issues and actors outside their places of origin and building social networks to inhabit a transnational space. They have what Della Porta and Tarrow call “multiple belongings and flexible identities.” Yet defectors also fall outside this definition. Unlike their fellow transnational activists, defector-activists never truly return to their origins, and they are at the same time both external and domestic actors. They are, in Tarrow’s formulation, truly “detached individuals,” and necessarily transnational citizens.

Ties between defectors and the broader advocacy network are mutually beneficial, but as with all NGO dynamics, they also carry potential principle–agent problems in which defector groups become co-opted and

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34 McDonald 2014.
35 Jolley 2014. For a scholarly critique of the role of defectors in the North Korean human rights movement, see Hong 2013; Song and Hong 2014.
36 Harden 2012. For other issues regarding defector accounts, see Song 2015.
beholden to the agenda of larger organizations.\textsuperscript{40} Generally speaking, the participation of the diaspora or exiled dissident communities in human rights campaigns is not unusual.\textsuperscript{41} However, North Korea may be one of the few cases – if not the only case – where no organized activism exists inside the regime-violating state. North Korean defectors, therefore, play a unique role in the transnational advocacy campaign.

\textbf{FROM DENIAL TO COMMITMENT AND BEYOND}

The spiral model outlines a five-stage process describing how repressive regimes gradually shift their behavior from that of a human rights norms violator to that of a norms-compliant actor.\textsuperscript{42} Beginning with a \textit{repression} stage, a norm-violating state such as North Korea may express \textit{denial} when first confronted by transnational advocacy networks with accusations of human rights violations. As pressure mounts from without and within, the regime may offer \textit{tactical concessions} resulting in minor policy shifts or rhetorical commitments. For instance, the regime may release a few political prisoners, permit greater political movement, or offer statements indicating its support for international human rights. In this context, domestic actors are mobilized and protected by growing transnational linkages. Over time, a regime may grant human rights \textit{prescriptive status}, further validating the claims of domestic actors. States begin to change domestic laws in line with human rights norms, ratify international human rights conventions and treaties, and, more generally, incorporate human rights norms and practices within domestic institutions and legal frameworks. The creation of the new political space that enables these changes is the direct result either of significant policy change on the part of the state or of regime change. The final phase is \textit{rule-consistent behavior} resulting in a behavioral change compliant with international human rights.

The authors are clear that the spiral model does not assume a linear trajectory toward human rights change. States may revert back to abusive

\textsuperscript{40} On the principle–agent problem with NGOs, see Cooley and Ron 2002. For more critical views, see Song and Hong’s study, which argues that the National Endowment for Democracy’s “human rights” work is part of a much larger strategy of destabilizing the North Korean government in line with US interventionist aims against its foes.” As the authors write, “Central to the NED-financed second culture of ‘North Korea’ has been a relatively small handful of North Korean defectors, mostly based in South Korea, whose deputization by US power to speak on behalf of a ‘democratized’ North Korea, as signaled by their ready reception on Capitol Hill, represents a deterritorializing thrust against actual North Korean state authority.” Song and Hong 2014, 41.

\textsuperscript{41} Some examples include Iran, Cuba, and China.

\textsuperscript{42} Risse and Sikkink 1999, 19–33.
behavior. Some regimes may appear to be stuck in a particular phase or in-between phases (such as denial and tactical concessions) for a long period. Or states may be operating in multiple phases simultaneously, which appears to be true in the case of North Korea. More recent work by the same authors in *The Persistent Power of Human Rights* recognizes some of the limitations of the original model. As contributors to *Persistent Power* note, the model fails in its capacity to understand why human rights change does not occur in the worst cases, since “few states with a previous record of gross and systematic human rights violations have transgressed through stages four and five of the model.” More than a decade after the publication of the spiral model, its authors thus shift their focus to these latter phases – the move from commitment to compliance – and seek to identify the scope conditions that determine whether or not human rights change will occur. *Persistent Power*’s focus on the model’s latter stages is justified. While the model’s understanding of the earlier stages of human rights change are largely borne out in the empirical research that has since emerged, the latter stages require further specification.

The spiral model helps evaluate where North Korea currently stands in regards to its evolution in human rights thinking. It also serves as a barometer for examining the efficacy of advocacy networks to date in changing human rights behavior. Slight shifts in North Korean behavior, however minimal, do correspond to the early stages of the spiral model. Although the North Korean regime remains recalcitrant – often in a state of denial, as highlighted by Sandra Fahy in Chapter 10 – naming-and-shaming and ongoing international pressure also seems to have resulted in tactical concessions. As a signatory of six international human rights conventions, the regime has “felt obliged at different times to report to the UN” changes it has made in its domestic laws. Examples include limited reforms on laws pertaining to children and

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43 As such, the model should be taken as an ideal-type heuristic for thinking about human rights change, not a specific plan of action for any particular advocacy movement.

44 Risse, Ropp, and Sikkink 2013.

45 Jetschke and Liese 2013, 37. Stages four and five refer to prescriptive status and rule-consistent behavior.

46 Risse and Ropp 2013, 5, 16–22.

47 These include the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention of the Elimination of All Forms of Discrimination Against Women; the Convention on the Rights of the Child, Convention on the Rights of Persons with Disabilities; and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography.

48 Cohen 2012.
people with disabilities, as well as revisions to its Criminal Code and Criminal Procedures Code shortening pretrial detention and restricting night time interrogations.\textsuperscript{49} In December 2016, North Korea ratified the UN Convention on the Rights of Persons with Disabilities, a treaty it had signed in 2013, and in May 2017 facilitated a visit to the country by the UN’s Special Rapporteur on the rights of persons with disabilities.\textsuperscript{50} North Korea is far from norms-compliant, but the evidence presented in this volume suggests that ongoing international pressure has at least prodded the regime to make concessions at the margin as outlined in the spiral model, even as it continues to deny human rights abuses and repress its people.

Consistent with Risse, Ropp, and Sikkink’s own reflection and criticism of the spiral model, much of the work of the North Korean human rights advocacy network is confined to the early stages of human rights change, even as transnational actors continue to seek ways to bring more fundamental change to North Korea. For example, the COI report relies on international law mechanisms bringing about human rights change by drawing North Korea closer into the international community. This approach, however, is itself rife with contradiction. Can threats of bringing those responsible for North Korean abuses to account be reconciled with other recommendations within the COI report, which argue that human rights change in North Korea relies on greater engagement with the state and its people? As Goedde discusses in detail in Chapter 7, this is the core challenge the UN faces in its efforts to bring about change in North Korea.

Outside these efforts, regime destabilizing strategies have a great deal of prominence among some network members. While regime type is considered as a scope condition in the models (the more democratic a state is, the more likely change will occur), few studies have investigated the degree to which destabilization of an authoritarian regime might be adopted as a human rights tactic.\textsuperscript{51} Human rights and international relations scholars have paid increasing attention to issues of compliance – that is, the degree to which states actually adhere to human rights norms. This is particularly true of the spiral model and its emphasis on the behavior and actions of the offending state. However, a focus on regime accountability and compliance as an observable indicator of change unintentionally biases our understanding of transnational advocacy networks and the strategies they use to promote change. Beyond

\textsuperscript{49} UN Human Rights Council 2009.


\textsuperscript{51} Exceptions include scholars who examine the ways in which states use human rights as a political tool of domination, or as pretext for interventions and regime change. See Bricmont 2006; Perugini and Gordon 2015.
legal measures and policy shifts, less frequently observed are the bottom-up mechanisms of change pursued by transnational advocacy networks which eschew issues of compliance and accountability. Frustrated with the slow pace of change, some activists in the North Korean human rights movement have pushed for a more direct, interventionist approach to human rights advocacy. Jieun Baek’s contribution in Chapter 11 is particularly thought-provoking in this regard, as she unveils activist strategies to deliver information about the outside world directly to ordinary North Koreans to undermine the regime’s legitimacy. The North Korean case, therefore, sheds light on alternative strategies to human rights change that may be specific to activism targeted at totalitarian societies.

The last ten years have seen a proliferation of both quantitative and qualitative studies of human rights change. Importantly, many of these focus on international law mechanisms. What we learn from these studies about the potential for human rights change in “hard case” authoritarian contexts such as North Korea, where there is no evident popular mobilization, does not bode well for the next stages of the North Korean human rights movement. Indeed, North Korea seems stuck in a loop between stages of denial and tactical concessions. Additionally, empirical research into human rights change in such contexts suggests that further change without local support is unlikely. As discussed earlier, the spiral model of human rights change relies on domestic support. Risse and Ropp go so far as to suggest that democratic governance seems to be a prerequisite for human rights change. Without institutions of accountability, the social mechanisms central to effective activism – naming-and-shaming, persuasion and learning, and legal enforcement – are absent. Simply put, autocratic regimes cannot be “[shamed] into compliance.” As Davis, Murdie, and Steinmetz argue, the importance of an educated public explains the resources human rights organizations put into human rights education: “domestic support is critical in limiting how the state can respond to human rights criticism.” Hafner-Burton, in her systematic survey of human rights change, contends that participation in the international human rights legal system only leads to greater human rights protection in contexts where institutions for accountability exist domestically. Furthermore, she argues that once initial progress has been made on the international stage, localization of the transnational movement is essential for bringing about substantive change. The question is whether the North

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52 Hafner-Burton and Ron 2009. 53 Risse and Ropp 2013, 16–17.
54 Risse and Ropp 2013, 17. 55 Davis, Murdie, and Steinmetz 2012, 209.
56 Hafner-Burton 2013, 155–9.
Korean human rights network – as fragmented as it is, and lacking a domestic support base – can still bring about meaningful human rights change inside North Korea.

In defense of international law mechanisms, Simmons marshals evidence suggesting that formal treaty commitments do seem to impel governments toward better human rights practice as the signing of such treaties generally signals serious intent. Is this the case for North Korea? In her examination of North Korea’s behavior at the UN, Hosaniak, in Chapter 6 of this volume, argues that rather than signaling a serious commitment toward human rights, North Korea’s accession to these treaties were politically motivated – North Korea desired greater inclusion in the international community at the time of signing, especially vis-à-vis South Korea – and the government likely did not appreciate that it would be brought to account on these commitments. In fact, in an effort to avoid referral to the International Criminal Court, Naryan in Chapter 5 reveals that North Korean diplomats met with the UN Special Rapporteur and traveled to Europe to meet with the EU Special Representative on Human Rights. Indeed, Simmons’ arguments regarding the value of treaty commitment revolve around the value of this action to affect domestic politics in fluid settings. North Korea is, decisively, not a fluid environment and, as Simmons herself notes, in settings such as stable autocracies, the likelihood of political mobilization to demand compliance is unlikely if such demands are seen as a challenge to the regime’s governance structures.

North Korean human rights activism has achieved unlikely success to date. Can it continue to defy expectations and achieve meaningful change on behalf of the North Korean people? Baek in Chapter 11 and Goedde in Chapter 7 suggest two alternative but complementary paths moving forward. Baek examines attempts by human rights activists to infiltrate the North Korean government’s information blockade, arguing that these direct action efforts have the potential to meet what seems to be a growing desire, on the part of the North Korean people, to learn more about the outside world and North Korea’s place within it. Goedde suggests that the international legal approach should be more attuned to contextual variables, arguing that reframing the human rights narrative at the UN to better incorporate North Korean understandings of rights and obligations could go a long way toward resolving the existing tension between accountability and engagement. Goedde links reframing efforts to “direct” information campaigns, suggesting that a greater appreciation of how North Koreans think and talk about rights

could lead to the development of more effective information packages aimed at local people, arming North Korean human rights activists with a much more potent human rights weapon.

The two-pronged approach to transnational advocacy enabled by the coexistence of different cleavages within the North Korean human rights network reflects the realities observed by contributors to this volume: that competing approaches to human rights activism can complement each other. This lends itself to a modified understanding of the boomerang and spiral models when adapted to highly repressive states. Figure 1.1 illustrates this dynamic.

Building on the boomerang and spiral models for understanding North Korean human rights activism, the transnational advocacy network targets the repressive state, naming and shaming the rights-violating regime and calling...
for accountability. However, in the absence of domestic partners, some actors, particularly IGOs such as the UN or major INGOs, are more inclined to rely heavily on legal mechanisms, emphasizing accountability and compliance and threatening sanctions. In this top-down approach to human rights advocacy, the regime becomes the primary focal point. There is an expectation or hope that the rights-violating government might implement reforms leading to gradual policy shifts and an eventual transformation in human rights.

Other human rights actors, more often at the grassroots end, take a more subversive, “hands-on” approach, directing their advocacy toward society at large. Such actors place little faith in recalcitrant regimes such as North Korea that they will make any meaningful human rights change in the future. They therefore direct their energies in promoting defections and cultivating information networks in the hopes of undermining the legitimacy of the regime and its grip over the people. In the North Korean case, this has included activists sending information about the outside world in the form of news broadcasts, South Korean dramas, Western movies, and through market activity and exchange. Defectors and the NGOs which support them, as well as agents outside of the human rights network such as profit-motivated brokers, corrupt border guards, and rent-seeking local officials, serve as an important conduit in ensuring the flow of information between human rights actors and ordinary North Koreans. In the absence of North Korean civil society, the advocacy network is essentially cultivating their own local allies, thus sowing the seeds for domestic dissent. If change cannot occur from the top, it might as well come from below.

It is important to note that these alternative pathways to change are promoted in tandem by the broader North Korean human rights advocacy network. Different factions within the network have thus far been willing to work together, and organizations central to the network, such as the Committee for Human Rights in North Korea, have tended to straddle, and thus bridge, different groups. Our research cannot yet tell us whether either of these approaches might prove effective. The likelihood of change in such a repressive context seems low given what we know about how human rights change occurs. However, the capacity North Korean human rights activists have shown for adaptation and coordination in the face of a highly fragmented movement has worked to the advantage of the movement so far.

CONCLUSION AND CHAPTER OUTLINE

As demonstrated by our contributors, and contrary to existing transnational advocacy models, the presence of a local civil society may not, in fact, be a necessary condition for the creation of a powerful advocacy movement or the
acquisition of international attention and legitimacy. The strategic acumen shown by a number of key actors across the political spectrum has enabled the development of defector voices alongside the cooperation of international legal bodies. While the role that defectors play in the movement is not without controversy – a matter addressed by Jay Song in Chapter 9 – North Korean human rights activism is unlikely to be where it is today were it not for the inclusion of defectors’ discourses. We do not see our argument, or the case of North Korean human rights activism, necessarily undermining the explanatory value of either the boomerang or spiral models. Rather, the inclusion of the North Korean case within the existing body of scholarship on transnational human rights advocacy increases our knowledge of how nonstate actors might seek to overcome the structural hurdles placed in their paths by powerful authoritarian states.

The North Korean human rights movement has not developed as a cohesive whole, and thus lends itself to an edited volume of this kind. Activists in South Korea, Japan, the United States, and Europe come to the issue of North Korean human rights from diverse historical, political, and ideological perspectives. In each chapter, country and regional experts consider the evolution of the movement in a variety of domestic and transnational settings. To understand the movement, we believe it is first important to disaggregate it and consider it in its parts before viewing the movement as a whole.

Methodologically, our contributors raise the bar for scholarship on North Korea and transnational advocacy networks, employing a variety of analytical tools (including computer-assisted content analysis, discourse analysis, Internet hyperlink analysis, network analysis, and case study methods) to shed new light on North Korean human rights activism. Several chapters present new empirical data to indicate why North Korean human rights activism has evolved along its current trajectory and how this has shaped movement and policy outcomes to date. All contributors rely on primary sources, first-hand accounts, and/or original language sources. Several authors have systematically compiled and analyzed large amounts of textual data from media accounts, official statements, and NGO and government reports for this project.

Following this opening chapter, Part I explores North Korean human rights activism and discourse within different national contexts. We begin with the South Korean context: Reidhead, in Chapter 2, delves into the complex political terrain that North Korean human rights activists must traverse. In Seoul, the issue of human rights in North Korea is closely intertwined with questions of reunification, and has its roots deep in South Korea’s own authoritarian past where the country’s domestic civil society movement
originates. Against this backdrop, then, human rights activists from both the progressive and the conservative end of the political spectrum must vie for legitimacy. Reidhead conducts a large corpus analysis of media content in South Korean newspapers to trace North Korean human rights discourse and the rising dominance of groups oriented toward civil and political rights in South Korea.

In Chapter 3, Yeo finds some parallels with Reidhead’s analysis in his study of North Korean human rights activism in the United States. As Yeo explains, North Korean human rights activism cannot escape its historical precedents. The issue of North Korean human rights is deeply embedded in a Cold War normative framework, shaped by human rights discourse that dates back to foreign policy debates from the 1970s. As such, North Korean human rights advocacy in the United States tends to adopt a stronger security emphasis than elsewhere through the adoption of a human rights–security nexus framing.

While North Korean human rights discourse and advocacy in the United States and South Korea is shaped by a complex and historically normative framework, Japanese discourse has been more narrowly focused on the abduction of Japanese nationals by Pyongyang in the 1970s and 1980s. In Chapter 4, Arrington investigates how and why the abductions issue has become so inextricably linked to the North Korean human rights issue by scrutinizing the groups and individuals engaged in normative contestation about the framing of the abductions issue as a human rights one. She finds that while the dualism of North Korean human rights discourse in Japan has at times complicated Japanese participation and integration into the North Korean human rights transnational advocacy network, rendering the abductions as a North Korean human rights problem has also advanced the human rights discourse, both inside Japan and transnationally.

In Chapter 5, Narayan, a former Amnesty researcher based in London, discusses North Korean human rights discourse and activism in the European context. Narayan explores the relationships between European civil society organizations and the formal institutional channels in Europe under which North Korean human rights advocacy unfolds. How North Korean human rights advocacy operates in Europe is somewhat unique given the EU’s active role in promoting North Korean human rights, both through direct talks with North Korea and through multilateral channels, and due to the fact that several European states maintain formal diplomatic ties with North Korea.

In Part II, the volume transitions from domestic to transnational perspectives. The three chapters in this section consider how actors – coming to the issue from diverse backgrounds and national contexts – seek to develop coherent transnational networks to address the North Korean human rights
issue. Here, our focus of analysis shifts to the politics of agenda-setting. Rather than focusing on discursive frame development, the authors spend time unravelling the factors which affect normative contestation within networks: discursive frames, network dynamics, and power relations. In the domestic arena, contentious discursive frames are shaped by norms and ideas specific to each context. In the transnational arena, normative contestation between activists has led to a diverse set of agenda-setting outcomes. The authors in this section discuss some of the consequences of the transnationalization of an issue as highly politicized as North Korean human rights. Hosaniak commences this section in Chapter 6 by offering a practitioner’s perspective. Hosaniak’s organization – Citizens’ Alliance for North Korean Human Rights – is the oldest North Korean human rights NGO and has undergone profound normative, discursive, and political shifts over the course of its 20-year history. Her chapter traces the trajectory of this activism, highlighting the interaction between political context, strategy choice, and networking tactics, with a particular focus on the strategies that led to the establishment of the COI.

Following Hosaniak’s activist-oriented narrative of the path toward the COI, Goedde in Chapter 7 uncovers the mechanics and micro-processes of this type of transnational legal mobilization. She looks specifically at the reaction of North Korea to the accountability paradigm and argues that this approach has periodically led to retrenchment rather than progress. Given the logical outcome of the legal accountability approach – termination of the North Korean regime – she argues that a greater focus on engaging North Korean actors on issues around transnational legal norms will lead to more productive and effective outcomes for the movement. Finally, in Chapter 8, Chubb pulls together the findings of the previous chapters on domestic and transnational mobilization by looking specifically at network dynamics and considering the ramifications for theory. This chapter asks how and why the normative and discursive contours of activist networks shift over time and examines what the implications of this have been for campaign outcomes.

In Part III of the volume, we bring North Korean voices back into the conversation. In Chapter 9, Song explores the role that defector-activists have played in affecting the discursive trajectory of the North Korean human rights campaign. While previous chapters touch on the important role that defector

59 Joanna Hosaniak is also a human rights scholar, whose research explores questions of transitional justice in postcommunist states. In this volume, however, Hosaniak’s observations are based largely on her lengthy experience as a North Korean human rights strategist and activist. She is currently the Deputy Director General of Citizens’ Alliance for North Korean Human Rights.
voices have played in a range of contexts, Song conducts a network analysis around five high-profile defector-activists to provide a critical analysis of the substantive role that defector voices have played in the evolution of the North Korean human rights movement.

Complementing Song’s chapter, the next empirical chapter shifts from the voice of human rights victims to that of the perpetrator. This, of course, is the North Korean state, the object and target of the transnational advocacy movement. In Chapter 10, Fahy wades through thousands of pages of texts of the North Korean newspaper *Rodong Sinmun* to systematically examine North Korean responses to accusations of human rights abuse and the findings of the COI in particular. Contrary to popular belief that the regime simply dismisses the validity of such international forums out of hand, Fahy’s discursive analysis of North Korean official responses demonstrates the regime’s level of engagement with the issues and their efforts to deflect human rights accusations through different means, including the creation of an “ersatz civil society.”

Finally, in Chapter 11, Baek begins to explore the possibility of change within North Korea and the role transnational advocacy networks play in promoting greater information flows about the outside world into North Korea. Baek draws particular attention to the idea of information networks and draws out the mechanisms in which activists and defectors penetrate (or bypass) the state to reach out to ordinary North Koreans by disseminating information through USBs, leaflets, DVDs, radio broadcasts, or through market activity between North Korea and China.

In the volume’s concluding chapter, Yeo and Chubb come back to the book’s central questions: how can we understand the evolution of the North Korean human rights advocacy network and what does this mean for grappling better with the question of human rights change in “hard case” authoritarian states? The North Korean human rights movement is a deeply fractured one that has nonetheless achieved some remarkable milestones. By peering inside and taking its component subnetworks apart at the domestic level, the political and moral motivations of actors and their agendas become evident. This further advances our understanding of how principled actors bring about change in contentious settings. The wall separating North Korea and its people from the outside world has long seemed an insurmountable one, yet thanks to the relentless efforts of the diverse network of individuals working on the issue of North Korean human rights around the globe, cracks are starting to show.

As the contributors to this volume reveal, the focus on accountability mechanisms central to the COI report is not shared by all North Korean human rights activist groups, with some groups preferring more subversive
methods of addressing human rights change. While the COI report’s findings have been embraced by activists across the movement’s spectrum, the lack of a central cohesive message at the core of the North Korean human rights network may prove significant in the next phase of the campaign. Having set the international agenda for North Korean human rights, attention will necessarily shift to questions of human rights change on the ground. The reluctance of some actors in the human rights movement to achieve change through the frame of accountability, preferring instead to take a more direct, interventionist approach, is likely to persist. Whether these cleavages facilitate or hinder human rights change remains to be seen.

REFERENCES


