

Unification of the Korean Peninsula. Drafting a Constitution for a Unified Korea

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A successful unification of the Korean Peninsula must be based on a vision for the nation rooted in both universal values and the distinct traditions of the Korean people.

If the establishment of a unified Korea as a constitutional republic is to follow the model offered by the United States, the critical step would be the drafting of a constitution that lays out the contours for that new nation's government and the principles undergirding it.

That means selecting the best practices and policies, and the most relevant to the needs of the current age, from models for good governance found in the collective wisdom of mankind, and doing so in a manner that is inspiring for the Korean people, and that serves as a model for the nations of the world.

In this respect, the Korean dream advanced by Dr. Hyunjin Preston Moon, a visionary plan for a new nation on the peninsula that brings together the best of West and East, will inspire the drafting of this constitution.

The constitution for a unified Korea will serve as the foundation for the republic, describing concretely the institutional structures and the principles of governance that govern them, thereby establishing a common understanding of the legal process to be followed going forward, while setting limits on the authority of each branch of government that will be essential for stability over the long term.

The constitution should assure a process for understanding the needs of society, the principles of morality and the best way to implement those solutions in policy, while guarding against creeping tyranny by assuring a logical separation of powers.

The United States Constitution is a blending of varied strands of political philosophy. We can

observe in the Constitution institutional precedents taken from Greece and Rome, but also from medieval and enlightenment governance in England, France and Germany. A trained eye can detect bits of the Iroquois Great Law, and even of Confucian practice as it was introduced into the Enlightenment debate in Europe on governance.

The constitution of a united Korea should also be a creative work with roots deep in our common past, a text that appeals to universal human values and morals, and that sends out sparks of inspiration to all Koreans, and to all the world, as did the American constitution in 1787.

The intellectual dynamic animating the American Constitution is powered by the synthesis of the political philosophy of the ancient Greeks and Romans with practical precedents in later history for deliberative democracy such as the Magna Carta of 1215, or the Roundheads' defense of the democratic Parliament in seventeenth-century England.

We can imagine a constitution for a unified Korea that will derive its power from a further synthesis, this time between the tradition of the constitutional republic without a monarch that is put forth in the U.S. Constitution, Korea's own traditions of good governance and ethical behavior, and the larger mansions of moral philosophy in East Asia, mainly those of Confucianism and Buddhism.

A Korean Constitutional Convention

All of the models for good governance in the Western and Eastern traditions will not mean much if Koreans are not able to hold a constitutional convention in which the greatest ethical and intellectual minds of the age come together for an open debate dedicated to addressing the spiritual and material needs of the people, not personal gain, and if the consensus of those great minds is not written up in powerful and clear language that can inspire citizens for the ages.

The constitution produced by the constitutional convention for a united Korea must have cultural depth and moral power on both the Western and Eastern sides so that it will be accepted by Koreans of the North and the South (and around the world) assuasive, authoritative and universal.

First, we need individuals who are morally upstanding, intellectually informed, dedicated to the public good, and who have a keen sense of their role in long arc of history. That moral stature must be accompanied with an openness to new potentials and eternal creativity.

They need not, should not, be individuals with identical concepts of what government should be. The convention should be a symphony in which different themes and melodies are blended together in the give and take, the debate, and the resulting harmony produced in debates, for example between those favoring a strong central government and those opposed, between those favoring individual rights and those favoring the common good, serves to create a balanced conception of the whole that will rise above the capacity of any one author.

We know that in the American case those at the convention, James Madison, George Mason, Benjamin Franklin, John Adams (by correspondence), and Alexander Hamilton, articulated profoundly different perspectives on how government could realize the potential of humanity.

The Constitutional Convention went on in Philadelphia from May 25 to Sept. 17 of 1787, bringing together a group of visionary political figures who were devoted to an honest debate on the strengths and weaknesses of previous traditions of governance. It took months of concentrated debate, draft after draft, to come up with a vision for how the United States of America would be governed in a democratic, transparent, and accountable manner so as to represent the needs of the people and to protect the rights of the minority and to express that vision in a manner that was accessible to citizens.

In the Korean case, it should be a select group of committed Koreans, from North and South Korea, and from the Korean diaspora, who are ready to devote themselves to the drafting of this constitution based on ideals and profound contemplation of the needs of the people, a group that includes people with different perspectives on governance who are capable of creative dialog and compromise.

The constitution will be accepted by the people, not on the basis of how famous its drafters are, or how much money and coverage in the media they receive, but rather on the basis of their vision of what humanity is capable of, and how they express that potential in an inspiring manner.

It is essential that the planners of the convention make room for the organic meetings of minds, take the time to read through classic books on governance and to discuss them in an unpressured environment, while at the same time avoiding imposing on the natural process by which the constitution takes form and is then drafted.

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Featured image: The Demilitarized Zone compared to the earlier 38th parallel de facto border (Licensed under CC BY-SA 3.0)

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