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A divided nation: Rethinking and rescaling land tenure in the Korean (re-) unification

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ABSTRACT

In the Korean (re-)unification discourse, limited attention is given to how the highly different systems of land tenure can be unified in a comprehensive land governance framework. Possible reasons include the uncertainty of (re-)unification itself, high sensitivity of the land issue as a territorial matter and limited access to North Korean data about land tenure. Moreover, there are insufficient theoretical foundations regarding the role and the significance of land tenure in the (re-)unification process. This paper identifies what (re-)unification is and describes how, where and when land tenure could be significant in a (re-)unification process. These questions are addressed using the Context-Intervention-Mechanisms-Outcomes-Constraints (CIMOC) framework. This systematic approach takes both the time sequence and a number of aspects based on patterns found in literature into account in order to identify and define what (re-)unification is and how it aligns, adapts or merges to land tenure relations. We find that during transformation processes, discussions on land tenure have both an instrumental and reforming function and land tenure resolution facilitate the peace-building in integration processes. In addition, land tenure institutions play significant role in a territorial development process. The key findings of the research synthesis rationalize the significance of land tenure in (re-)unification process. Amalgamation of (re-)unification and land tenure discourses derive intricate relationships to address the multi-dimensional problems in the Korean peninsula. Yet, the discussion of both concepts have so far focused on monolytical and pragmatic problem-solving rather than the start of a more fundamental discussion: how to re-shape land governance institutions. This study can be a starting point for policy-makers to discuss and comprehend an unsolved quandary of the Korean peninsula.

1. Introduction

Since the fall of the Soviet Union in the 1990s, the (re-)unification of the Korean peninsula has become a distinct possibility (Zang, 2016). Despite on-going tensions since the succession of Kim Jong-un in December 2011, while some argue North Korea has survived against all odds after periods of turmoil (Bennett, 2013); some critics in South Korea argue it is only a case of when not if the Northern regime collapses. Dialogues between the North and South have persistent over the decades and in 2014 South Korea formulated the Dresden initiative towards peaceful (re-)unification. Critical themes were trust-building processes, expansion of private-sector exchanges, spreading of social consensus on reunification, the launch of a Presidential Committee for Unification Preparation, and systematic preparation for reunification through sharing German reunification experiences (Ministry of Unification, 2016).

Over the past 70 years, the division of the Korean peninsula has produced significant divergence in the areas including politics, economy, society, and culture, raising existential questions for (re-) unification, such as re-defining territory, uniting people, and re-establishing sovereignty. Land and land tenure is a critical component of this (re-)unification process since it is fundamental to facilitating socio-spatial identities revolving around symbolic and historical meaning of territories (Convery et al., 2014). (Re-)unification also poses significant costs for both North and South Korea reflected in spatial choices made both during and after a process of (re-)unification. Spatial integration needs development alongside integration of social and legal institutions, of which land is a notable feature. Hence, the reorganization of land tenure in a single Korea would also affect terms of economic and social integration. Thus, land tenure is important to social, political and economic restructuring in the Korea peninsula, bringing together socio-technical, and economic, institutional, legal and political aspects often-ignored (FAO, 2002).

The socio-spatial dimension within Korean institutions has been relatively under-researched with most studies focused on legal integration (Lee et al., 2014). Further, little research has been undertaken

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on the (re-)unification of organisations and organisational systems in relation to land. Instead, most studies primarily focus on the assimilation within South Korean organisational frameworks and have difficulty analysing how North Korean systems could merge while maintaining some of their functionality (Choi, 2013). Studies on merging land systems point out that even within a single country significant organisational issues exist, and therefore merging two countries together may be more difficult (de Vries et al., 2015; de Vries et al., 2016).

Park (2012) notes that (re-)unification processes still need to consider methods and characteristics of a reunified Korea and North Korea. Moreover, North Korean land information has so far been gathered and managed individually by various institution, so there may be significant informational gaps to establishing and promoting effective land policies (Moon et al., 2016). Hence, (re-)unification is not just simply a source of potential new capital, but rather the establishment of a new range of production factors through which the future of the Korean peninsula can be created. Land issues are linked to areas including housing, industry, financial, tax, welfare, social conflict and distribution (Lee, 2016). Emergant land policies for (re-)unification therefore need to take integrative approaches that are currently rarely achived (Lee et al., 2014).

The major problem is it remains difficult to predict and prepare for future possibilities and multi-dimensional problems. Therefore, only limited studies address these land issues. This highlights uncertainty of (re-)unification, high sensitivity to South Korean government (re-)unification policies and limited access to North Korean data. Due to these constraints, theoretical foundations for ascertaining linkages, between land tenure and (re-)unification processes, their inter-relationship and significance are insufficient.

However, questions of how, where and when land tenure plays can play a role in Korean (re-)unification is crucial. Analysis starts with theoretical classification of (re-)unification processes, unpacking the concept of (re-)unification making it both workable and translatable to the Korean context. This translatability produces interpretations of how these classes relate to or include references to land tenure and differences between “unification” and “reunification” discourses. Notions of “integration”, “transformation” and “territorial development” frames through geographic, political, social and economic perspectives then frame the reconnection of land and reunification issues. The following research questions emerge as critical:

- RQ1. How has (re-)unification been identified and defined?
- RQ2. Under what conditions, and using which mechanisms, does land tenure influence the (re-)unification process?

The paper is structured through six main sections: first dealing with the paper’s methodology defining (re-)unification and analysis of process and conditions of (re-)unification, and introducing the Context-Intervention-Mechanisms-Outcomes-Constraints (CIMOC) framework. The subsequent section elaborates definitions of (re-)unification, followed by the continuum of (re-)unification and descriptions of preconditions of reunification processes. The research synthesis rationalizes the significance of land tenure to (re-)unification, leading to discussions on possible consequences for land tenure relations, concluding by answering research questions and analysing implications for expected roles and impediments of land tenure both during and after Korean (re-)unification.

2. Methodology

Issues of methodology are essential to the framing issues in the Korean peninsula and the workable outcomes produced. While linear and single dimensional methodologies are often considered when looking at socio-political, economic and land issues, Denyer and Tranfield’s (2009) “CIMO logic” often used to develop critical management and organisational perspectives was deployed in-order to develop and unpack research questions as well as define research scope. The adapted “Context-Intervention-Mechanisms-Outcomes-Constraints (CIMOC) framework” provides evidences through which to scrutinize land and land tenure issues in the Korean peninsula. Context refers to surrounding factors and human actors framing discourses, while interventions pertain to how behaviour is influenced by human actions. Mechanisms are the tools and means through which interventions are generated, while outcomes are consequences of specific mechanisms (Denyer et al., 2008). In addition, constraints have been identified to recognise limitations of interventions and mechanisms.

The literature review focused on the following terms: unification, reunification, transformation, integration and territorial development. In addition, articles were collected on land tenure-related concepts including property rights and land ownership. Further multi- and transdisciplinary literature crossing disciplinary boundaries (cf. politics, economics, international development, sociology, geography, public administration and spatial planning and land management etc.) helped combine land tenure transformations, Korean land tenure and intersecting literature related to produce new perspectives and was the raw material for further literature analysis.

Five types of documents were taken into account in review: (1) peer-reviewed journal articles, (2) thesis, (3) books, (4) technical reports, and (5) national land policy documents. All were part of well-known and accessible academic literature catalogues, scientific journals or working paper series embracing allied land tenure and (re-)unification subjects published in English and Korean. The following on-line electronic database were also considered: Elsevier, GEOBASE, GeoRef, Google Scholar, JSTOR, Networked Digital Library of Theses and Dissertations, OpenGrey, SCOPUS, Springer Link, Web of Science, RISS (Korean) and DBpia (Korean), and libraries to which the researchers were subscribed. Literature regarding land tenure in Korean (re-)unification was reviewed through the Information Centre on North Korea (ICNK) in the Ministry of Unification (MoU).

Searches for grey literature via websites of leading institutions working on land tenure and Korean (re-)unification produced work from international (e.g. FAO, UN-HABITAT, and the World Bank), governmental (e.g. Ministry of Unification), non-governmental (e.g. International Land Coalition), national donor organizations (e.g. USAID, DFID and GIZ), university institutions (e.g. University of Wisconsin Land Tenure Centre) and think tanks (e.g. CSIS, RAND). In addition, bibliographic snowballing and hand searches of key journals were also employed to supplement as follows: Land Use Policy, Habitat International, Survey Review, Journal of Peace Studies, World Bank Research Observer, World Development.

Spatially the study area was not limited to the Korean peninsula. Post-Soviet, EU and German perspectives were analysed, as were the experiences of specific countries which had gone through a similar process of division and (re-)unification including, China, Vietnam, Cambodia, Laos and Mongolia (cf. defined by Henderson et al., 1974). These examples could be divided into CIS, CEE and ECA regions (cf. defined by Lerman et al., 2004). Definitions of (re-)unification were theoretically discussed from the emergence of literature on nationalist and political unification perspectives in the 1950s. This adds to aspects of transformation of land tenure systems in South and North Korea, enabled by extremely different political, social and economic conditions over the past 70 years.

This systematic approach enabled identification of what (re-)unification is and how land tenure-related systems merge, aligns or adapts to critical problems, issues and questions. Consequently, the CIMOC framework was used to derive a composite research question from the two main research questions, framing discussion: Under what conditions (C) does land tenure (I) influence the unification process (O), and what mechanisms operating under the influence of land tenure (M) frame the reunification process (O) with what constraints (C)?

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