

2009 Global Forum

on Modern Direct Democracy

Thematic Workshop 3. Activists Forum

Reports on the Korean Participatory Democracy



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Case of the Gwacheon City Campaign for Change in Child Care Ordinances

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1. Introduction

Gwacheon's campaign for change in child care ordinances is a successful case of resident initiative. This campaign began in March 2001 during the early days of implementing resident initiative pursuant to the Local Autonomy Act. The success of Gwacheon is significant in many ways. One of the significant outcomes is that it showed positively the possibility of residents directly controlling a given system, such as the resident initiative, in a situation where they had no prior experience with it. Many people who participated in this campaign found confidence and the possibilities of new movement in terms of making political impact outside the establishment. Although the campaign to change child care ordinances in Gwacheon encountered many obstacles and did not always proceed smoothly, we should not omit as significant that the cooperation of many citizen groups and voluntary participation of residents advanced Gwacheon's civil society a higher level. Positive evaluation can be made on the point that policies directly impacting everyday living issues, such as child care, are under the influence of more than just the interested parties; that the cherished hopes of residents for raising children properly are confirmed in terms of a system; and that the process of such a campaign can have influence on other areas. In addition, the key details of the changes in child care ordinances made through resident initiative, namely, citizen participation, information disclosure, democratic consignment process and such, are general details that needed to be included in general ordinances, and we can give high marks for the fact that Gwacheon child care ordinances provided a specific direction in terms of details for establishing and revising ordinances.

2. The Emerging Issue of Child Care in Gwacheon's Civil Society

At the time (about 2000), popular complaints concerning child care were posted day in and day out on the free bulletin board of the Gwacheon City Hall's homepage. Voices

of the residents concerned about child care were very diverse and spanned issues such as facility problems related to children's safety, the education philosophy of child care center operators, lack of child care facility information, undemocratic consignment system, child care policy and system problems, and so on. Such citizen dissatisfaction was not confined to Gwacheon; it was a nationwide phenomenon. Gwacheon in particular experienced an outbreak of consecutive incidents igniting citizen discontent. Included here were the incident of admitting too many children and exceeding a facility's carrying capacity, the incident creating parental dissatisfaction because of lack of transparency in the consignment process, and the incident where a 20-month-old child was burned due to a facility's negligence. Under these conditions, many citizens began to question child care policy. Many pointed out that Gwacheon, regarded as "the best city to live" in the nation, was backward when it came to child care policy. Parents with immediate concerns about child care issues, young married couples preparing for parenthood, and parents participating in community child care cooperative association, as well as various citizen groups with interest in child care issues, came together and agreed on the need to change child care ordinances. Soon thereafter, they formed "The Gwacheon City Child Care Ordinance Change Campaign Office" (hereinafter, the Campaign Office) and started the movement to change child care ordinances.

3. Gwacheon Citizen Initiative on Child Care Ordinances

The Right to Enact, Amend, and Annul Ordinances stipulated (as of 2001) in Article 13 (3) of the Local Autonomy Act determined the number of petitioners based on the size of a city, and in Gwacheon which had about 40,000 adults aged 20 or older, petition could be made with a collection of 1,200 signatures. Compared to Seoul, which has over seven million adults aged 20 or older and required a collection 140,000 signatures, the condition in terms of the number of signatures needed for petition was relatively better in Gwacheon. Of course collecting 1,200 signatures is not an easy task, unless we are in a community of great unity living without walls. At the time of starting the resident initiative signature campaign, the reaction of Gwacheon citizens was quite good. Just recruiting proxies with qualifications to collect signatures brought in more than 140 people. Numerically, if each of the 140 can collect signatures from just 9 people, reaching the required amount was possible. The foundation for recruiting 140 proxies was provided by the participation of the community child care cooperative association members. There were three community child care cooperative associations in Gwacheon. And with their members at the core, there were several after-school

classrooms in operation, and some were also preparing to establish alternative schools. Such conditions became the foundation for the campaign for change in child care ordinances. Of course the signature collection did not always involve each one of the 140 people engaging in individual actions. The number of signatures was increased mostly through collecting signatures in the streets; and in the short period of one month, over 1,200 signatures were obtained. As confirmed through the signatures, the topic of child care did not appear political, and the high participation of citizens was deemed to be so because it was an issue related to everyday living. The progression of citizen initiative campaign that took place in Gwacheon is given below:

Sept. 20, 2001	Campaign for change in child care ordinances meeting (Citizen Hall Lecture Room 1)
Oct. 6, 2001	Founding conference (Central Park, Outdoor Stage)
Oct. 8~16, 2001	Recruiting applicants to serve as signature collectors
Oct. 16, 2001	Working group meeting held (Burim Culture House) => Gwacheon City Child Care Ordinance Change Campaign Office confirmed as the name
Oct. 17, 2001	Submission of petition for change in ordinances (Gwacheon City Office of Complaints)
Oct. 18, 2001	Petitioner representative certificate issued
Oct. 23, 2001	First round of submissions of the registration form for entrusting the representative's signature request right (proxy) => 130 people registered
Oct. 23, 2001	First round of proxy registration certificate issued
Oct. 26, 2001	Working group meeting held (Burim Culture House)
Nov. 4, 2001	The unveiling ceremony of Child Care Ordinance Change Campaign Office held and signature drive launched (Front of New Core Dept. Store)
Dec. 6, 2001	Working group meeting held (Burim Culture House)
Nov.1 ~ Dec.17, 2001	Proxy training held and signature campaign implemented
Dec. 19, 2001	List of petitioners submitted (total 1,656 people)
Jan. 31, 2002	Campaign for Change in Child Care Ordinances interim evaluation meeting (Burim Culture House)
Feb. 5, 2002	Meeting with Gwacheon City Social Welfare Department staff held
Mar. 12, 2002	Meeting with city council members held
Mar. 13, 2002	Resident initiative for regulatory measures introduced to the council
Mar. 14, 2002	Resident initiative for regulatory measures passed
Apr. 12, 2002	Celebration of child care ordinances held (Hanbaek Church)

4. Key Details of Resident Initiative for Child Care Regulatory Measures

1) Disclosure of Information

Disclosure of information is the basic precondition of ‘resident participation.’ Information is essential especially for resident participation in public administration. Taking this into consideration, the Gwacheon resident initiative for regulatory measures introduces a system to disclose information to the public even when residents do not make requests for disclosure.

“The meeting of the council must be recorded and its minutes written down, and except for parts with cause for non-disclosure pursuant to Article 7 Paragraph 1 of the Act on Disclosure of Information by Public Agencies, the entire minutes of the meeting shall be made open to the public through the Gwacheon City Internet homepage within 7 days after the closing of the meeting.”

2) Expansion of Citizen Participation

There are several ways for residents to participate in the policy decision-making process. A public hearing or a meeting limits participation to expressing some opinions on predetermined cases. Committees of all kinds, however, are different in that they allow direct participation in the policy decision-making process. Taking this into consideration, the Gwacheon citizen initiative for regulatory measures reduced the participation of interested parties and public servants and increased the participation of experts and parents. In addition, by setting up a steering committee at the city child care center, guaranteed parental participation in the facility operation.

One child care committee member is commissioned by the mayor from the persons stipulated in each of the following subparagraphs. However there must be at least 3 members from the subparagraphs 1, 3, and 4, and the number of members who are heads of child care facilities and city public servants shall not exceed 1/5 of the total number of committee members.

1. Social welfare and child education experts
2. Heads of city-based child care facilities (referring to child care and after-school child care facilities as stipulated in Article 2 Paragraph 2 of the Act).

3. Representatives of the employees working in city-based child care facilities (excluding the head of the facility)
4. Guardian representatives who entrusted infants and children to city-based child care facilities
5. Relevant public servants of grade 5 or higher in charge of city child care work and financial work

The facility steering committee, the formation of which is suggested as a condition for consignment or renewal contract pursuant to Paragraph 1, is composed of the persons stipulated in the following subparagraphs, and the committee deliberates on the facility budget and settlement of accounts, business plan, facility repairs, signing of various contracts, procurement of books and supplies, etc.

1. The head of facility
2. Two child care teacher representatives
3. Three guardian representatives

3) Democracy and Transparency of Consignation Process

Local autonomous governments in Korea generally have a strong inclination to consign public agency services to third parties. When we consider the fact that the quality of a facility operation depends on who is consigned the responsibility, how transparently and democratically the consignation process takes place can be seen as a very important factor. In light of this, the Gwacheon resident initiative for regulatory measures makes sure the consignation process is transparent.

“The selection criteria and the selection of consignee shall be decided based on the deliberation by the child care committee, and at the time of public notification of consignee selection, the scoring based on the selection criteria shall be disclosed to the public.”

“The consignation period shall be for three years, and the mayor may renew the contract after evaluating the existing operation conditions and child care quality and after a deliberation by the child care committee. Together with the evaluation and deliberation, the mayor shall hear the opinions of the guardians who have put infants or children under care of the facility concerned as well as the opinions of the local residents.”

4) Other

As one of the most important issues in life, child care requires, more than any other policy, a long-term planning. Overcoming a yearly based administrative system requires a five-year or a ten-year development plan, and the Gwacheon resident initiative for regulatory measures requires a fundamental plan for child care development to be drawn up every 5 years. In addition, based on the Infant and Child Care Act that prescribes extended child care to age 12, a provision on after-school child care was inserted and thereby the grounds for after-school support was also provided.

5. The Results and Limitations of Gwacheon Resident Initiative Campaign

1) Formation of a main body for a new civil society: Gwacheon's childcare change campaign is encouraging in that there emerged new participants in addition to the residents who have led existing civil society movements. One of the great results in particular was that, based on the opportunity of the resident initiative campaign, the community child care cooperative association members went beyond their inner circles and expanded communication, cooperation and relationships with the outside world.

2) Explosion of interest in everyday living issues: 'Child care' is one of the most important and immediate issues in everyday living, and anyone who is raising a child cannot but have interest in this issue. Hence the topic of child care was quite conducive for approaching citizens in a concrete way. Although the Gwacheon resident initiative movement was undoubtedly a campaign to reform the system, it aroused the interest of the residents because it began at the core from an issue that had immediacy in everyday living,

3) Joint work by various partners: The ability to induce participation of various partners is one of the characteristics of resident initiative movement. It is a campaign that has difficulty succeeding without the joint participation of citizen groups, local council members and experts. Gwacheon's campaign for change in child care ordinances is said to embody this characteristic and we can see that the cooperation of citizen groups, local politicians, government workers, experts, political parties, and local media fit like pieces of a puzzle.

4) A number of limitations: Although the participation by civil society groups or political party members, and what can be seen to be peculiar - the participation by the members of the community child care cooperative associations - stand out, the inability to attract guardians entrusting children to civilian child care facilities, or teachers working in the field, or heads of facilities, into the campaign process remains a big failure. In terms of the system, because it took place at the initial stage of implementing the system, public servants' understanding of resident initiative was somewhat deficient. And due to this lack of understanding, there were some frictions during the petitioning process. In the case of Gwacheon, although the Gwacheon City Council passed the bill intact in its original form, it is a problem that there exists the possibility of resident initiative for regulatory measures, which came through many procedural difficulties, being completely buried as they pass through the local council. Since the final decision ultimately rests on the council, the opinions of residents may be ignored at the final stage. This is a point that needs to be addressed in reforming the system. Finally, although there was a need for continued monitoring after the system reform, measures for this was inadequate. No matter how great the system, if the subjects operating it are not trained, the administrative agencies or interested parties may distort and abuse the system. For this reason, 'training in self-governing' should be amply experienced in all areas.

Current Status of and Development Plan for Resident Participatory Budgeting in Bukgu, Gwangju Metropolitan City

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1. The Significance of Resident Participatory Budgeting and the Background of Its Introduction

- Resident participatory budgeting is “the process which incorporates the opinions of citizens in compiling a budget for local autonomous governments, especially in deliberating on the need for various projects and determining the priority in budget distribution” and “ which guarantees the participation of citizens in the evaluation of how efficiently the compiled budget has been executed.”
- Through the realization of resident participatory budgeting, “a transparent and responsible budget, efficient and transparent distribution of resources, and a new participatory democracy can be achieved,” and through these, the residents’ substantial desire for participation can be enhanced.
- In the Participatory Government (referring to the Roh Moo Hyun administration), “decentralization of power and balanced national development” was set as a national agenda and the introduction of resident participatory budgeting was proposed.
- The provision requiring collection of residents’ opinions as part of the budget compilation process was inserted in the Local Government Finance Act 2005.
- * Article 39 (on resident participation in local budget compilation process) stipulates that the head of local government, pursuant to the President’s Decree, may provide and implement a procedure allowing residents to participate in the local budget compilation process.

2. The Operation Process of Resident Participatory Budgeting in Bukgu District Office, Gwangju Metropolitan City

1) Steps Taken in Establishing the System

- Discussions within organizations: Ordinances were reviewed and opinions gathered through discussions within local groups such as the Youth Officers Meeting, Bukgu Development Research Committee, etc. (2003)
- Organized meeting with the local council: Explained the need for introducing the system, including measures to implement fiscal democracy.
- Discussion meeting of citizen groups: Built the sense of need and sympathy based on establishing a theoretical system and holding resident hearings.
- Operation rules and regulations established: In order to systemically guarantee resident participation, the operation procedures and standards were prescribed, and disclosure of information on the composition and operation of budget participation citizen committee – the main participatory body, on the composition of the research committee, and on the budget was clearly stipulated.
- **Enacted the nation's first Resident Participatory Budget Operation Ordinance (25 March 2004) and provided the legal and systemic foundation**
- * Distributed to local governments nationwide the model and operating manual of the resident participatory budgeting developed by Bukgu, Gwangju Metropolitan City.
- * Benchmarking visits by outside institutions – 104 institutions /774 people

<History of Resident Participatory Budgeting of Bukgu District, Gwangju Metropolitan City>

Category		Stage 1 Stage prior to ordinance enactment (2003~March, 2004)	Stage 2 Stage of institutionalization through ordinance enactment (April 2004~May 2006)	Stage 3 Stage of re-institutionalization through ordinance revision (June 2006~present)
Budget Information Disclosure Scope and Method		Request form for budget compilation revenues and expenditures Budget revenues and expenditures plan (Drawn up by business and disclosed to the public both online and offline)	Request form for budget compilation revenues and expenditures Budget revenues and expenditures plan (Drawn up by business and disclosed to the public both online and offline)	Request form for budget compilation revenues and expenditures Budget revenues and expenditures plan (Drawn up by business and disclosed to the public both online and offline)
Budget (Citizen) Participation Organizations	Budget Participation Citizen Committee	<ul style="list-style-type: none"> • Recommendation, public invitation – 132 people • 8 subcommittees 	<ul style="list-style-type: none"> • Recommendation, public invitation – 80 people • 5 subcommittees 	<ul style="list-style-type: none"> • Recommendation, up to 100 (currently 89 people) • 5 subcommittees
	Budget Participation Local Council	None	None	7~8 per Dong

Collected Resident Opinions Mediation and Deliberation Body	Local Finance Planning Deliberation Committee	Local Finance Planning Deliberation Committee	Local Finance Planning Deliberation Committee
Resident Participatory Budgeting Research Committee Composition	8 people	9 people	9 people
Other	<ul style="list-style-type: none"> • Provided the important basis for ordinance enactment to introduce resident participatory budgeting in 2004 	<ul style="list-style-type: none"> • Established budget discussion room • Re-launched the “Bukgu Sallim” homepage (budget participation room) 	<ul style="list-style-type: none"> • Prepared selection criteria for by-election candidates • Expanded participation body • Enhanced function of budget discussion room • Built a portal site

2) Reflections of Resident Opinions through Citizen Committee, Local Council, and Homepage

- 2009 budget proposal related: 141 received / 97 reflected
- Resident opinion reflection results as of 2009: 647 received / 446 reflected

3) Main Activities Schedule

(1) Budget Policy Discussion

- Preliminary presentation : August ~ September
 - '08 accounts closing results presentation, discussion on the direction of '10 budget compilation, discussion on establishing the basic guidelines of budget compilation, evaluation of the previous year's resident participatory budgeting, etc.
- Discussions by topic : September ~ November

-The relevant public officials attend and present the details of the “budget proposal requests” written and publicly disclosed by different subgroups, and after their presentations, opinions are collected and discussion by topic takes place

- General discussion : October ~ November
- Results of discussions by topic, budget compilation priority order, appropriateness of new projects, mediating conflicting parts from discussions by topic
- Organizer: Budget Participation Citizen Committee

(2) Resident Budget School Operation

- Operation period : April of each year
- The role (attitude) of citizens’ committee for efficient self-government
- Budget operation administrative work, discussion by subcommittee topic, educational lectures, etc.
- Participants : Citizen committee members, local council members, residents, etc.
- Organizers: Groups or agencies with expert knowledge in budget administration, or budget participation citizen committee

(3) Traveling Presentation of Resident Participatory Budgeting

- Education on resident participatory budgeting, system participation method, etc.
- Period: April ~ July

(4) Holding Budget Participation Local Assembly

- Period : July ~ August each year (regular session), 4 or more times a year (quarterly)
- Collecting opinions on the direction of next year’s budget compilation and order of expenditure priorities between different areas.
- Collecting and condensing resident opinions on budget compilation
- Participants : Local committee members (7~10 per ward)

- Organizer : Budget Participation Local Committee

4) The Main Participants of Resident Participatory Budgeting and Their Role

- Budget Participation Local Committee : 198 people (7~10 per ward)
 - Collecting and condensing basic resident opinions related to budget compilation, recommending citizen committee members, etc.
- Budget Participation Citizen Committee : 95 people (5 subcommittees)
 - Self-government administration subcommittee, finance and economic subcommittee, culture and information subcommittee, resident life subcommittee, city environment subcommittee
 - Collecting and condensing opinions of residents and local committee on the budget, submitting opinions on the budget compilation proposal
 - As the actual body in charge of operation, organize budget policy discussion meetings and play a central role
- Budget Participation Joint Civilian and Government Council : 13 people
 - Deliberation and mediation to reflect the collected opinions of the residents in the budget compilation
 - Final deliberation and mediation related to budget compilation between the citizen committee and the former ward in charge of execution
- Resident Participatory Budgeting Research Committee : 9 people
 - Promote efficiency and expertise of the system by researching ordinance revisions, measures to solve dysfunctions, development plan suggestions, etc.

5) Operation Results of Resident Participatory Budgeting of Bukgu, Gwangju Metropolitan City

- Promoted fiscal transparency of local governments through resident participation in budget compilation
 - Opportunity for residents' participation expanded and their opinions incorporated in budget compilation, fiscal transparency of local governments improved through

disclosure of budget-related information, budget waste factors reduced, securing accountability for local finances improved.

- Achievements in terms of change in public servants' perception and work execution
- Overcame the limitations of budget compilation method centered round public officials, and through the participation of residents in the budget compilation process, contributed to making finances healthier and securing transparency in administration.

3. Improvement Measures

- Establishing participatory budgeting as an arena for practicing participatory democracy
- Active interest and participation of resident organizations and active participation of citizen committee members are conditions necessary for the success of participatory budgeting
- To promote active participation of citizen committee members, education in budget theory and practice must be continued for attainment greater expertise

- Making financial information (budget compilation proposal) disclosure more substantive
- For successful operation of resident participatory budgeting, it is important to disclose transparently all aspects of the budgeting process, such as budget compilation, deliberation and decision, execution, and settlement of accounts. Information on the entire budgeting process should be disclosed and external monitoring and verification of the financial information must be carried out.

- Change in the Perception and Attitude of Public Servants
- Provide systemic reform plan through substantive operation of resident participatory budgeting research committee
- Provide a structure to allow opinions of ordinary residents to be reflected in budget and policy discussions
- Make efforts to directly incorporate measures proposed in discussion and evaluation meetings
- (The will of the executive body, especially that of the government head, and the opinions of citizens should be actively incorporated)
- A strong will is required from the head of the local government to establish a real

model of participatory budgeting

- In order to prevent participatory budgeting from operating in a perfunctory manner, a strong will of the government head is needed, as well as continued reinforcement through system improvements.

Residents' Petition for Audit and Residents' Lawsuit on the Compensation of The District Council Members of Dobong-gu, Seoul

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1. Residents' Petition for Audit and Residents' Lawsuit

On May 20, 2009, the court ruled in favor of the plaintiffs in the residents' lawsuit 'demanding return of improper gains related to compensation of Seoul Dobong-gu council members.'

When an audit petitioned by residents for a local government's financial and accounting activities is implemented, a residents' lawsuit can be filed against the concerned local government head when there is at least one audit petitioner who protest against the audit result. The purpose of a residents' lawsuit is to establish specifically the lawfulness of a local government's financial and accounting management, rather than its overall administrative activities. It is a system designed to advocate the interest of the entire constituency, not of a special group. Therefore, it is called 'a public interest lawsuit', a lawsuit distinct from a civil suit in general. In other words, a residents' lawsuit is a system that complements the representative system by allowing residents to bring a suit against mismanagement (in finance and accounting) by their elected local government.

Among about 10 lawsuits filed by residents since the introduction of the system, the Dobong-gu case was the first to be decided in favor of resident plaintiffs. The case provided an opportunity to ascertain the efficacy of the system. At the same time, it also brought home to the public the reality and problems of the nation's representative democracy, since it took issue with the operation expenses of local council members, who represent the voice of residents, and the related accounting procedures.

2. The Course of Dobong-gu Residents' Lawsuit

The lawsuit was triggered by a small suspicion. In July 2007, a local activist, who served on the 2008 review board for operation expenses of Dobong-gu council members, visited and alerted a local chapter of the Minwu-hoe (Korean Womenlink – a women's organization) that there was a problem with the review board and the board's decision.

1) The First Street Signature Collection

At the inception of local autonomy, a council member seat was a post without pay. In 2006, 'Local Autonomy Law and Related Enforcement Ordinance' prescribed payment of compensation for council member position. Accordingly, the council expenses review board, formed between September and October of 2005, was to propose a related ordinance draft to the district council. After the district chief's promulgation of the ordinance following its passage at the council, the pay was scheduled to begin from January 2007. The council member compensation is composed of activities expenses capped at 1.1 million won per month and an annually determined monthly allowance.

The problem arose from the decision on monthly allowance increase. According to the ordinance proposed by the review board at the end of October 2007, monthly allowance was set at 3.65 million won, a 95.2% increase from 1.87 million in 2006. The annual compensation spiked to 57 million won from 35.64 million in 2006, an increase of 60% in total monthly pay from 2.98 million to 4.75 million won.

At the time, reports of excessive increase in other local council member compensations stirred up a lot of controversy. The local activist, who had worked for the Dobong-gu review board, pointed out that there were insufficient council discussions on this issue. More troubling was that the majority of residents were kept in the dark about the drastic compensation increase for their council members.

Sharing a common understanding of the situation, Minwu-hoe and other social organizations in the area, launched a street signature collection drive in protest of the increase in council member compensation and the proposed ordinance that failed to reflect popular opinions. They delivered 871 signatures to the Dobong-gu council, but the district council passed the proposed ordinance in a sudden move, instigating the call for an audit petition, which followed.

2) Residents' Petition for Audit

Despite the complaints against the unjustified increase of the council member compensation, the unfairness of the ordinance proposed by the review board, and the lack of popular consensus, the district council unanimously passed the proposal in just 5 seconds without any discussion at the general assembly.

The organizations, which had carried out the protest signature collection, initiated a new signature collection campaign in order to call for an audit petition that would enable residents to demand from the Seoul Metropolitan Government an investigation of the review board activities by a higher agency. On December 28, 2007, 143 people (120 in the final tally) submitted a resident audit petition.

Eventually, the Seoul ombudsman commission started an investigation in April 2008, and identified the following problems:

- 1) The review board conducted a resident survey without providing information on the factors related to making a decision on the compensation amount. No explanation was given to clearly indicate the compensation structure (monthly activities expenses capped at 1.1 million won plus monthly allowance) other than to suggest the monthly allowance amount.
- 2) The survey questions were designed in a way that an increase in monthly allowance would be perceived as a given or a natural corollary. For example, a question, asking how much increase would be appropriate from the current allowance of 1.87 million won, regarded an increase as a fait accompli.
- 3) The online survey was unreliable since it allowed a single respondent to do the survey an unlimited number of times.
- 4) There was a great discrepancy between the findings of surveys done at ward offices (2-2.5 million, 43% increase) and those done online (3.5-4 million, 48.7% increase).

In view of these problems, the ombudsman commission advised that a new review board settle the issue, citing that the manner in which the review board gathered public opinions without providing sufficient information obviously had a danger of distorting or forcing in a certain direction the views of the constituency.

Nevertheless, the Dobong-gu district office and council did not bother to form a new review board on the ground that recommendations fell short of the required number. In response, eight of the residents who had previously petitioned for an audit filed a residents' lawsuit in May 2008.

3) Residents' Lawsuit

The outcome of the audit, announced in April 2008, took sides with the audit petitioners. The audit identified many problems, including the composition of the review board, the procedure of the board meetings, the inadequacies of the public opinion gathering process, and the excessive increase in compensation. Based on the audit findings, a request for an ordinance revision was made. However,

the residents' audit, a mere perfunctory system, could not bring about substantive changes, nor exert any influence on the district council. There was a need for some kind of system that will continuously reflect criticisms and generate changes. And about that time, residents' lawsuit was increasingly seen as a way to deal with the problem.

On the basis of the audit, the plaintiffs submitted a complaint demanding the executive chief of Dobong-gu district government have each council member return the excessively increased part of the compensation - the increase for each member amounted to 21.36 million won (1.78 million a month x 12 months). Since July 2008, a total of 8 public trials have been held, and on May 20, 2009, the court ruled in favor of the resident plaintiffs.

The district government chief executive, however, immediately appealed against the decision on June 4, and the lawsuit still continues at the present.

3. Problems of Residents' Lawsuit

The plaintiffs ran into a number of problems in the lawsuit process. First, although the actual defendants of the lawsuit should have been Dobong-gu district council members, the suit was brought against the chief executive. The subject of the complaint was the improper use of tax money and thus at issue was the validity of council members' activities. But because the chief executive was ultimately responsible for tax implementation, the lawsuit was directed at him, rather than the council members. In the course of interviews, however, the council members and the chief executive all stressed that they were not entirely responsible for the problem. The chief executive dissociated himself from the blame and rejected being held accountable, claiming that the issue concerned the council members. By contrast, the council members denied their responsibility, citing that the ordinance passed at the council had been proposed by the review board and that they took no part in the deliberation or decision on the ordinance itself. It was not an easy task to explain such complicated development in the lawsuit at meetings with the Dobong-gu residents.

Second, whenever the lawsuit was discussed among people, only its monetary aspect, that is, the amount of compensation for council members, tended to be accentuated. The lawsuit was germinated from the excessive increase in compensation, but the issue at stake was concerned with procedures of democracy such as gathering public opinion. It was hoped that the lawsuit would provide an opportunity to address the local government's failure to abide by basic procedures of democracy - to have preliminary discussion to forge an ordinance proposal, to adequately gather public opinion, to have in-depth debate and verification by the council on the validity of a proposed

ordinance. The discussions, however, tended to center on establishing a proper level of compensation for the council members with the issue considered only in terms of tax implementation (money). This tendency was more pronounced in the council members' reaction. Therefore, questions were raised narrowly on the issue of proper compensation amount. Such discussions, on the other hand, even led to the notion that the 'district council and council members' were useless.

Lastly, it is the job of the district council members, as elected representatives of the residents, to serve as a watchdog of the local government and monitor the administration and tax implementation by the district government and its head. Ironically, however, it was Dobong-gu residents themselves that had to take issue with the problems of their representatives.

It is said democracy is achieved through election. But the reality is that the elected representatives put the interests of a political faction, a party, or privileged people ahead of the interests of the residents. Although local autonomy has been implemented, popular interest and participation are still insufficient.

Insomuch as the systems guaranteeing residents' participation in local autonomy are residents' audit, residents' lawsuit, and initiative, the first victory in the history of residents' lawsuit confirms the need for active popular participation, and shows a possibility of local autonomy based on collection of public opinions as well as a potential for direct democracy in which residents can have a direct impact on local affairs by raising issues and having them dealt with at a proper local government agency.

The trouble with a residents' lawsuit, when it continues for two to three years after an audit petition, is that its original purpose and intent may be diluted or weakened. Based on the speed of proceedings, for the Dobong-gu lawsuit that started at the end of 2007, the earliest time for substantively applying its final ruling at the district council will be 2010. Even if the resident plaintiffs win the case, whether the court decision will bring about substantive changes in the district administration remains to be seen.

Campaign against Buan Nuclear Waste Disposal Center, Resident Referendum, and Beyond: Hoping for Seeds of Sunshine Where Nuclear Power Is Driven Out

Hyun-Min Lee

Buan People's Power Plant for Renewable Energy

Do you remember Buan?

Buan is a small city on the west coast that had to engage in grueling combat against state violence from 2003 for over two years. There were people who, with dim candlelight as their sole weapon, resisted the construction of Buan Radioactive Waste Disposal Center (disposal center, for short) forcibly pushed for on the pretext of it being a government project. They never let the hope of candlelight go out even in the face of Typhoon Maemi or in the biting cold snowstorms. Buan residents overwhelmingly affirmed their opposition to the construction through an independent referendum that they had organized and implemented, and yet the government went out of its way to disparage the popular will, harassing them with the nuclear horror. Bullying the city as if out of the blue, the government eventually backed out without making any official apology or assuming any responsibility. Meanwhile, the city has been plagued by the deepening conflict among the people, its economy bottoming out.

‘Opposition to Nuclear Waste Disposal Center’ was not the only slogan Buan residents hollered. They asserted ‘an overhauling of energy policy,’ a policy pointed out as the root cause of the fierce popular resistance that spread from Anmyeon-do to Gureop-do and to Buan for almost 20 years and of the regional conflicts that haunted Gyeongju, Yeongdeok, Wuljin, and Yeonggwang. They demanded change in the nation’s energy policy that was controlled and swayed by the dictates of large-scale thermal and nuclear power generation on which electricity production depended absolutely.

Buan yearned for life and peace. But so much sacrifice had to be made to realize that cherished hope. As a countless number of people were arrested and injured, people became increasingly indignant at the central and local governments. In protest against insurmountable violence, their exhausted body and mind grew heavy with despair and anger. But they overcame all the hardship with the spirit of candlelight. While striving

to preserve the weak and tender flame of candlelight, they came to learn the importance of energy. It was the spirit of peace.

Going beyond just opposing the disposal center, Buan residents are putting into practice the slogans they themselves have shouted. Instead of merely looking to the government, still turning a blind eye and a deaf ear to their demand, the residents are taking small actions to bring about a shift in energy generation. They are making efforts to reduce energy use and are installing solar panels on rooftops. Citizens' solar power plants, built with the participation and investment of residents, continue their expansion.

Buan is nurturing its dream of energy self-reliance by carrying out actions small yet meaningful. In doing so, they are seeking to build a new community of life and peace where one lives together with others without squandering energy on brightening a city night. Their efforts start from the awareness that life worth living is possible with energy generated by wind and sunshine.

In retrospect, nuclear power itself is anti-life and anti-peace.

Nuclear fission is an activity that disregards and destroys the order of nature. It is a process of seizing energy by applying physical force on the matter that constitutes the fundamental element of universe. It amounts to undermining world harmony on the pretext of only a few decades' convenience in producing electricity. For that, we are to pass down to posterity the sheer danger of radioactivity that will continue to threaten living things on earth for an inconceivably long period of time,

It is not compatible with the principle of creation. Humans are neither conquerors nor rulers of the world. They are merely managers. That is why we ought to take greater care of beautiful and rich natural environment inherited from our ancestors and bequeath it to our children. Even though we live in an era of worshipping development, the environment should be left intact at least. The reason is that it is in itself a living thing. Our environment, however, is being destroyed in the name of science and development aimed at convenience and abundance. The boundless destruction and rapine of nature by humans are boomeranging on the humankind in the form of global warming and natural disasters. The entire earth is suffering the human folly of attempting to manipulate it freely in an anthropocentric manner and to sometimes usurp the authority of the Creator.

The world should be sustainable.

We live by taking too much from nature. With the passage of time our exploitation of nature is growing in intensity. Humans have been engaged in fierce struggles to have a bigger share of a vast amount of hoarded resources. However, we live at a time when hunger for more is insatiable. The more we have, the more we covet. We are told development is the only way of survival. Let's take a look at oil, which takes up 35% of the world's energy consumption. It will be brought to the brink of depletion in no more than 40 years as we continue the mankind's extravagance in modern times. It is none other than the sun that helped produce oil, however. Hundreds of millions of years ago, solar energy caused plants to grow. These plants and other animals were buried underground and transformed under immense pressure into what are known as fossil energy sources. Come to think of it, hardly any energy we consume does not come from the sun.

The situation is not much different with uranium, the raw material of nuclear power. Its reserve is estimated to last a little over 50 years. It can be said modern civilization is sustained by these fossil fuels. Due to the fact that a limited amount of fossil fuels is available, human beings are continuing their desperate struggle for more energy. Sometimes, capital comes to the forefront of the struggle. And there are occasions where they even threaten to resort to war. Caught in the crosshairs of superpowers' rapacity, innocent people of lesser powers are forced to pay dearly.

Now is the time to switch from unsustainable energy that will disappear with use to sustainable energy. This is the energy of peace. The sun can never be monopolized by only a few. It shines light all over the world in equal measure. Instead of the current practice of energy development concentrated on fossil fuels and nuclear power, a variety of energy sources – not only sunshine but also wind, biomass, and geothermal power – can be developed in accordance to each region's specific features. Sunshine and wind do not send us utility bills. Rather, they help foster local businesses and generate new jobs.

Buan residents are trying to live new values that they have awakened to through struggles against nuclear waste disposal centers.

Such small yet meaningful things are not happening in Buan alone. The interest in renewable energy is growing day after day in our society due to soaring oil prices and carbon dioxide emissions control. But if such interest fails to prompt a radical transformation of energy policies, it will result in a mere assortment of superficial measures and possibly set a socially undesirable precedent.

One thing comes before all in the distribution of new and renewable energy pushed by the government. It is the act of spreading the value of life and peace embodied in renewable energy. Energy is like the heart of our society. Starting even now, we have to 'know and use energy properly', rather than to 'use up whatever amount is given.'

Buan residents will never forget the painful memory of the electricity – which they consumed without restraint in ignorance of its consequences – coming back to haunt them in the form of the disposal center. On grave reflection of our past life, we offer to scrutinize ourselves and confess to our mistakes. We, the people of Buan, would like to carry on our small but meaningful actions. Following the construction of citizens' solar power plants in Buan, we had the rooftop of 'Saengmyeong Pyeonghwa Majungmul', an alternative school for ecology, installed with solar panels. It is our hope to develop an alternative way of life on the basis of our longing for life and peace. Hope is not something lying far beyond. It has been breathing and growing together with, and next to, us. We simply couldn't notice it because our soul, while we were only looking far and above, became too contaminated.

Becoming a hope to themselves, Buan residents are pushing ahead, rather than waiting for the blind and deaf government to change its course. Hopefully, we will not find ourselves alone on this road.

Let us briefly recount the unpleasant and painful memory of Buan, based on an examination of the resident referendum¹.

¹ The following is based on the arrangement of excerpts from the author's article published in 'Democratic Society and Policy Studies' (vol. 10, 2006)

1. Progress of Buan Disposal Center Issue and Implementation of Referendum

The issue of selecting a disposal center site in Buan was a divisive issue that had previously produced conflicts in other communities such as Anmyeon-do and Gureop-do. When it was reported in 1990 that Anmyeon-do of Chungnam had been selected to host a disposal center, there were violent clashes between authorities and residents. As result, the project came to naught. Subsequently in 1994 the government wanted to press ahead with a disposal center project in Gureop-do, an islet off the coast of Inchon, but voluntarily scuttled it on the grounds of site unfitness. In the background to a series of disposal center project cancellations due to popular resistance lay the government's undemocratic pursuit of policies that had forgone the process of gaining public consensus.

From May 2003, residents of Wido-myeon, Buan-gun, who expected compensation from the government, launched a move to have a disposal center established there. They did so in hope of each household receiving 300 to 500 million won in cash.

The magistrate of Buan, who had so far remained opposed to the project, suddenly altered his stance and held a press conference at 9 a.m. on July 11 to declare the county's bid for it. As a matter of fact, he went ahead with the press conference only one hour before the Buan county council was to vote on the petition for hosting a disposal center. The council rejected the petition with 7 dissenting and 5 consenting votes. Three days later, nevertheless, the magistrate submitted the petition to the Ministry of Commerce, Industry, and Energy, which went on to finalize Wido of Buan as a nuclear waste disposal storage site. Infuriated with the development of affairs, Buan residents embarked on a ferocious campaign against the decision.

In the aftermath of the government announcement, more than 10,000 out of the total 70,000 Buan residents continued to take part in a variety of large-scale rallies and demonstration such as candlelight vigils, refusal to attend school, occupation of highways, demonstration on sea, and the ritual of sambo-ilbae (taking three steps and making one bow). The majority of Buan social organizations voiced their opposition, as exemplified in the collective resignation of li (village) heads in Buan.

The government, however, was consistent in clamping down on the public opinions that

were voiced through such diverse manners. Amid the riot police's brutal suppression, people were injured one after another, and resisting residents were rounded up en masse in their clashes with the police. Due to a flurry of arrests and searches made by authorities, 54 people were sentenced to a suspended jail term or given jail sentences, and additional 231 were prosecuted, including those punished with a fine. Among those injured during rallies or police crackdown, more than 350 people were treated in two general hospitals in Buan. The number excluded the people who individually sought treatment for injuries. Downtown Buan, with a population of little more than 15,000 residents, found itself under a virtual state of siege with the constant presence of over 15,000 strong police.

The government and the resident representatives tried in vain to negotiate solutions for the conflict for two months by forming a consultation body. Then Buan residents announced their plan to hold an independent referendum on the issue.

Sharing a need for resolving the issue via an early referendum, the nation's civic organizations and various circles - legal, religious, and academic – formed 'the Management Committee for Referendum on Buan Radioactive Waste Disposal Center. This committee decided to hold a civilian initiated referendum on February 14.

Since an independent referendum was unprecedented in Korean society at the time, they thought the occasion would require a tremendous amount of preparatory work. The central and local governments' overt interference in the referendum was also foreseeable. Left with no other option but to hold a referendum at the earliest possible date in order to halt the destruction of local community and put a quick end to the adversity faced by Buan, they administered the referendum with great care.

In the referendum held on February 14, 2004, out of the total 52,108 eligible voters, 37,540 participated, with the voter turnout standing at 72.04%. Of the participating voters, 91.83% expressed their opposition to the disposal center construction.

2. Significance of Buan Referendum

The referendum held in Buan provided an important momentum for development of democracy in Korean society as well as Buan. The referendum, notwithstanding its immediate objective of resolving the issue of hosting a disposal center, had huge

repercussions on the decision-making structure of Korean bureaucracy.

- Conclusion of Disposal Center Controversy

With voter turnout of 72.04% and dissenting rate of 91.83%, Buan residents confirmed their intention most unequivocally. Such high voter turnout was a remarkable achievement in view of concerted obstructions mounted by Jeollabuk-do and Buan-gun governments. The results of the referendum practically punctuated the controversy surrounding the disposal center construction.

- Recognition of Residents' Capacity for Political Autonomy

Unaided by the government, this unheard of case exemplifying direct democracy reflected the mature level of Buan residents' self-governing clout. Their capacity for self-government has grown in the course of the prolonged struggle against the disposal center and the independent preparation of referendum.

- New Start for Developing Buan and Realizing Resident Autonomy

To Buan residents, the referendum is not an end but a new beginning. Scrapping the plan to host a disposal center does not solve everything. Faced with the task of transforming the region into a more democratic, ecological, and peaceful local community, they are making efforts with a long-term view to bring it to fruition.

The root cause of Buan residents' adversity in relation to the disposal center issue lies in an assumption that the magistrate or a county council member, once elected, can commit acts of dogmatism and arbitrariness and that there are no means of stopping them. Simply electing a decent representative cannot solve such a problem. The checks and balances function of the residents as well as their participation should be continued, and in making major policy decisions, substantive participation of the residents should be guaranteed.

- Model of Direct Democracy Created by Local Residents

The Buan referendum has a great significance in that local residents, thus far alienated from the decision-making process, took up a referendum, a peaceful measure of direct democracy, in order to have their voice heard.

- Opportunity of Establishing Procedural Democracy in Promotion of Government Projects

In making decisions on government projects, it was the custom for central government bureaucrats or public corporations to dictate the entire process or to seek closed-door cooperation from local government heads or local councils. The Buan referendum paved the way for doing away with undemocratic practices in the decision-making process with regard to government projects and for establishing procedural democracy in the sense that it brought to public debate the process of inducing government projects and helped clarify popular wishes.

- New Experience of Solidarity

Even prior to the referendum, the nation's civil society and religious circles collaborated to work out a democratic and peaceful solution of the Buan issue. There were collaborative actions during the referendum preparation when many volunteers from all over the nation rushed to Buan. Such acts of solidarity transcended the divisions between the regional and the central, among sectors and social strata, and raised the level of solidarity one notch up by sending out a unified voice on an important social issue.

3. Conclusion

Even after the referendum put an end to the issue of Buan disposal center, the lack of a system checking the power of a local government head - including resident recall - mired the area in a regional conflict for over a year. The Buan magistrate at the time ended up forgoing the project on August 31, 2006 after his attempt to petition for the disposal center construction failed. However, the regional conflict continued as he remained in his post until 2006, the year when the next local election was held. In the center of the conflict was unmasked intervention and arbitrariness that the magistrate engineered on his authority. Social conflicts fueled by the undemocratic pursuit of disposal center still raise their head at every election cycle and pose an obstacle to the region's development.

In the meantime, the government selected Gyeongju as the final candidate for a disposal center site, after holding 'Referendums for Inducement of A Low- and Medium-Grade Radioactive Waste Disposal Center' simultaneously in 4 regions including Gyeongju and Gunsan in November 2005. Many were surprised by the results diametrically opposite to what had come to pass in Buan. However, a close examination of the situation clearly shows what happened. Under the semblance of procedural democracy,

those referendums, in which the majority of public servants were mobilized competitively by each local government authority, reeked of the so-called ‘rice wine bought voting of the Rhee Syng-man era’. They were the kind of events turning back the nation’s history of democracy by half a century. Such anachronism was replicated in the ‘Recall Vote Against Jeju Governor’ held on August 26, 2009. The government, which has made a point of denigrating the significance of the independent Buan referendum, never regards referendum or recall as anything but a procedural act of formality.

Democracy ‘devoid of people’ and policies pushed through ‘without social consensus’!

But the campaign against Buan disposal center and the referendum have taught us we can never cover the sky with our hands. The voice of people is the voice of heaven. It is the heart of democracy.

Hanam Recall Movement

Eve of the Great Storm

Keun-Rae Kim
Hanam Hope Alliance

1) “Enforcement At Any Cost”

In Hanam City Council Conference Room on October 16, 2006, Mayor Kim Hwang-sik to Officially Announce His Plan to Build a Large Crematorium

In his announcement, the mayor said, “Winning a subway line construction is a prerequisite to Hanam’s development. I have come to a decision that hosting a large crematorium is a necessary element in attracting a subway line.” He went on to say he would consider “incorporating subway in the city transportation system using part of the funds to be received to build an express bus terminal and a crematorium.”

The mayor officially announced the crematorium project, which had created a whirlwind of rumors, during a city council briefing. Then he made the project known to the press arbitrarily and presumptuously without consulting residents’ opinion or getting their consent on the city development. In a special meeting held from October 16-20, he had city council members from his party railroad the 400 million-won budget for the crematorium project through the city legislature despite strong opposition from residents and some council members. Immediately afterwards, he pressed ahead with the project in a great haste, promising to hold for each ward a public hearing from October 23 to underscore the justifiability of the project.

2) Break-up of Public Hearings and Founding of All Citizens’ Countermeasure Committee

A series of public hearings, first held in the Cheonhyeon-dong (ward) office at 10 a.m. on October 23, 2006, stoked a fierce outrage among citizens opposed to the crematorium project that had been pushed high-handedly and hastily by the mayor.

When the mayor and his entourage forced their entry into the ward office, angry citizens confronted them. The clash between the two sides was such that the mayor got eggs thrown at him and 5 people were arrested. About 1,000 citizens rallied for as many as 15 hours, protesting against the obstinacy and arbitrariness with which the mayor enforced hearings. The confrontation was finally brought to a halt when he returned home at 1 AM the following day.

But Mayor Kim forcibly held a public hearing for residents of Deok-pung 1-dong at 10 a.m. on October 24. It led to another confrontation with hundreds of citizens. The hearing broke up around noon, after 2 hours of holdout. In a press conference a few hours later, the mayor expressed his unwavering commitment to the project and intention to continue public hearings on a smaller scale while minimizing the number of scheduled hearings for each ward.

In response to the mayor's announcement, voluntary meetings were held to carry out an organized campaign against the crematorium project. Such efforts culminated in the formation on November 21 of All Citizens' Countermeasure Committee Against Large Crematorium Construction (Co Chairs: Kim Geun-rae, Jo Jung-gu) comprising various political parties and citizens' organizations.

Hanam: Battle Cry Finally Goes Up and Tens of Thousands of Candles are Lighted

1) First Candlelight Lighting Up the Night Sky

Popular resistance to Mayor Kim's arbitrary and presumptuous management style had naturally started before more organized meetings were formed. Protest campaigns, originated from a Naver café, provided a driving force in breaking up of public hearings. As a way to sustain campaigns, the idea of candlelight vigils was recommended and put to practice. (<http://cafe.naver.com/antiburningghat>)

Held in front of the Hanam City Hall on October 28, the first candlelight vigil reflected the yearning of citizens who, with neither a sponsoring organization nor a master of ceremonies, voluntarily gathered in hopes of safeguarding clean Hanam. The Internet café played a pivotal role in triggering the anti-crematorium project campaign and

formulating creative campaign methods by way of exchanging information and encouraging each other.

2) Housewives Clad in Mourning Dress Taking Charge - Campaign for Resident Autonomy Spreading Like Wildfire

At 8 AM on November 7, housewives in black and white mourning dresses turned up holding picket signs in front of the Hanam City Hall. To coincide with the mayor's check-in, they volunteered to make a public protest. The so-called mourning dress vigils, launched that day, were held along with candlelight vigils both in the morning and evening. They lasted nonstop for 8 months until the month of July, when they were ordered to discontinue on the grounds of violating the election law. The voluntary protest movement allowed Hanam citizens to claim their rightful ownership of the city.

Green-flag-for-each-house campaign, started by some apartment residents, spread across virtually all apartment complexes, turning the city into a sea of green. Apartment women's associations took the initiative to buy fabrics from Seoul, sewed the flags themselves and hand them out to each household. Green flags were seen fluttering at detached single-family houses or commercial buildings. From then on, the color of green became the logo of anti-crematorium campaigns.

Necessity helped generate supply. Of one heart, everyone joined citizen-initiated actions. Donations were collected, campaign flyers made, banners planted, a campaign office opened, and consecutive large-scale rallies held. Hanam campaign for resident autonomy thus started to kindle.

3) Slipshod Passage of Resident Referendum Bill - Ever More Fierce Flames of Struggle

Faced with citizens' strong opposition to the city's unilateral decision to build a large cremation facility, Mayor Kim Hwang-sik called for a resident referendum. The planning of referendum budget, made to support his argument, exacerbated confrontations with citizens. Referendum was not proposed in a democratic and rational process. Citizens, who had been deeply distrustful of the city in the aftermath of the crematorium construction project, could not contain their anger when they learned of another arbitrary project, this time cloaked in a 'resident referendum'. On December 20,

when the budget was to be under deliberation, hundreds of angry citizens gathered at the city council building. The city council was interrupted as some council members occupied the platform and citizens protested. Conflicts with the mayor plunged to an irreparable phase after a series of unfortunate events: assault on a woman council member, slipshod passage of the referendum bill at the city council chair's office, arrest of 21 citizens present at the hearing, 10 citizens injured, and finally arrest of Kim Geun-rae, a Countermeasure Committee co-chair.

4) Brand Name City Strategy - Mayor Striking Back

Despite the city's attempt to neutralize citizens' campaigns by stepping up suppression, citizens resisted more systematically and steadfastly. The government exercised its public power to break the will of residents, as exemplified in the compulsory administrative executions that ordered a forced removal of banners from Complex 1 of Hansol Apartments, Complex 3 of Eco Apartments, and Line Park Apartments and payment of fines against the apartment banners. Never succumbing to the city's coercive measures, citizens carried on their resistance peacefully and rationally, while sternly voicing out their will.

In the meantime, Mayor Kim tried to sweet-talk citizens into seeing a dream world and a rosy future in the crematorium project. At the time when he declared the plan to construct a crematorium, he also asserted that he would develop the city by building a subway and a bus terminal. When his ideas were revealed lacking feasibility, he then announced with a great fanfare the signing of a memorandum of understanding for inducing a 1.4 trillion-won foreign investment, and propagated his preposterous claim that the crematorium project would transform Hanam into a brand name city.

5) Continuation of Administrative Retaliation

The abuse of public power (for example, mobilization of public servants away from their proper duty) demonstrated the height of arbitrary and insolent administration. Mayor Kim upheld the crematorium construction as good, disparaging opposition to it as evil. In order to persuade citizens of the justification for the project, he had a number of public servants conduct publicity activities on the street. As part of his full-throttle offensive, he organized tours of domestic and foreign crematoriums and spread lies about the just cause of All Citizens' Countermeasure Committee.

The mobilized public servants conducted street publicity activities before and after work across the entire city. They even spent their work hours handing out publicity flyers on the street and in apartment complexes. The negligence of their duty, therefore, resulted in an administration vacuum.

In addition, the city's administrative capacity was abused on a grand scale to hush citizens' voice and block their ears. Activities such as suspending banners in assigned places were banned on the ground of banner messages opposing city policies. City hall workers, armed with knives and sickles, forcibly removed banners hanging within apartment complexes as well as on the street, declaring them illegal. They sued protesting citizens on charges of interfering with the execution of public service. Fines came to an unprecedented amount, in excess of 100 million won, as they imposed fines on the banners that citizens had placed on high outer walls of apartment complexes to prevent their removal. Sometimes, they even asked the police to investigate resident representatives and maintenance directors of scores of apartment complexes in relation to the placement of banners. Handing out fines for banners that opposed the government administration exemplified the use of public power gone crude and vulgar.

6) The Drunken Mayor

Such dramatic confrontation reached its crest with Mayor Kim's alleged assault on a woman. On the evening of May 18, people close to the mayor destroyed the banners placed by the Countermeasure Committee in front of Complex 3 of Eco Town apartments, where the mayoral residence was located. As it was reported that the mayor, intoxicated at the time, had assaulted a woman in the process, there were hours of confrontation between him and angry citizens. While the mayor consistently denied the assault, hundreds of citizens marched to the city hall, protesting and demanding that he be investigated under arrest. This incident got Hanam citizens to mistrust not only his political leadership but also his humane qualities and attainments. Later on, it also marked an important watershed for transforming the anti-crematorium campaign into a recall movement.

Recall the Mayor! - First Recall Campaign

1) Recall the Mayor and His Rubber Stamp

On May 25, 2007, when Resident Recall Act went into effect, Hanam citizens officially called for the recall of Mayor Kim and the rubber stamp city council members (Byeong-dae, Im Mun-taek, Yu Shin-mok, and Bae Yun-rye) excluding those elected by proportional representation. It signaled the declaration of recall movement aimed at rendering a citizens' verdict on the mayor's arrogance and arbitrariness exposed in the controversy of the crematorium project and on city council members reduced to a rubber stamp while neglecting their duty of checking and overseeing city administration. And thus Hanam citizens launched a recall movement that would become a landmark event in the development of local autonomy in the nation.

2) City Hall Turned into Sea of Tears – A Big March of Citizens with Shaved Heads

On June 16, in the scorching heat, a special rally was held which later turned into a sea of tears. Cheonhyeon-dong residents, who had marched from the prospective site for the crematorium in the ward to the rally site in front of the city hall, entered the city hall building, carrying a funeral bier and venting their resentment and rage. The funeral bier and the coffins of the Five Enemies of Hanam were burned in the midst of confrontation with the police. For the four hours of the resolute rally, seven people wrote a pledge in their own blood, and 105 people - including 43 women clad in white mourning dress - shaved their head. Elderly women, who shaved their head for the first time, dissolved in tears. Those shaving their head and those witnessing the act all wept. It was time to take to heart their will to fight the construction of a large crematorium and to recall the Five Enemies of Hanam.

3) Now is Time to Act - First Petitions for Recall Vote

July 1 was the day marking the mayor and city council members' first year in office. It was also the day when citizens could lawfully start demanding recall of these officials. As a designated collector in the signature collecting drive, thousands of citizens tirelessly crisscrossed the entire city day and night in the hope of holding a recall vote at the earliest possible date. On July 23, only 14 days after the signature collecting drive

took off, Hanam citizens reached the point of petitioning for the nation's first recall vote, with signatures from 30 % of the city's eligible voters.

On the way to the election commission, faces of the citizens were covered in both smiles and tears as they were carrying the signature books they had consolidated, put serial numbers on, inspected, and filed overnight. At that moment, all the painful experiences and hardship from the signature collecting campaign disappeared like melting snow and every one felt elated with what they achieved together.

4) Struggle over First Resident Recall Movement (Leaking of Signature Books)

Resistance to the recall movement was by no means negligible. The city not only tried to block people from signing the petition, but also publicly employed both conciliatory and intimidatory tactics. Attempts were made to avoid a recall with the aid of all possible means such as an injunction against signature signing and a petition with the Constitutional Court.

Then, on July 31, the election commission disclosed a copy of the recall signature books to the mayor's circles without obtaining the consent of signatories in advance. Such disclosure was inconceivable and should have never been committed. Those who signed the petition were expected to suffer serious consequences such as retaliation, threat, and appeasement, and it was all too obvious the disclosure would have a grave impact on the poll scheduled several days later. In fact, a lot of citizens were confirmed to have been subject to disadvantages in the wake of the disclosure.

Citizen protested intensely against the election commission's absurd behavior. Falling short of clarifying the situation, the election commission instead asserted its action had been made in conformity with the Public Information Act. Along with the disclosure, the unacceptable explanation offered by the commission set off a strong reaction from citizens. Hundreds of people held their ground for over 10 hours until after midnight. The following day, busloads of people descended upon the election commission office to confront the organization with its accountability, and obtained a pledge to undertake future task more responsibly. But after the disclosure scandal broke out, the commission sued about 10 people for obstructing execution of public service.

5) Suwon District Court to Invalidate Petition for Resident Recall Vote

The recall vote campaign took off on September 1, following the announcement of the recall vote date set as September 20. The campaign, which started with its office opening ceremony and a rally in front of the city hall, progressed day by day with much excitement and full energy. The entire city reverberated with campaign theme songs such as ‘Let’s Go Vote,’ and ‘Recall 9/20’ (adopted with changing the lyrics of The Milk Way Rail 999). Some middle-aged women, though never eloquent speakers, delivered their heart-felt stump speech, while riding on a campaign vehicle. With the message of ‘Recall 9/20’ embraced in their hearts, the participants fervently gave their all to the campaign from the start of the day to the end.

Ten days into the campaign, on September 10, Mayor Kim was taken to hospital after collapsing. Various speculations about the incident were flying about. Some cited his exhaustion and stress. Others attributed it to his growing fear as the vote date approached, or considered it a political performance calculated to influence the vote outcome.

On the afternoon of September 13, however, everything was brought to an abrupt halt when the Suwon District Court announced a most unexpected ruling that invalidated the recall vote petition and ordered the discontinuation of all the processes of the vote campaign. The decision to suspend the poll seven days before its scheduled date was unprecedented in the nation’s constitutional history. The reason was that the court found fault with the signature books.

The signature books were produced and issued by the election commission, a constitutional institution. However, citing flaws in the books, the court ruled the suspension of recall process, which had been underway in accordance with lawful procedures upon the inspection of signature books submitted by citizens. Hanam citizens were dumbfounded by the absurdity of the situation and even the election commission appealed against the court’s decision on the ground of unfairness.

6) We Can’t Let Our Struggle End Like This.

What was to be done? There was no other choice but to push for a recall in the most prompt manner possible. And measures were also taken to hold the election commission

accountable for the situation (demanding a public apology by the commission, compensation for damages, and reprimand of officials in charge). On September 20, originally slated for the recall vote, the appointment of representative petitioners was requested to put up an unceasing fight. Although stricken with the pressure of a situation where everything was to be done all over again, the campaign people were of one mind in their hope for the success of recall as they set foot on the starting point. They had citizens who were willing to fight with them. As long as Mayor Kim, full of arrogance and self-righteousness, and his rubber stamp council members were in office, the campaign could never stop nor be stopped from fighting. On the same day, the Hanam election commission replaced its entire staff including the administrative director held accountable for the suspension of recall process.

Temporary Setback, Undefeatable Combative Spirit, Second Recall Movement

1) Recall Vote Re-Petition

The signature collection drive, which started anew, provided an opportunity for strengthening the campaign's will to fight. A great deal of attention was paid to each signature lest it should be nullified on the ground of a slightest error. Based on the experience from the first recall movement, the collection drive proceeded effectively and efficiently. In 12 days after the start of the second drive, whose duration was 2 days shorter than the first, petition for recall vote was made with the collection of signatures from 30% of the city's total eligible voters. Mayor Kim and other officials who were subject to the recall found themselves helpless in the face of the signature books that thoroughly satisfied all the legal requirements, notwithstanding whatever offensive they mounted to find fault with the books again.

2) Final Battle - Start of Recall Movement

The mayor and council members subject to the recall were suspended temporarily from duty for a second time around, and the recall movement started again from ground up. Many obstacles stood along the way, since the campaign overlapped with the presidential election. Some of the concerns were identified as dwindling interest in the campaign due to the indifference of the press, publicity activities undermined by cold weather, campaign fatigue caused by long hours of work, campaign period longer than

the first (from 19 to 25 days), and interference of the campaign by Mayor Kim and other officials facing recall (their counter-campaign to reject the recall vote).

The campaign workers braved through the chilling morning air, rubbing their frozen hands together. They left no stones unturned, tirelessly hitting the pavement day and night to meet in person citizens deterred by cold spell and persuading and encouraging on a one-by-one basis to vote. It was the time when they staked everything on the cause, putting their family and personal affairs behind.

As in the first recall vote, Mayor Kim repeatedly sued representative petitioners and signature collectors on the ground of various immaterial issues (cause for petition, signature books, etc.). Eventually they had to face the recall vote as all their attempts failed.

3) Hard-Fought Struggle Coming to Fruition

Activities aimed at obstructing the vote were underway in one place after another. A herd of men, who appeared hired to target each apartment complex, stirred up fear among residents by taking pictures. Similar situations surfaced in front of polling places. Some of the protesting residents were even taken to the police after they clashed with those hired hands. Confrontations continued as long as undue interference with the vote persisted. It was their last frantic attempt to abort the vote. However, the vote was completed despite all obstructions and difficulties.

In the end, two city council members, Im Mun-taek and Yu Shin-mok were removed from office. However, the recall of Mayor Kim Hwang-sik and council member Kim Byeong-dae was rejected since the vote failed to reach the required number of ballots. Numerically, success and failure were even at 50% each, but the failed recall of two officials loomed far larger than the successful recall. It was a day of citizens shedding tears of deep sorrow from their heart.

Citizens Victorious! Future beyond the Crematorium

1) Opposition to Hosting a Large Crematorium Is Our Unwavering Goal

Elated with having avoided the recall, Mayor Kim advocated the idea of deciding on the crematorium construction through a referendum. Although deeply tired from, and disappointed with, the result of recall vote, citizens revived the campaign against the building of a crematorium.

On December 20, a week after the recall vote, All-Citizens' Countermeasure Committee, suspended temporarily due to the recall movement, was reactivated. It overhauled its internal structure and engaged in a variety of legal actions and daily activities. And at the time of the general elections, the committee declared its support for those candidates (Mun Hak-jin, Yi Hyeon-jae, and Yu Seong-geun) who submitted their written pledge to oppose the crematorium project, and lent a hand to their campaign.

2) End of Prolonged Struggle - Revocation of Crematorium Construction

Unlike in the situation on a national level, a local issue, namely, the crematorium construction project, figured most prominently in Hanam in the course of the general elections. Since popular opposition to the project already had a firm foothold, all of Hanam candidates for the general elections expressed their opinion on the issue, which subsequently set off campaigns and other political activities pertaining to it. In the process, All Citizens' Countermeasure Committee increased the pressure of public opinion against the project by identifying each candidate's stance on the issue and then supporting candidates opposed to the project. As a result, Gyeonggi-do officially expressed its intention to revoke the project in the middle of the elections. After the elections, on April 28, Governor Kim Mun-su and Mayor Kim Hwang-sik announced the revocation of the project.

After one and a half-year struggle, Hanam citizens finally pulled off a victory. The driving force of the victory was none other than Hanam citizens who had been putting up a unified struggle under the leadership of All Citizens' Countermeasure Committee.