

A Study of Conflict Resolution on Jeju Affiliated Islands through an Analysis of Village Codes

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Abstract

The affiliated islands of the Jeju area include, Udo, Biyangdo, Gapado, Marado, Chujado, and 55 uninhabited islands. In the case of the inhabited islands, affiliated with Jeju Province, a look at the distribution chart of industries among the villages, one will see types of villages which combine agriculture and fishing. Residents are engaged in agriculture and fishing, and live their lives based on the semi-formal village codes 향약¹. Conflicts in the village are being resolved based on these village codes. The recent rapid influx of population has led to the collapse of the traditional village community and conflicts among villagers. The qualifications and rules of the village's residents are strengthened through the use of each village's code. This means that the entry barrier for qualifications and rules has increased. It can also lead to conflicts between migrants and villagers. The village has a culture to project. However, regulations and rules with high entry barriers can never be the answer. For the resolution of villages conflicts, village intermediate organizations such as the Women's Association, Youth Association, Senior Citizens' Association, and heads of the neighborhoods are playing an important role in resolving conflict.

Key words :

Cheju April 3rd Events, Cheju Massacres(1947-1954), U.S Responsibility, Transitional Justice, Social Healing through Justice

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1) 향약 - I will be using the term village code or codes to refer to Hyang-yaks(Chinese Characters literally meaning Village-Promise). The use of them go back mainly to the Joseon era and administration of rural areas.

Research Background

Inhabited Islands affiliated with the Jeju area include Udo, Biyangdo, Gapado, Marado, and Chujado, and there are 55 other uninhabited islands. The villagers of Jeju Province began to live together through natural fishing activities. The Jeju area has been a place where people have lived since before the Tamna Kingdom, a thousand years ago. During the Japanese occupation, Jeju was established as an administrative district of Jeollanamdo from May, 1915 to July 31, 1946, and then raised to the level of province during the U.S. Military Government period. It was at this time that a survey was conducted and installed the administrative districts that are mostly recognized today through out Jeju and the surrounding islands. (Jeju Province Internal Data, 2020)

If you look at a distribution chart of the village industries for the inhabited islands around Jeju, the industries are a mixture of agriculture and fishing. Residents are engaged in agriculture and fishing, and are living their lives based on the respective village codes. These local residents also live by forming ties with other residents through voluntary organizations such as the Haenyo Association (Diving Women Association), Ship Owners Association, Fishing Village Community, and Saemaetul Association, which belong to the village. This form of neighborhood autonomy can be viewed to share some similarities with the Japanese Rural Local Government system, the British Parish system, and the United States County system; but the difference is that the community pays membership fees and operate the villages on a volunteer basis (Neighborhood Self-Governing System, 2015).

However, the current centralized government community culture form began to appear with local elections held on 27 June 1995. As more and more people moved to Jeju in the 2000s, conflicts over development began to emerge. In current cases of public conflict, the government tries to solve the conflict by public power, but in the past the general local residents' conflicts were resolved based on the village code. The village heads of the area are using the village codes as a basis for resolving conflicts over issues and promoting harmony among residents. Therefore, this study aims to examine the process of resolving conflicts through analysis

of village codes among Jeju Island's smaller surrounding inhabited islands.

Status of Administrative Districts of Villages from the affiliated islands of Jeju

The current status of Udo, Chuja-gundo, Marado, Biyangdo, Gapado (the inhabited islands surrounding Jeju) is as follows: Chujado was originally incorporated as Sang(Upper)-Chuja and Ha(Lower)-Chuja into Yeongam-gun, Jeollanam Province. It was later incorporated into Wando-gun, and was attributed to Bukje-gun, Jeju Province on August 1, 1946; when Jeju Province separated from Jeollanam Province when Jeju Province was established. It consists of six administrative districts and nine natural villages, including Daeseori, Yeongheungri, Mukri, Shinyang 1-ri, Shingyang 2-ri, and Yechori. The largest number of people live in Daedeori on Sang-Chuja, where commercial districts exist with 761 people, while the smallest village of Shinyang 2-ri has a population of 94.

Udo-myeon was established in 1924, with two administrative districts, Yeongpyeong 1 & 2. After separating from Gujwa-eup in April 1986, it was promoted to its own administrative myeon consisting of 12 natural villages from 4 administrative villages: Seogwangri, Cheonjinri, Obongri, and Joilri. Obongri has the largest population with 579 and Cheonjinri has the smallest with 338.

In the case of Biyangdo, when Hallim-myeon was promoted to Hallim-eup on July 8, 1956; Biyangdo was elevated into a single administrative district with a population of 1,139. Gapado and Marado was under the administration of Daejeong-eup, when Jeju Province was established in 1946 and this continued when Daejeong-eup was moved into Namjeju-gun on July 8, 1956. Gapado was one administrative district, Gapari, with 233 people and Marado was one administrative district, Marari, with 115 people. The population and status of each village are shown in (Table 1).

<Table 1> chuja-myeon

Village name	Population (number)	Number of Natural village	Ban (municipality)	Name of Natural Village
Chujado				
Total	1,804	9	44	
Daeseo-ri	761	2	15	Bon-dong, Hoenggan-do
Yeongheung-ri	360	1	8	Bon-dong
Muk-ri	166	1	6	Bon-dong
Yecho-ri	149	2	5	Bon-dong, chupo-do
Sinyang-1ri	274	2	7	Sinha-ri, Sinsang-ri
Sinyang-2ri	94	1	3	Jangjak-ri
Udo				
Total	1,852	12	20	
Seogwang-ri	474	3	4	Jungang-dong, Sangumok-dong, Haumok-dong
Cheonjin-ri	338	2	4	Seocheonjin-dong, Dongcheonjin-dong
Joil-ri	461	2	6	Yeongil-dong, Biyang-dong
Obong-ri	579	5	6	Juheung-dong, Jeonheung-dong, Samyang-dong, Sanggosu-dong, Hagosu-dong
Biyangdo				
Biyang-ri	1,139	1	2	
Gapado				
Gapa-ri	233	2	7	Sang-dong, Ha-dong
Marado				
Mara-ri	115	1	2	Bon-dong

Data: Jeju-do Year Statistics (2019)

Village Code Analysis

1) Qualifications of Residency

Residents' qualifications are considered important in village conflicts. This is a matter of how much the rights of residents are recognized in the process of moving in the village and out of the village. The qualifications of residents have been in conflict since the 2000s due to the large influx of tourists to the islands. Looking at the qualifications of residents by each island. First with Chuja-myeon, resident registration of moving in and establishing residency, Mukri, Yechori, Shinyang 1-ri, Shinyang 2-ri recognizes resident as soon as registration is completed. In the case of Yeongheungri, only one person per family can be designated as head of the household and so be recognized as a village member. In the case of Daeseori, the largest commercial area in Chuja-myeon, someone is not recognized as a village member until more than three years have passed since the resident registration. In the case of Yeongheungri, it shall be at one year after the resident registration, and only one person per household may join as a village member.

In Udo-myeon, village residents are entitled to village membership six months after resident registration in Cheonjinri, Seogwangri, Joilri, while a person is registered as a village member as soon as

they are granted residency in Obongri.

Concerning Biyangdo, Hallim-eup, at least two years after resident registration is transferred is someone recognized as a village member. In the case of Gapado, Daejeong-eup, in order for a person who was born in Gapari and lived in another area to be recognized as a village resident again, 2 years must pass after resident registration. As for Non-Gapado people to be recognized as a village resident, 5 years must pass by. In the case of the Non-Gapado people moving in, it is stated that he or she must live at least 70 days a year on Gapado to gain and retain residency.

The situation for Marado residents is a little special. Marado only recognizes someone as a resident after 10 years have passed since the resident registration. Those who are from Marado must have two years of living in their own home, and those who don't own the home but reside on the island must live for at least five years to be eligible for residency. If a person of another region moves to Marado, he or she must live in his or her own house for 10 years to qualify as a resident. Marado runs a semi-resident system. Even if semi-residents report a transfer, the residence period is subject to an indeterminate time period.

<Table 2> Data of Giving Qualifications of Residents

Name of Village	Incoming Residents Report and Living Residents	Staying Residents after Incoming Residents Reports	Para Residents (Honorable Residents)	References
Chuja-myeon				
Daeseo-ri		○ (3yrs)		
Yeongheung-ri		○(1 yrs, Over 30 yrs old) (one person per household)		
Muk-ri	○			Adult recommend memberscases without qualification of Adults
Yecho-ri	○			
Sinyang-1ri	○			
Sinyang-2ri	○			Adult recommend memberscases without qualification of Adults
Udo-myeon				
Cheonjin-ri		○ (6 months)		
Seogwang-ri		○ (6 months)		
Joil-ri		○ (6 months)		
Obong-ri	○			
Hallim-eup and Daejeong-eup				
Biyang-ri		○ (2 yrs)		
Gapa-ri		○(5 yrs) (native residents :2 yrs)		Incoming resident from outside : Should live village over 70 days in a year.
Mara-ri		○ (10yrs) (native residents : house owner: 2 yrs, Non house owner 2yrs resident at reting house : 5 year) (incoming residents from other villager: house owner: 10 yrs)	○(para residents)	para resident : Not enough to stay at village for resident qualification evn completing incoming report *Development committee notice qualification member every year

Data: Each Village Codes and Kim, Il-soon Thesis(2020)

2) Village Residents' Rights

The rights of established villagers is the given authority to participate in the administration of the village. This right has the right to elect directors and executive officers. This also refers to the right to vote and run for office. They also have the right to monitor and dispose of property owned by the administrative department. These rights can also be a problem as the number of people moving into the villages has been rapidly increasing.

Each village shall prescribe residents' rights by village code, and these rights shall not be infringed unless the village code is changed through a general meeting. Each village also has the right to deprive villagers of rights according to resolution of general meetings. Residents' rights can be classified as asset claims, whether they attend general meetings, the right to elect village leaders, and the type of elections. A detailed look at the rights of residents of each village is as follows. The first is the right to claim assets. The right to claim an asset is the right to dispose of village assets. In the case of Biyangri, the right to claim village property is not transferable. There are no other restrictions on the right to claim assets in other areas. Some villages with a lot of village assets often clarify the rights between villagers and newer residents, when conflict arises between the two. Second, the right to attend the general meeting. In the case of Daeseori and Yeonghuengri in Chuja-myeon, participation in a general meeting is open to any village member. In addition, the right to elect the village leader is limited to one person per generation who is 19 years old or older. On the other hand, only the owners of each household have the right to attend the events of Mukri and Shinyang 2-ri. While the right to elect the village leader is limited to one person per generation and is 10 years old or older, similar to above. Yechori and Shinyang 1-ri clearly stipulate who is able to attend the general meeting by giving only the right of the operating committee among village members to vote. In addition, Yechori residents have the right to elect the village leader which specifies those who are 19 years old or older and have lived in the area for more than a year. For Shinyang 1-ri, the participant must be of 19 years of age or older, must be residing in the area for at least 6 months, and must not have had residence in other areas for at least a year. Voting is limited to one person per generation. Most of the

time, one vote per generation is made by a father in the family.

In the case of Udo-myeon, Seogwangri allows any villager the right to attend general meetings. The right to elect the head of a village is granted to those 19 years or older and only to those who pay village dues for the village's operating expenses, the vote is also one vote per household. For Cheonjinri and Obongri on Udo, the right to attend the general meetings shall be delegated to the representatives of village residents of each dong². While the right for voting for the head of the village is granted to those 19 years or older and one vote per household. On the other hand, the authority to attend general meetings in Joilri is given to village representatives and development committee members entrusted with rights from the villagers to make decisions. The right to elect a village head in Joilri is given to villagers of at least 20 years and one vote per household. Elections for the head of the village are aimed at household owners but proxy voting is possible if they are immediate family members and a proper reason is given for the necessity of proxy voting.

In other island cases, on Biyangri (Biyangdo), Hallim-eup, anyone 20 years old or older can attend general village meetings and elect the village heads. There is no one vote per household rule for Biyangdo so every villager has the right to vote. For Marado, the rights concerning attending village general meetings and voting in village elections are enumerated in the Village promotion regulations, but generally any fully acknowledged villager has the right to vote and participate. This is shown in <Table 3> below.

<Data 3> Residents Right per Village

Name of Village	Resource Claim Rights	Member of Assembly (Age)	Voting Right of Head of Village (Age)	Election Type	References
Chuja-myeon					
Daeseo-ri		member	19 (one person per household)	One vote per household	
Yeongheung-ri		member	19 (one person per household)	One vote per household	
Muk-ri		householder	19 (one person per household)	One vote per household	
Yecho-ri		Management Committee	19 (resident over 1 year) (one person per household)	One vote per household	

2) Dong can be roughly translated into neighborhood & an administrative unit.

Sinyang-1ri		Management Committee	19 (native resident:6months) (resident from other villages:1 year) (one person per household)	One vote per household	
Sinyang-2ri		householder	19 (one person per household)	One vote per household	
Udo-myeon					
Cheonjin-ri		delegate	19 (one person per household)	One vote per household	
Seogwang-ri		resident	19 (Tax paying household) (one person per household)	One vote per household	
Joil-ri		delegate development committee member	20 (one person per household)	One vote per household	Election :Same household family members voting by proxy possible
Obong-ri		delegate	19 (one person per household)	One vote per household	
Hallim-eup and Daejeong-eup					
Biyang-ri	Incoming residents impossible	20	20	One vote per household	
Gapa-ri		18 (residents over 2 yrs)	18 (residents over 2 yrs)	One vote per household	
Mara-ri		regular residents	regular residents	One vote per household	

Data: Each Village Codes and Kim, Il-soon Thesis(2020)

Cases of Conflict

1) Conflict between villagers and migrants³

If you look at the cases of conflict by village, you can see that local characteristics are reflected.

First, There are conflicts about the qualifications of residents. The qualification of a resident refers to a resident who officially lives in the area. Article 15 (section 1) of the Public Official Election Act stipulates that a person who falls under subparagraph 3 of Article 6 of the Resident Registration Act and has been listed on the resident registration table for more than three months and is registered in the National Assembly Constituency. However, although rights of residents are granted as citizens after relocation, the membership to the specific island villages are restricted based on local codes. Sometimes being registered for at least 6 months or at least 10 years. These codes are seen as being in conflict with migrants moving to the islands.

Second, There are conflicts concerning participation

in village general meetings. The general meetings are meetings held to solve the problems of the village and discuss the development of the village. Most village meetings have conflicts because village codes stipulate the attendance of representatives, development committee members, operating committee members, etc... In some cases a member of the village cannot attend.

Third, There are conflicts between the right to vote and the qualifications for voting. Each village strictly stipulates the authority of voting to villagers who are members and usually to those to continually reside on the island through specific regulations in the village codes. Many times, the right to vote is also limited to one vote per household. As a result, not only are some migrants not allowed to vote, but even some residents are not allowed to vote, leading to some serious problems and conflicts with the village.

Fourth, there are conflicts between migrants and the Fishing Unions (and sometimes Haenyo Associations). In the area around the islands, due to rigid protection of fishery resources, conflicts between migrants and fishing unions has occurred many times.

Fifth, there are conflicts about development. Most of the migrants moving to the island areas are engaged in tourism. Many conflicts occur while creating commercial facilities such as restaurants and cafes. The conflicts are mostly about damage to the village and island landscape or infringement of public village land.

2) Examples of conflicts between and within villages

There is a conflict between Upper and Lower Chuja Islands. (Sang-Chuja and Ha Chuja) In 2007, the Jeju government approved a project for a village waste disposal facility in Chuja-myeon. It was completed in 2009 and many types of waste could be disposed there. However, compared to the residents of Upper Chuja, Lower Chuja residents hated the dirty, disgusting facilities. This created a conflict between the two areas (Environmental Daily, 2010).

In the case of Udo, the rapid increase in tourists since 2010 has caused serious conflicts among local residents. A representative example of these conflicts would be the zipline conflict in Yeongpyeongri. Since August 2017, harsh rental

3) Migrants, here refers to anyone who is not a native to the specific island, not necessarily a foreigner. Statistically, most migrants are from other villagers on Jeju Island.

cars restrictions were implemented on Udo, and so ziplines were an item used to promote the revitalization of the local economy. Contentions emerged as residents were confronted by the pros and cons of the ziplines. soon inter-Udo disagreements emerged between residents who supported it for economic reasons and those who opposed it due to the damage the unsightly facilities would cause to the beautiful scenery of Udo and possible environmental damages (Newsis, 2018). Ship and Ferry Operation is also a topic of conflict. A representative example would be the conflict concerning the Biyangdo Provincial Port Line. The conflict between Biyangdo Millennium Land and Biyangdo Marine Transport over docking facilities usage has led to serious conflicts in the local villages of the area. Marado has conflicts about golf cart usage among their villagers. It started in 2005, when Marado was designated as a special zone for environmental protection. Marado had suspended car usage but then operation of golf carts increased from 2 to 42 golf carts. This golf cart usage increase has resulted in serious conflict among the 107 people and 59 households on the island. These are cases of village conflict where the villagers are the direct stakeholder. It is unusual that the village community seems to be collapsing in the process of trying to solve these problems at the village level.

Efforts to resolve conflicts

The starting point of conflict resolution for island villages begins with the village codes. The village codes are promises made by the villagers. Problems should be resolved through communication between villagers by referring to the provisions of the village codes. Each village has youth association, a women association, a senior citizen association, a Haenyo association, and an agriculture/fishery union. In addition, villages has subdivisions of villages in the forms of dong, bans and cooperations. Most of these small villages are composed of two or four forms of administrative ri. These small scale divisions also operate a system of neighborhood presidents and union heads.

The most important form of organization in a village composition is a self-sustaining organization, which plays an important role in resolving the village conflicts in close proximity. These organizations are

organized for volunteer activities such as village environment beautification, village building, village sports competitions, and so on. In addition, fishing unions and Haenyo associations, which utilize marine resources and try to protect the sea and those resources can be seen as self-sustaining organizations that can help resolve conflicts while being members of the village. However, on island areas, there are conflicting opinions about the high power of fishing unions and the low power of the village itself concerning conflict resolution on areas within the village codes. The following are possible methods of resolving conflicts.

First, the role of mediation for conflicts between local residents and migrants should be handled mostly by the neighborhood president. (natural village leader) The neighborhood president should gather the opinions of each party and find a reasonable plan and report it to the head of the village. the head of the village should report it to the development committee or village general meeting depending on the type of conflict and together make a decision. After arbitration, they should have time to organize the thoughts of the villagers and the migrants and through this, they have time to recognize the migrants as villagers through community planning events.

Second, There should be focus on resolving conflicts between migrants and fishing unions over the common fishing grounds of the islands. Jeju residents recognize shared rights over village fishing grounds with fishing unions. This is because fishing unions, along with Haenyo associations, are important members of villages in Jeju. Sometimes conflicts arise between migrants and fishing unions. Legally, fishing unions have priority to use common water ways, but problems are arising due to migrants being unfamiliar with the regulations. In such cases, most of the conflicts can and should be resolved through the mediation of the fishing union chief and compromise of the migrants in ways that reflect the opinions of the villagers. However, if the conflict intensifies, it can be resolved through legal action.

Third, There is a need for conflict resolution concerning development activities. Local villages start from a long historical point of view. Most of the village forms have more than 200 to 500 years of history, and most of the local residents who live in the village have lived there for more

than 50 years. Conflicts have arisen, due to the rapid influx of migrants starting in the 2000s. This creates conflicts with residents about the process of construction activities and install convenience facilities. In this case, most of the conflicts should be resolved through cooperation between the neighborhood presidents and various environmental and civic social groups. (i.e. senior citizens, Haenyo associations) The neighborhood president and the head of the civic social groups should present measures to minimize conflicts between migrants and local residents by analyzing and setting priorities concerning the conflicts. The heads of these civic social groups also play a role in persuading migrants who do not understand the view and importance of sacrifice in forming a village community. The village should also seek cooperation from migrants by setting up convenience facilities, such as streetlights and separate garbage collection, and explain the improvement process through resident cooperation. In addition, it might be necessary to hold small local gatherings to persuade migrants and draw cooperation from local residents.

Fourth concerns the settlement of conflicts between villages. The process of resolving conflicts between villages on attached or nearby islands is complicated. This refers to cases where resolution is made through development committees, village general meetings, and so on according to respective village codes. Through this process, the local government should use methods of bringing together opinions of each village and deliberating about them. For this, village heads and local civic group leaders are important. The local civic group leaders, which are usually present in both communities, often can resolve conflicts by presenting common interests and goals among the plethora of opinions of each village and suggesting possible ways to solve the problems. Furthermore, conflicts between villages can be lessened through joint meetings, and competitions between village sport groups or a general sport competition. Each village head should have three to six months of deliberation and opinion gathering to discuss each side's interests and concerns in depth. Through the deliberation process and representation of villagers' opinions through meetings and semi-formal dinners between the leaders, development committee members and so on, both sides can check each other's interests while finding the way

to conflict resolution. The principle of the final solution is that it is often solved by establishing a venue for communication between villagers through cooperative meetings and other ways to promote cooperation like sporting competitions. This method is often used for situations of conflict between different fishing unions.

Finally, there needs to be a solution to the conflict between village general meetings participation and village membership qualification, which affects the ability to participate. Recently, some villages have been revising the village codes to allow residents of the administrative area to attend village general meetings. Villages are finding ways for people to attend general meetings whether it is for specific agenda items, having someone from each local household attend, or have neighborhood representatives, meeting participation is increasing. Among village general meeting attending criteria, many villagers are trying to revise the direction of lagging participation by increasing the percentage of women in each village's representatives, so hoping that women's opinions can be reflected in village decisions more apparently. Village membership qualification is based on each specific island's village code, but the standard itself is a problem due to the high entry threshold. As the local population ages, the number of villages that accept migrants are increasing, however, the fact that migrants are unable to settle down in villages and communicate with the more native residents is a problem, and ways to improve this communication through continuous administrative support is needed.

Conclusion

Village codes are a promise that residents must keep while living in the village. Conflicts in villages are often resolved by the standards of the village code. Recently, village community has collapsed due to the rapid influx of migrants and conflicts among existing villagers about strengthening the qualifications and rights of registered residents through each village's village code. In other words, increasing the qualifications needs to belong to a village can lead to conflicts between migrants and more native villagers. The village has culture to protect. However, regulations and rules with high barriers for entry can never be the answer.

To resolve the conflicts, we have looked at many solutions factors and situations for various village conflicts. In order to resolve conflict in these island villages, local civic social groups such as the women's association, youth association, senior citizen association, neighborhood leaders, and so on are used as important tools to resolve conflict. The significance can be found in that they know the village best and cooperate with residents to resolve these conflicts. With conflict between villages can be resolved with Village heads and local elders doing their parts. Even if it is a serious conflict, there are reasonable ways that can preserve and protect the community's culture. Even if it takes time, local leaders can resolve the conflicts by fully discussing and yielding through the deliberation process.

It is also related to the supportive aspect of Jeju's community culture. Through a community culture that seeks to yield to each other and harmonize with each other, the island government is still keeping the social norm of village codes. The fundamental value of a village code is community culture. Given that Jeju affiliated islands have a community and system to resolve conflicts based on their own local cultures, the analysis of village codes concerning conflict resolution needs to be studied in the context of village autonomy.

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