

Title	The representative activity of local assemblies in Japan and Korea
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Abstract	<p>Problems of political representation in representative democracy have become severe since appearance of participatory and deliberative democracy within recent contemporary democratic theories. Though elected representatives are not an alternative to deliberative and participatory democracies, but rather structure and constitute both. Representation is not an unfortunate compromise between an ideal of direct democracy and mess modern realities. Yet the very stability of elected representatives and electoral institutions means that they are several potential mechanisms of responsibility, accountability and fairness than other representation forms are typically categorized as participatory democracy, direct democracy, or deliberative democracy.</p> <p>The opposite of representation is not participation but exclusion in representative democracy, and representation is incomplete without the deliberative attentiveness of citizens mediated by public spheres.</p> <p>Here, this paper suggests such local political bodies might function as an important supplement to existing forms of representation to move closer to ideal representative democracy over minimizing exclusion of citizen. As we know, local assemblies are representative as well as sole deliberative organs in local governments, and are also stipulated in the Constitution that the members of the assemblies shall be elected by direct popular vote, in the same way as the chief executive in Japan and Korea.</p> <p>In addition, the adopted integrating systems have been modified towards the direction of ensuring greater autonomy, as seen in the expansion of local initiatives and technical improvements in favor of the both local governments from the 2000s such as the Omnibus Decentralization Act in Japan and Special Law on Decentralization Promotion in Korea. But, despite of the expectation and interest on these performances of decentralization in both countries, unfortunately it is said that local assemblies of both countries have faced a crisis and a challenge as the performance and a representative on dual representative system. At the same time, although there are many similarities between two countries institutionally, representative performance of assemblies is seemed different appearance from each other.</p> <p>Therefore, this paper is to explore the extent to which institutional level and design of disclosure of information on activity of local assembly find support for effective representation in local assemblies, especially comparing with Tokyo Metropolitan Assembly in Japan and Seoul Metropolitan Council in Korea. For this purpose, this paper applies a part of the Institutional Analysis and Development (IAD) framework is best viewed as a systematic method for organizing policy analysis activities that is compatible with a wide variety of more specialized analytic techniques used in the physical and social sciences.</p>
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# The Representative Activity of Local Assemblies in Japan and Korea

Eunjoo Jang

## **Abstract**

Problems of political representation in representative democracy have become severe since appearance of participatory and deliberative democracy within recent contemporary democratic theories. Though elected representatives are not an alternative to deliberative and participatory democracies, but rather structure and constitute both. Representation is not an unfortunate compromise between an ideal of direct democracy and mess modern realities. Yet the very stability of elected representatives and electoral institutions means that they are several potential mechanisms of responsibility, accountability and fairness than other representation forms are typically categorized as participatory democracy, direct democracy, or deliberative democracy.

The opposite of representation is not participation but exclusion in representative democracy, and representation is incomplete without the deliberative attentiveness of citizens mediated by public spheres.

Here, this paper suggests such local political bodies might function as an important supplement to existing forms of representation to move closer to ideal representative democracy over minimizing exclusion of citizen. As we know, local assemblies are representative as well as sole deliberative organs in local governments, and are also stipulated in the Constitution that the members of the assemblies shall be elected by direct popular vote, in the same way as the chief executive in Japan and Korea.

In addition, the adopted integrating systems have been modified towards the direction of ensuring greater autonomy, as seen in the expansion of local initiatives and technical improvements in favor of the both local governments from the 2000s such as the Omnibus Decentralization Act in Japan and Special Law on Decentralization Promotion in Korea. But, despite of the expectation and interest on these performances of decentralization in both countries, unfortunately it is said that local assemblies of both countries have faced a crisis and a challenge as the performance and a representative on dual representative system. At the same time, although there are many similarities between two countries institutionally,

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Therefore, this paper is to explore the extent to which institutional level and design of disclosure of information on activity of local assembly find support for effective representation in local assemblies, especially comparing with Tokyo Metropolitan Assembly in Japan and Seoul Metropolitan Council in Korea. For this purpose, this paper applies a part of the Institutional Analysis and Development (IAD) framework is best viewed as a systematic method for organizing policy analysis activities that is compatible with a wide variety of more specialized analytic techniques used in the physical and social sciences.

## **I. Introduction**

Robert Dahl (1967: 960) portrayed the political and social life of a locality, which permits a wider range of participation and promotes sense of belongings, as an essential part of democracy. In the same vein, a lot of democratic theorists in recent years have paid enormous attention to decentralization to describe the changing relationship between central and local government as integral part of democracy (Diamond and Tsalik 1999: 130; White and Smoke 2005). Decentralization refers to the principle that public decisions should be made, when possible, at the level of authority closest to the people. Decentralization is high on the political agenda in both developed and developing countries, with some sort of decentralization reform efforts being implemented in 80% of over 70 developing countries and economies in transition since the 1990s (JICA 1997). Many cases in these countries are implementing political reforms aimed at decentralization and enhancement of local governments, and new democracies that have only recently undergone transitions to this popular rule are undertaking such reforms. Some advocate decentralization as a way to further consolidate new democracies, stressing the political, economic, and administrative benefits of decentralization to both central government and local government, civil society alike.

Japan and Korea are no exception to decentralization. In local governments of both countries, the adopted integrating systems have been modified towards the direction of ensuring greater autonomy, as seen in the expansion of local initiatives and technical improvements in favor of the both local governments from the 2000s such as the Omnibus Decentralization Act in Japan and Special Law on Decentralization Promotion in Korea<sup>1</sup>. But, despite of the expectation and interest on these performances of decentralization in both countries, unfortunately it is said that local assemblies of both countries have faced a crisis and a challenge as the performance and a representative on dual representative system at local government. Local assemblies had not responded to the citizens' demands for responsive representation, had not played the decisive role to check the chief executive and branch in local government, and had not accomplished the performance for the important legislative function in dual representative system of both countries. Such as democratic deficit as misalignment between citizen demands and the capacities of local assembly,

having existed traditional political institutions to deal with those demands leads to citizens' disengagement and distrust on local assembly<sup>2</sup>. Local assembly had not to disregard any more the truth as a growing demand for democratic renewal and change. These poor performance and representation of local assembly on local democracy are due to fail to connect citizen concerns with collective decision-making in legitimate and effective ways.

This paper, focused on these features of local assemblies adapting themselves to decentralization as new circumstance on local democracy in Japan and Korea, tried to answer the normative questions: what should local assembly as democratic institutions do? Also, what is fundamental condition for improving representative performance of local assembly?

For comparing with institutions on local assemblies in both countries by using Institutional Analysis and Development (IAD) framework for analysis, this paper examines the way in which conditions make local assemblies elected democratically work more representative role and performance in current fashion for decentralization.

This paper is organized as follows. The first section reviews trends on decentralization and current local democratic theories focusing representation of local assembly. The second section discusses on the fundamental condition to overcome crisis on representation of local assembly in connection with disclosure of their activities especially. The third section provides a brief overview of IAD framework as methodology of institutional analysis and policy design. The fourth section develops the explanation of historical and formal institution to analyze the conditions and attributes by IAD framework between Tokyo Metropolitan Assembly in Japan and Seoul Metropolitan Council in Korea. Finally, the outcomes of local assemblies as representative activity concatenate the rules-in-use as one objective in IAD framework providing some institutional examples of both countries.

## **II. Debate of Local Assembly as Representation in Local Democracy**

Generally it is said that the perceived benefits of decentralization to democratizing countries are, politically increasing the power of citizens and elected representatives, are diffusing population and economic activities geographically, are transferring responsibility for planning administratively, are raising revenue and allocation from the central to field offices of central government, or to subordinate levels of government, or to other semi-autonomous institutions and are increasing economically the efficiency of governmental management of the economy through stimulation and regulation.

Despite the benefits of decentralization for local democracy, and the capacities in local politics, the representation of local assembly is given a skeptical response alone. Lowndes et al. (2001:450-51) indicate the existence of very negative views held by citizens about local assembly members, who were often seen as 'inaccessible and unlikely to be interested' in citizens' concerns. Indeed, among those that had contacted an assembly

member, 'the dominant experience was one of disappointment'. Yet much local participation occurs when communities are mobilized around matters in which they have an immediate interest, these local issues can rouse an otherwise quiescent citizenry into action (Parry, et al., 1992). Moreover, local participation acts as a motivational trigger to further and more sustained citizen participation (Boaden, et al., 1982). Local campaigns, or protest on issues of common concern, are an important part of democratic activity and popular involvement in local government (Cochrane, 1986).

Here examines new trends and forms of citizens' participations, occurring due to insufficient representation of local assembly in local democracy. Within the liberal-democratic tradition of democracy, there has been a 'deliberative turn' in democratic theory, such as deliberative opinion polling, various neighborhood or decentralized forums, and citizens' juries (Goodin 2008: 2). In this context, Sweeting and Copus (2012: 22-25) introduce different forms of local democracy with reference to the view of councilors in Britain: the representative form, the participatory form, the network form and the market form. The representative form of local democracy is based on the selection of representatives by election to form some sort of decision-making body or council. Candidates stand for election either for a ward (in a constituency-based system) or on a list (in a party list-based system). Electing representatives by voting is the key act of political participation for citizens as it enables them to change the local political executive, bring decision makers to account, and transmit views about different programs presented to them. Different arrangements exist for decision making within councils (Mouritzen and Svava, 2002: 55-6), and representatives differ according to the extent to which they have independence from those who elected them (Judge, 1999). The essence of the system is that different interests are represented in the council chamber, which is the sovereign decision-making body. The participatory form of local democracy is based on interaction and deliberation between citizens in order to reach consensus and/or inform the policy process. However, citizen engagement poses fundamental challenges to the role of elected representatives and to the continued party political control of local government. The network form of local democracy emerges from the idea that the collective decisions can be taken by actors involved in these networks and institutions of governance. Through functional representation in these new institutions, different interests in society can be taken into account in the development of a common policy agreement (Wilks-Heeg and Clayton 2006: 78). Such representation relies on the actors involved knowing and being able to articulate the views of people in their functional domain. It also rests on the presence of powerful actors that form public policy and spend public money but who lack any mandate from popular vote. Finally, the market form of local democracy is based on the idea that the market and consumer sovereignty are the most appropriate ways to reveal citizen preferences. Founded on a conception of citizen as consumer, citizens make choices between different service providers in quasi-markets giving 'exit' for consumers (Leach and Percy-Smith 2001: 172). For example, parents can choose between different schools, with

those schools attracting most pupils rewarded with higher budgets (Leach and Percy-Smith 2001: 69). Consumers also make use of information about the merits or otherwise of different service providers - for example by using league tables for schools or hospitals. This type of democracy places emphasis on values traditionally associated with the private sector, such as customer care, consumer responsiveness, sensitivity to demand and competition. As Walsh (1996: 68) commented, 'the argument has long been made that the market is more efficient than local government; it is now being maintained that it is more democratic'.

Certainly there are quite strengths and contribution at various local democratic forms, as governance networks responding to citizens' demands, and focusing on representative exclusion of marginalized groups in recent local democracy, but the relationship to representative democracy is unclear, with different interpretations around the roles of politicians, the means of securing accountability and the view of the democratic process.

Sorensen and Torfing (2005) argue that governance networks threaten the normative bases of liberal democracy. The increased involvement of non-elected actors in processes of public decision making has brought into question the traditional electoral channels of accountability and political equality (fairness). Fundamental questions arise over the sectional interest, exclusivity and transparency of such networks and their compatibility with traditional democratic criteria (Pierre 2009: 600). In the case of electoral representation, an abstract equality is achieved through the universal franchise. There is no equivalent of influence or voice in the non-elected domain, where the advantages of education, income, and other unequally distributed resources are more likely to translate into patterns of over- and underrepresentation (Warren 2001; Strolovitch 2006: 894-910). The many advantages of self-authorized representation may also result in an increasingly unequal representation. Equality is one of the defining features of this system using a vote. Each participant has the same opportunity to influence the outcome of the election. Local government is legitimated through election (Sharpe, 1970: 168).

Even Ploke insists that the opposite of representation is not participation, but exclusion and abstention. Representation is crucial in constituting democratic practice (1997: 19). In addition, democratic theorists are increasingly appreciating the contributions of representation to formation of public opinion and judgment, as well as its role in constituting multiple pathways of social influence within and often against the state (Warren 2008: 50-69). Electoral representation continues to provide an ultimate reference for local governmental power, and is at best a surrogate form of participation for citizens who are physically absent.

Also, the effectiveness of popular involvement depends on whether or not assembly members are willing to respond positively (Copus 2003). Assembly members perceive the electorate as motivated by self-interest, rather than by a broader view of the general well-being. Members can support the notion of more citizen participation, but at the same time hold that they alone should make the final decision on any issue. What is clear from

the research is that while political affiliation is an important indicator of assembly member attitudes towards aspects of citizen participation, it often makes less difference than might be expected (Copus 2003).

### **III. The Fundamental Condition for Representation of Local Assembly: Disclosure on Their Activities**

As precedent debate, representation is incomplete without the participative attentiveness of citizens mediated by public spheres also, and the reflective transmission of public deliberations into domain of representative institutions. Owing to these functional limitations of elected representatives, other entities with them should be given chance of participation within collective decision-making bodies such as citizen panels, polls, deliberative forums, etc. And in many democratic countries, political rhetoric gives weight to increasing public participation in and understanding of the political process; re-establishing public trust in government decision making; increasing transparency, openness, and accountability of public authorities; and, ultimately, improving government decision-making on behalf of citizens.

There is no doubt that the representation of local assembly for local democracy is not incomplete, but other democratic forms cannot be turned to immediate and positive alternative. Then if it must be admitted that local assembly has played a key role to represent citizens and their interests, what is the condition for proper representation of local assembly? The probability is that some relationship of trust between citizens and representatives, based on shared experiences, perspectives, and interests, and for getting this trust, it is necessary to disclose representatives' activities.

The result of citizens' evaluation on the decentralization from the opinion poll by cabinet office, government of Japan, shows that citizens consider key criterion the disclosure of local assembly when citizens evaluate their activities. In other words, citizens are not satisfied with closed status quo of local assembly<sup>3</sup>. Also, the results of a national survey on the Citizenship Information research project in the UK show that the majority (71.6%) believed that their local council was not doing enough to inform them (Marcella, Rita and Graeme Baxter 2000: 118).

Local assembly should conduct its activity as openly as possible. Ensure that all discussions and decisions are recorded and open to all, and in exceptional circumstances the reasons should be explained clearly. This is vital for its credibility both with its own members but also with its external citizens. Accesses to the public record including freedom of information (FOI) are mechanisms which help to facilitate the representation of local assembly and the accountability of public authorities.

The voluntary informational disclosure in local assembly sector is largely based on the application of agency theory in that sector. The relationship between the public sector and the voter can be described as an agency relationship whereby the voter is the principal



and the political manager is the agent (Banker and Patton 1987: 29-50). In this scenario, politicians are assumed to be self-interested, maximizing agents, whereby the maximization of their wealth depends on their re-election, advancement, and current and future income, both pecuniary and non-pecuniary (Zimmerman 1977: 107-114). Voters are also assumed to be self-interested and to act in such a way as to increase their wealth. Voters' wealth is related to the actions of their agents. Accordingly, each voter has an incentive to monitor the behavior of politicians (Zimmerman 1977). Even Christiaens (1999: 21-40) argues that municipal wealth should be positively associated with increased disclosure because it provides a signal of management quality, which may benefit local politicians by increasing their chances of re-election and reducing interest costs.

This informational position considers the citizens as stakeholders with an interest in analyzing the information in order to form an opinion on the degree of the politicians' preference of their electoral promises. On the other hand, the politicians' commitment and responsibility in relation to the citizenship is reinforced since the public has participated in shaping the developed policies and in the achievements reached between electoral periods. Through these processes and interactions, information disclosure about local assembly's performance provides stakeholders with knowledge about the processes, structures and products of local assembly, which local assembly members can improve their representation on inhabitants more. In addition, these disclosure makes the opportunity inhabitants can participate into local politics easily.

#### **IV. IAD Framework for Analysis**

The form of democracy at the local level can co-exist different in localities, in institutions and in countries. Also, given different reform trajectories in different systems of institution, different forms are likely to have different emphases in different contexts. To borrow from March and Olsen (1989), institution is rooted in history and experience that define rules, norms, identities, and beliefs. It can be said that collective behavior not only affects institutions but is affected by them, and this turns out to be important for the achievement of social ends.

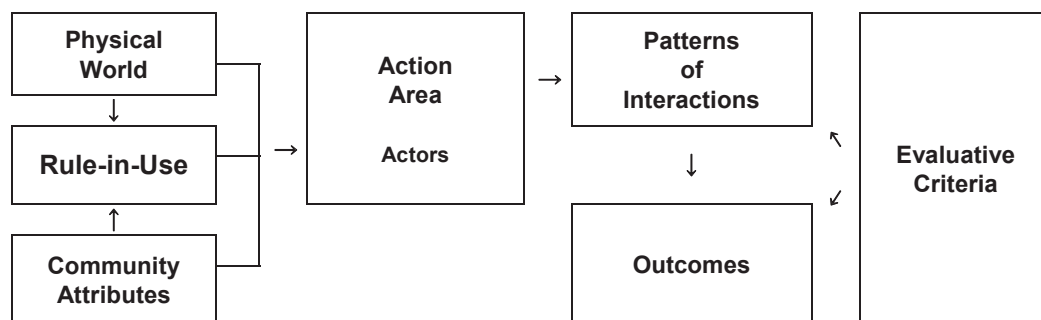
Also, democracy exists around, within and between the institutions of local assembly. In practical terms the various levels of informational disclosure on local assembly's activity exist within a representative process to make up a local democracy.

In this paper, to illustrate different representative activity being causing by different institutional design of local assemblies in both countries, Japan and Korea, is tried to applies a part of the Institutional Analysis and Development (IAD) framework is best viewed as a systematic method for organizing policy analysis activities that is compatible with a wide variety of more specialized analytic techniques used in the physical and social sciences.

The IAD Framework offers researchers a way to understand the policy process by

outlining a systematic approach for analyzing institutions that govern action and outcomes within collective action arrangements (Ostrom, 2007, 44). Institutions are defined within the IAD Framework as a set of prescriptions and constraints that humans use to organize all forms of repetitive and structured interactions (Ostrom, 2005, 3). These prescriptions can include rules, norms, and shared strategies.

The IAD framework is developed as a tool for policy analysts who are evaluating policy effectiveness, initiating policy reform, or designing new policy intervention. It does not replace other techniques, but provides a means to synthesize the work of multiple participants, including those who are directly involved in the policy situation and have an interest in policy outcomes. The IAD framework helps analysts comprehend complex social situations and break them down into manageable sets of practical activities. After defining a policy question or problem, the focus of the analysis is on behavior in the action arena, which includes the action situation, and individuals and groups who are routinely involved in the situation (actors). One objective of the analysis is to identify factors in each of three areas that influence the behavior of individuals and groups in the policy situation: physical and material conditions<sup>4</sup>, community attributes (culture)<sup>5</sup>, and rules-in-use<sup>6</sup>. Two other objectives are to identify and evaluate patterns of interactions<sup>7</sup> that are logically associated with behavior in the action arena<sup>8</sup>, and outcomes from these interactions (Ostrom 2011).



**Figure 1. A Framework for Institutional Analysis Source: Adapted from E. Ostrom (2005: 15)**

For analyzing fundamental condition on improving representative performance (outcomes) of local assembly in both countries, this paper will focus on “Rule-in-use” in particular, one factor in three areas of one objective. Rules, identified as one area of one objective in IAD, are shared understandings among those involved that refer to enforced prescriptions about what actions are required, prohibited, or permitted. All rules are the result of implicit or explicit efforts to achieve order and predictability among humans by creating classes of persons (positions) that are then required, permitted, or forbidden to take classes of actions in relation to required, permitted, or forbidden states of the world (Ostrom 2005).

Needless to say, the IAD can be used to analyze formal laws (Basurto, Kingsley,

McQueen, Smith, & Weible 2010: 523-37). In a democratic society, problem-solving individuals participate in less fluid decision-making arrangements, including elections to select legislators, committee structures, and bureaucratic teams. Thus, a deeper institutional analysis first attempts to understand the working rules and norms that individuals use in making decisions (Ostrom 2011: 18). In a system governed by a “rule of law,” the general legal framework in use will have its source in actions taken in constitutional, legislative, and administrative settings augmented by decisions taken by individuals in many different particular settings. In other words, the rules-in-form are consistent with the rules-in-use (Sproule-Jones 1993). In a system that is not governed by a “rule of law,” there may be central laws and considerable effort made to enforce them, but individuals attempt to evade rather than obey the law (Guha-Khasnobis, Kanbur, & Ostrom 2006).

Exploiting IAD framework contained these objectives, in other to interpret the difference between representative performance and institutional conditions on local assemblies in both countries, Japan and Korea, this paper substitutes each relevant various index for the objectives of IAD framework. The following table 1 summarizes pertinent indexes that are able to be conceptualized by each objective of IAD framework.

**Table 1. The Indexes of IAD Framework Objectives for Analysis**

Objectives of Analysis	Indexes on Objective
Physical and Material Conditions	-Globalization -Financial crisis -Decentralization -Local assembly system (Local autonomy institution)
Community Attributes	-The strength of citizens’ attention -The degree of anxiety for democracy -The degree of response on (speed of) institutional change
Rules-in-Use	-Local Autonomy Act -Law of various kinds on local assembly -The Ordinance of various kinds at local assemblies
Action Area (Actors)	-Local assembly members, Governor -Citizens, NPOs -Political party, central government, etc.
Patterns of Interactions	-Contents of HP (The level of informational disclosure in HP) -Held days of sessions -Citizens’ evaluation on local assembly -Elections, etc.
Outcomes	-The ratio of (numbers) Ordinance sponsored by Governor to by Assembly

Especially focusing on influence of “Rule-in-use” as one fundamental condition of institution, this paper further explores which different levels of informational disclosure on

local assemblies conduct different performances of local assemblies' activity as outcomes between local assemblies in Japan and Korea tentatively.

## **V. Conditions and Attributes of Local Assemblies in Japan and Korea: Historical and Formal Institutions**

There are critical ties between environmental change and institutional development. The new condition is based on open markets, global interaction, and highly decentralized activities. Among other forces, it is propelled by technology and an information explosion whose impact is cumulative. Local government containing local assembly can be more effective by adapting to new conditions by building institutional capacity, which formal government can shed part of its responsibilities, undertake fewer functions, and limit itself to what it can best accomplish.

In the same vein, local governments containing local assemblies of Japan and Korea have tried to adapt themselves, and improve their representation to new environmental change such as globalization, financial crisis, decentralization, and citizens' demands for strong democracy. Japan and Korea have different contexts, including variations in political systems, economic development, democratization, geography, population, history, and culture. However, given both countries' experiences with democratic political systems, globalization, economic crises, multiple government reforms, and decentralization, a comparative study of local assemblies in both countries may enhance our understanding of the variations of and the common factors associated with local assemblies.

Therefore considering physical and material conditions and community attributes on difference as well as similarity in both local assemblies, here overviews structural development and establishment of both local assemblies historically, laying emphasis on Tokyo metropolitan assembly in Japan and Seoul metropolitan council in Korea.

### ***Tokyo Metropolitan Assembly in Japan***

Since the Meiji Restoration, Japan has had a local government system based on prefecture, and municipal governments were historical villages. The Tokyo Metropolitan Assembly was created in 1943, and accorded its position with current functions as a legislative organ by Local Autonomy Law in 1947. Japan's system of local government has specific legal status in Japan's legal framework, specifically through the 'Local Autonomy Law', which was promulgated in 1946. The principles of this law involve a respect for local self-government, the separation of the executive and legislative branches and the definition of local assemblies and councils and their status in relation to central government. This system is very much influenced by the American model, an obvious consideration given the United States' role in administering the country in its post-war reconstruction era, with each directly elected chief executive as heading up local governments and also having a directly elected local assembly. Around that time, various systems necessary for promoting

democratic local government, such as establishment of standing committees and special committees, and granting assembly members the rights to submit legislative bills and to investigate the business practices of the metropolitan government, were accorded to the Tokyo Metropolitan Assembly. Since then, the assembly system has been gradually refined through several revisions of the Local Autonomy Law. At present, the importance of the Metropolitan Assembly is fully recognized by one representation of Tokyo residents, and the only position of the legislative organ in relation to the executive organization (CLAIR 2006; Ohsugi 2008).

Although Japanese local government features an absence of party discipline characterized by a comparably high number of independent candidates elected, assembly members tend to come from one of the political parties, such as the Liberal Democratic Party or the Democratic Party. Also, an organization to which assemblymen sharing the same political principles or policies belong and which submits a registration of affiliation to the Assembly for the purpose of conducting political activities is called "affiliation." In the Metropolitan Assembly, as in the National Diet, assembly activities are implemented on the basis of "affiliation."

Tokyo Metropolitan Assembly is the only legislative organ of the local public entity of Tokyo, as dual representation system with the power to make decisions on matters of Tokyo. Tokyo Metropolitan Assembly have been developing gradually and its independence and autonomy have established the powers as follows: voting right on enactment, amendment, or abrogation of an ordinance, on the budget bill, on approval of the settlement of accounts, and on conclusion of important contracts as provided for under ordinances; The right to elect assembly officers and election committee members and the right to confirm appointees such as vice governor, chief accountant, members of the public safety commission and the board of education; The right to submit statements of opinion; Power of inspection and auditing; Power of investigation; and Power of sending a non-confidence vote to the governor (CLAIR 2006:47; Ohsugi 2008:7-8).

Every assemblyman is elected for four year terms, which Tokyo Assembly is comprised of 127 upper limit of the number of assemblymen, and per assemblyman represents 103,614 residents of as 13.159 million populations in 2010 (Table 2).

Also, table 2 synthesizes the investigations on local assemblies of 47 To-Do-Fu-Ken including Tokyo in Japan the following details: Upper limit of the numbers of assemblymen, Election districts, Population, Starting year to open to the public the minutes of local assemblies' sessions and committees at HP, and The existence or the enactment year of ordinance to draw up a local assemblymen's election pledge in 2010. The total numbers of local assemblymen are 2,736, and the numbers of average of that are 58.2 in Japan. The 25 local assemblies among 47 regions show opening to the public the information of minutes on standing committees as well as plenary session at their website (HP of local assemblies). But, most local assemblies had opened to the public the information of minutes on standing committees since 1998 (H10) according each the Free Access to information Ordinance.

**Table 2. Local Assembly in Japan (2010)**

To/Do/Fu/Ken	Assembly Members	Districts	Population (million)	Open to the Public	Election pledge (Ordinance enactment year)
Hokkaido	104	48	5.506	plenary(S45)	1998
Aomori-ken	48	16	1.373	plenary, standing(S58)	2002
Iwate-ken	48	16	1.330	plenary(H7)	2002
Miyagi-ken	61	24	2.348	plenary(S22)/ standing(H15)	2002
Akita-ken	45	14	1.086	plenary, standing(H11)	2002
Yamagata-ken	43	19	1.169	plenary, standing(H12)	1994
Fukushima-ken	58	19	2.029	plenary(H11)/ standing(H14)	2006
Ibaraki-ken	65	36	2.970	plenary(H7)/ standing(H8)	1970
Tochigi-ken	50	16	2.008	plenary(H7)	1967
Gumma-ken	50	18	2.008	plenary(H7)	2002
Saitama-ken	94	59	7.195	plenary(S54)	1998
Chiba-ken	95	45	6.216	plenary(H4)	1982
<b>Tokyo-to</b>	<b>127</b>	<b>42</b>	<b>13.159</b>	<b>plenary(H2)/ standing(H3)</b>	<b>1963</b>
Kanagawa-ken	107	49	9.048	plenary(H15)	1952
Niigata-ken	53	27	2.374	plenary(H11)/ standing(H14)	<b>Nothing</b>
Toyama-ken	40	13	1.093	plenary(H6)	1971
Ishikawa-ken	43	15	1.170	plenary(H3)/ standing(H11)	1974
Fukui-ken	37	12	0.806	plenary, standing(H12)	<b>Nothing</b>
Yamanashi-ken	38	16	0.863	plenary(H4)	<b>Nothing</b>
Nagano-ken	58	26	2.152	plenary(H7)/ standing(H17)	1974
Gifu-ken	46	27	2.081	plenary(H1)	<b>Nothing</b>
Shizuoka-ken	69	33	3.765	plenary(H11)/ standing(H18)	1952
Aichi-ken	103	57	7.411	plenary(H8)/ standing(H15)	<b>Nothing</b>
Mie-ken	51	17	1.855	plenary(H9)	1998
Shiga-ken	47	16	1.411	plenary(S62)	1982
Kyoto-fu	60	25	2.636	plenary(H7)/ standing(H19)	1963
Osaka-fu	109	62	8.865	plenary, standing(S46)	1954
Hyogo-ken	89	41	5.588	plenary, standing(S61)	1963
Nara-ken	44	16	1.401	plenary(H3)/ standing(H17)	2002
Wakayama-ken	42	14	1.002	plenary(H1)	1982
Tottori-ken	35	9	0.589	plenary(H7)	2003
Shimane-ken	37	14	0.717	plenary(H7)/ standing(H13)	1966
Okayama-ken	56	20	1.945	plenary(H2)	<b>Nothing</b>

Hiroshima-ken	66	23	2.861	plenary(H3)	<b>Nothing</b>
Yamaguchi-ken	49	15	1.451	plenary(H8)	<b>Nothing</b>
Tokushima-ken	41	14	0.785	plenary(H5)	1974
Kagawa-ken	41	13	0.996	plenary(H3)	1974
Ehime-ken	47	13	1.431	plenary(H3)/ standing(H19)	<b>Nothing</b>
Kochi-ken	39	16	0.764	plenary(H7)/ standing(H10)	1966
Fukuoka-ken	86	46	5.072	plenary(H7)/ standing(H12)	<b>Nothing</b>
Saga-ken	38	13	0.850	plenary, standing(H11)	1974
Nagasaki-ken	46	16	1.427	plenary, standing(H8)	2002
Kumamoto-ken	49	22	1.817	plenary(H1)/ standing(H18)	<b>Nothing</b>
Oita-ken	44	16	1.197	plenary(H1)	<b>Nothing</b>
Miyazaki-ken	39	14	1.135	plenary(H12)	<b>Nothing</b>
Kagoshima-ken	51	21	1.706	plenary(S60)/ standing(H7)	1982
Okinawa-ken	48	14	1.393	plenary(S45)	<b>Nothing</b>

Meanwhile during local election times in Japan, every voter can't have information in the same league, because announce of pledge on local assembly candidates is enacted on their own by each ordinance not by Election Law. So, the 14 local assemblies of 47 To-Do-Fu-Ken hold local election without candidates' pledges: Niigata-ken, Fukui-ken, Yamanashi-ken, Gifu-ken, Aichi-ken, Okayama-ken, Hiroshima-ken, Hiroshima-ken, Yamaguchi-ken, Ehime-ken, Fukuoka-ken, Kumamoto-ken, Oita-ken, Miyazaki-ken, Okinawa-ken (Table 2). In contrast, to establish and distribute the candidates' pledges during the elections of chief executive and parliamentary elections are required by Election Law in Japan.

### *Seoul Metropolitan Council in Korea*

Prior to overview of Seoul Metropolitan Council, take brief look at historical change of local autonomy system in Korea because of the great upheavals that Korean society has experienced in modern and present age. Korea has been a highly centralized country for centuries, though Korea has a long history of local autonomy characterized by informal, voluntary institutions for the purpose of increasing mutual help among people. During the late period of the Chosun Dynasty and the Japanese colonial period (1910-1945), the central government, as the only governing body in the nation, exercised absolute power over the country and its population. All the important local administrators were directly or indirectly appointed by the central government and local councils did not exist before local election was resumed in 1991 for local councils and in 1995 for elected provincial governors and mayors. The historical background of centralized government in Korea, from the late nineteenth century to the end of World War II, meant that local affairs were administered by

field offices of the central government.

From the time of the Japanese occupation (1910-1945) to the end of the American military government (1945-1948), local autonomy was either accidental or an aberration. Nevertheless, local autonomy as an institutional underpinning for democracy aroused great interest among the people in the immediate post-war and post-colonial period. The First Republic (1948-1960) promoted a constitutional mandate for the establishment of local autonomy. Local autonomy was guaranteed as a basic tenet of democracy under the Republic's first Constitution in 1948, and enacted the Local Autonomy Law in 1949. The Law provided that local governments consist of local councils and executive bodies and that only the members of the council be elected by direct popular vote, while the chief executive was to be appointed by the central government. However, between 1956 and 1960 the electoral system was changed to allow for the election of the chief executive. In 1960 it was changed again and the appointment system was reintroduced. Although local autonomy in Korea often incurred serious conflicts between the executive body and the council, it matured gradually. In 1961 however, local autonomy was completely dismantled by the Military Revolutionary Committee, which local autonomy was not restored until the Fifth Republic (1980-1988) took a little different attitude toward the local autonomy by courtesy of pro-democracy movement. It declared that it would soon reinstate the local councils. The government of the Sixth Republic (1988-1992) also made a public commitment to grant local autonomy. In March and June 1991, both elections for lower-level and upper-level local council members were held. But the election for the chief executive of both levels of local governments was again postponed until 1995 under the rhetoric of ensuring a more stable settlement of local autonomy. In June 1995, being elected a total of 245 members for both local council members and the chief executives, this was the genuine beginning of local autonomy in Korea.

All the local governments including Seoul Metropolitan City in Korea have the governing structure similar to the strong mayor-council system in the US under the influence during the period of the American military government (1945-1948) as same historical condition with Japan. They have the chief executives and local councils are elected by direct popular vote for a four-year term. The first election of a local council was scheduled for May 10, 1952. However, the election for the Seoul Metropolitan Council could not be held as planned due to the outbreak of the Korean War on June 25, 1950. Three years after the truce, the first Seoul Metropolitan Council was organized in 1956, and the second was opened in 1960, but was soon dissolved by Military Administration in 1961. So the local autonomy system was revived thirty year later, through direct voting the Seoul Metropolitan Council is opening from the third in 1991 to the present eighth council (KRILA 2011).

Different from chief executives and lower-level local councils, Seoul Metropolitan Council members including the upper-level council are elected in a little different way. While ten out of eleven are elected by the popular vote, the remaining one is selected



through a proportional representation system that was adopted just before the 1995 election. Nevertheless, if the calculated full member of the proportional representative regional council numbers is fewer than three, it will be three. The main purpose of proportional representation is of course to prevent the excessive one party domination in local councils. Political parties can nominate candidates and conduct campaigns for the chief executives and upper-level local council members, but they are not allowed to get involved in the lower-level council elections.

Since the executive body and the council are expected to check and balance each other, each of them is endowed with proper legal authorities. First of all, the local council has the authority to represent citizens' interests and to oversee local administration. It can initiate a bill with the signatures of either more than ten council members, or one fifth of the total council members. It also has the exclusive authority to pass local ordinances and to decide on important policy issues within the domain of local governments. The first clause of the Article 35 of the Local Autonomy Law exemplifies some of these important issues as follows: Enactment, revision and abolishment of ordinances; Review and approval of budgets; Approval of settlement of accounts; Imposition and collection of user fees, commission, allotted charges, local taxes and entrance fees; Establishment and disposal of public facilities; Acceptance and resolution of petitions; Matters concerning interchange and cooperation with foreign local governments; and Other matters under its competence pursuant to Act and subordinate statutes. The chief executive has the authority to control all the administrative affairs within the jurisdiction of local governments including policy formulation and implementation, personnel and financial management, organizational reengineering and so forth. The chief executive not only deals with the locally autonomous functions which are inherently local in nature, but also takes care of the functions delegated by the central government. Local councils cannot intervene in the delegated functions, which consist of about 50 per cent of the local government functions. In addition, the chief executive has veto power against the decision of the local council.

Seoul Metropolitan Council is comprised of 106 councilors including 10 proportional representative councilors, which per council represents 92,399 residents of as 9,794,304 populations in 2010 (Table 3).

Also, table 3 synthesizes the investigations on local councils of 16 which are 1 Special Metropolitan City of Seoul, 6 other metropolitan cities, and 9 provinces in Korea the following details: the numbers of assemblymen, Election districts, Population, Starting year to open to the public the minutes of local councils' sessions and committees at HP, and the existence to draw up a local councilors' election pledge in 2010. The total numbers of local councilors are 761 including 81 proportional representative councilors, and the numbers of average of that are 47.6. And, all of 16 local councils show opening to the public the information of minutes on standing committees as well as plenary session at their website (HP of local assemblies), since 1991 being revived the local autonomy system according opening principle of council minutes of every Council Regulation not the Free

**Table 3. Local Assembly in Korea (2010)**

Region	Council Member (Proportional)	Districts	Population (2010)	Open to the Public	Election pledge (Ordinance enactment year)
Seoul	<b>106(10)</b>	<b>96</b>	<b>9,794,304</b>	plenary, standing(1991)	<b>1991</b>
Busan	47(5)	42	3,414,950	plenary, standing(1991)	1991
Daegu	29(3)	26	2,446,418	plenary, standing(1991)	1991
Inchon	33(3)	30	2,662,509	plenary, standing(1991)	1991
Gwangju	22(3)	19	1,475,745	plenary, standing(1991)	1991
Daejeon	22(3)	19	1,501,859	plenary, standing(1991)	1991
Ulsan	22(3)	19	1,082,567	plenary, standing(1991)	1991
Gyeonggi	124(12)	112	11,379,459	plenary, standing(1991)	1991
Kwangwon	42(4)	38	1,471,513	plenary, standing(1991)	1991
Chungbuk	31(3)	28	1,512,157	plenary, standing(1991)	1991
Chungnam	40(4)	36	2,028,002	plenary, standing(1991)	1991
Jeonbuk	38(4)	34	1,777,220	plenary, standing(1991)	1991
Jeonam	57(6)	51	1,741,499	plenary, standing(1991)	1991
Gyeongbuk	58(6)	52	2,600,032	plenary, standing(1991)	1991
Gyeongnam	54(5)	49	3,160,154	plenary, standing(1991)	1991
Jeju	36(7)	29	531,905	plenary, standing(1991)	1991

Access to Information Ordinance. In addition, during local election times on local council as well as chief executive in Korea, every voter can have information in the same league, because it is required by Election Law to establish and distribute the candidates' pledges since 1991 (Table 3).

## **VI. Rules-in-Use on Tokyo Metropolitan Assembly and Seoul Metropolitan Council**

Rules-in-Use will analyze comparing the institutional condition both Tokyo Metropolitan Assembly and Seoul Metropolitan Council to improve representative performance (outcomes) on one factor in three areas of one objective in IAD, are shared understandings among those involved that refer to enforced prescriptions about what actions are required, prohibited, or permitted as formal laws.

### ***The Sessions and Committees of Local Assembly and Local Council***

In Japan, the convocation of the assembly is the power of the governor, but when the convening of a special session is requested by one-fourth or more of the fixed number of assembly seats, the governor must convene a special session. The session is opened with the

declaration of the president at the opening session. As a rule, attendance by a quorum attendance of more than half of fixed number of assembly seats is required. The president guides the session in accordance with the proceedings schedule of the day. The Tokyo Metropolitan Assembly is held regularly four times a year, in February, June, September and December by ordinance. These are called "ordinary sessions." Usually each "ordinary session" lasts about 30 days, though the ordinary session that involves deliberation on the budget lasts for about 60 days. Also, the assembly may be convened as necessary for "special sessions." Tokyo Metropolitan Assembly must efficiently deliberate over a large number of bills and petitions within a limited period of each session. In 2011, the Tokyo Metropolitan Assembly had held for total 91 days (Table 4), and the committee system is organized to examine specific matters in detail before a vote is taken at the plenary session, which is consisted of 10 standing committees and 1 special committee in current 2012 (Table 5).

**Table 4. Annual session Schedule at Tokyo Assembly and Seoul Council (2011)**

	Tokyo		Seoul	
	Ordinary session	1 <sup>st</sup> 2 <sup>nd</sup> 3 <sup>rd</sup> 4 <sup>th</sup>	32 15 28 16	1 <sup>st</sup> 2 <sup>nd</sup>
Special session			1 <sup>st</sup> 2 <sup>nd</sup> 3 <sup>rd</sup> 4 <sup>th</sup> 5 <sup>th</sup>	10 15 15 15 15
Total	91 days		130 days	

**Table 5. Committees of Local Assembly in Tokyo and Local Council in Seoul**

	Tokyo Metropolitan Assembly (10,1)	Seoul Metropolitan Council (11,2)
Standing Committee	Council Steering Committee, Administration Committee, Finance Committee, Culture and Education Committee, Public Enterprise Committee, Urban Development Committee, Welfare Committee, Economy and Harbor Committee, Environment and Construction Committee, Disaster Prevention Committee	Council Steering Committee, Administration Committee, Finance and Economy Committee, Culture, Sports and Tourism Committee, Education Committee, City Planning Management Committee, Construction Committee, Transportation Committee, Environment and Water Resource Committee, Health and Welfare Committee, Public Safety Committee
Special Committee	On Budget and Accounts	On Budget and Accounts, On Ethics

The ordinary session of the Seoul Metropolitan Council is held twice each year within 60 days. The Ordinance of government prescribes the date of local council and other matters necessary for operation of the ordinary session. The chairman of local council convenes the special session within fifteen days after receiving a request from the chief executive of the local government or from one-third or more of all the registered councilors, which each special session can be held within 20 days basically, but can extend it for 140 days. The Seoul Metropolitan Council had held for total 130 days including 5<sup>th</sup> special sessions in 2011 (Table 4), and the committee system is organized by 11 standing committees and 2 special committees in 2012 becoming more specialized than that of Tokyo (Table 5).

### ***The Comparison in connection with Rules-in-Use***

First of all, comparing with Local Autonomy Law between Japan and Korea, through Japan's local autonomy system has adopted the "presidential system" in an effort to ensure separation of powers between the chief executive and the assembly of the local government, as a mechanism whereby democratic local public administration is achieved through mutual checks and balances on their respective powers. But, the chief executive not only holds dominant position over the local assembly, but also is easy to create conflict than the relation of both sides in Korea. In the event of an ongoing conflict that proves incapable of resolution between the chief executive and the assembly in Japanese local government, the assembly may conduct a vote of no confidence in the chief executive. If a no-confidence motion is adopted, the chief executive may, in turn, dissolve the assembly. There is no article for no-confidence in the chief executive and dissolution of the council in Korea (Table 6). In case of discretionary action, both countries have discretionary action, which is the exercise by the chief executive in certain situations of powers normally held by the assembly. In this case, any such discretionary action must subsequently be approved by the assembly. However, even if such approval is not obtained, although the political responsibility of the chief executive remains, the validity of the discretionary action in question is not affected in Japan, otherwise the chief executive have to report to the council for ex post facto approval or it is invalidity if the local council disagrees in Korea (Table 6). As mentioned before, authority to convene the assembly belongs to the chief executive in Japan, but on their own of local council in Korea (Table 6). It is either possible to be easy to open the session as well, required 1/3 or more attendance on register among local councilors in Korea than 1/2 or more attendance on register among local assemblymen in Japan just like submission of Bill (table 6). Korean local councils impose special committee on ethics and Code of Ethics to improve ethical qualification of local councilors recently. Especially, by introducing a pre-announcement of legislation, they try to secure specialty and transparency of local councils in Korea. Concerning disclosure of local council, every local council in Korea shows opening to the public the information of minutes on standing committees as well as plenary session at their website (HP of local assemblies), since 1991

**Table 6. The Institutional Comparison of Local Assembly in Japan and Local Council in Korea**

	Japan	Korea
Relations between Governors and Assemblies(Councils)	No-Confidence Votes Council Dissolution(Article 178)	Nothing
Discretionary Action	Validity even if the assembly disagrees (Article 179)	Reports to the council for ex post facto approval Invalidity if the council disagrees(Article 109)
Convocation of Assembly(council)	By Governor (Article 101)	On their own (Articles 44,45)
Open Session	1/2 or more attendance on the register (Article 103)	1/3 or more attendance on the register (Article 63)
Ethical Duty	Nothing	Special Committee on Ethics ; Article 57 Code of Ethics (Articles 36,38)
Submission of Bill	1/12 approval on the register (Article 102-2)	The joint signature of 1/5 or more 10 members on the register, Or governor (Article 66)
A Pre-Announcement of Legislation	Nothing	Publishing on the Public Bulletin or HP More 5 days : screening bylaws in council (Article 66-2) More 20 days : amending the relevant laws by governor (Administrative Procedures Act, Article 43)
Disclosure of Assembly (Council) Minutes	The Free Access to Information Ordinance (Every Assemblies) ; Opening meeting with valid reason	The Council Regulation (Every Councils) ; Opening Principle of Council Minutes
Support System	130 members (2010)	249 members (2012)

being revived the local autonomy system according opening principle of council minutes of every Council Regulation not the Free Access to Information Ordinance as that of Japan. Also, there disposes 249 numbers of Secretariat members to support activity of Seoul metropolitan council in 2012, comparing 130 members in Tokyo (Table 6).

## **VII. The Different Outcomes of Activity between Tokyo Metropolitan Assembly and Seoul Metropolitan Council**

The analysis on making use of the IAD framework focuses on behavior in the action arena, which includes the action situation, and individuals and groups who are routinely involved in the situation (actors). In addition, one objective of the analysis is to identify factors in each of three areas that influence the behavior of individuals and groups in the policy

situation: physical and material conditions, community attributes, and rules-in-use. Two other objectives are to identify and evaluate patterns of interactions that are logically associated with behavior in the action arena, and outcomes from these interactions.

Finally, the different design of “Rule-in-use” as one fundamental condition of institution resulted in the different performances of local assemblies’ activity as outcomes between local assembly in Japan and local council in Korea. In other words, the different degree and design of rule-in-use on disclosure of information about local assembly’s activity such as sessions, committees, and a pre-announcement of legislation, etc., as well as relations between chief executive and local assembly (council) might derive the difference of numbers on ordinances sponsored by local assembly (council). Table 7 is the result of comparing the numbers of ordinance sponsored by Governor and by local assembly (council), which the ordinance ratio sponsored by Tokyo metropolitan assembly is nothing but 4.6%, otherwise that by Seoul metropolitan council is 47.8% almost half of total ordinance from 2005 to 2010.

**Table 7. The Numbers of Ordinance Sponsored by Governor vs. Assembly (Council)**

	Tokyo			Seoul		
	By Governor	By Assembly	Total	By Governor	By Assembly	Total
2005	165	7	172	56	114	171
2006	177	7	184	95	120	215
2007	137	6	143	73	52	125
2008	149	14	163	99	35	134
2009	104	4	108	81	36	117
2010	105	2	107	72	78	150
Total	837	40	877	476	435	912
percentage	95.4	<b>4.6</b>	100.0	52.2	<b>47.8</b>	100.0

Tokyo Metropolitan Assembly HP (<http://www.gikai.metro.tokyo.jp/>)

Seoul Metropolitan Council HP (<http://www.smc.seoul.kr/main/index/index006.jsp>)

## VIII. Conclusion

Yet the very stability of elected representatives and electoral institutions means that they are several potential mechanisms of responsibility, accountability and fairness than other representation forms are typically categorized as participatory democracy, direct democracy, or deliberative democracy.

Meanwhile, Burke (1854; 446-8) believes that part of the duty of a representative was not simply to communicate the wishes of the electorate but also to use their own judgment in the exercise of their powers, even if their views are not reflective of those of a majority of voters: their wishes ought to have great weight with him. It is his duty to sacrifice his repose,

pleasures, and satisfactions to prefer their interest to his own. But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you. Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion.

If it is so, this paper tried to answer the normative questions what local assembly as democratic institutions should do. In addition to it, what is fundamental condition for improving representative performance of local assembly.

This paper suggests that such local political bodies might function as an important supplement to existing forms of representation to move closer to ideal representative democracy over minimizing exclusion of citizen, focused on these features of local assemblies adapting themselves to decentralization as new circumstance on local democracy in Japan and Korea. To the extent that compares with institutions on Tokyo Metropolitan Assembly in Japan and Seoul Metropolitan Council in Korea by using Institutional Analysis and Development (IAD) framework for analysis, the degree and institutional design of informational disclosure on local assembly's activity may also be important factors that determine the level of representativeness as local democracy in institutional context. More to the point, by institutional design, institution is able to be more inclusive and provide vehicles for both elite and mass participation better. It provides opportunities for improving representation of local assembly, for citizens' participation and for building relationships and trust within defined structures.

Institutional design entails complexity and interdependence between elected non-elected sectors, between national and local governments, and between public, private, voluntary and community sectors. Such complexity is institutional capacity to new and different institutions taking decisions that might previously have been taken by bodies with a more traditionally recognizable framework for public accountability and representation.

## Notes

<sup>1</sup> In Japan, the Omnibus Decentralization Act established in July 1999 has revised the comprehensive powers of control and supervision that central and prefectural governments had over municipalities, with involvement restricted to cases where it is provided for in laws or the ordinances based on such laws. Interference is kept to a minimum, and must conform to certain basic patterns. Furthermore, the laws stipulate that the autonomy and independence of local authorities must be taken into account. Laws relating to local government have also been amended, which has resulted in the abolition of the approval system for local government bond offering, the creation of a system by which local government can relay its opinions concerning the calculation of Local Allocation Tax, and the abolition from the Local Tax Law of the approval system for non-statutory general taxes. Together these changes are transforming the superior/inferior and servant/master relationship between central and local governments that has existed in the past into relationships based on equality and cooperation (CLAIR 2006: 7). Also in Korea, under the Kim Daejung and Roh Moohyun governments, more comprehensive plans

for decentralization such as Law for the Promotion of Transfer of Central Authorities (Jan., 1999), Decentralization Roadmaps (2003) and Special Law on Decentralization Promotion (2004). These laws emphasize delegation of central affairs to local governments, delegation of the authority of public security (police) and creation of local police, delegation of the authority of public education to local governments (educational autonomy), abolition of special administrative agencies (SAA-local offices of central ministries), rationalization of national and local tax system (raising the rate of local allocation tax), and enhancement of authority of local councils (strengthening the authority of local legislation) (Ministry of Government Administration and Home Affairs: MOGAHA 2003).

<sup>2</sup> Over the last two decades, growing concerns about democratic deficit in liberal democracies have prompted widespread experimentation with new public engagement devices such as citizen juries and panels, advisory councils, stakeholder meetings, lay members of professional review boards, representations at public hearings, public submissions, citizen surveys, deliberative polling, deliberative forums, focus groups, and advocacy group representations (Cain and Scarrow 2003; Gastil and Levine 2005; Fung 2006).

<sup>3</sup> According to the result of citizens' evaluation from the opinion poll to the decentralization by cabinet office, government of Japan in 2007, the percents of citizens content with the status quo of local assembly are as in the following: ; very satisfied with (1.1%), so satisfied with (31.4%), **so not satisfied with (46.9%), absolutely not satisfied with it (13.6%)**, and don't know (7.0%). Also, the reasons which citizens weren't content with the status quo of local assembly are as in the following: **because activities of local assembly didn't go the round of citizens (53.3%)**, because they don't check the affairs of local administration (33.2%), because they are lax in morals (32.5%), because they aren't transparent so for them political deal takes priority over citizens' interests (29.3%), because they have low legislative ability (18.6%) (Cabinet office, government of Japan 2007).

<sup>4</sup> Physical and material conditions mean the physical and human resources and capabilities related to providing and producing goods and services. These conditions include production inputs like capital, labor, and technology, as well as sources of finance, storage, and distribution channels. It is important to specify these conditions because they have significant implications for policy design, politics, and collective action, which are all critical aspects of the policy-making process. (Ostrom 2011: 10-12).

<sup>5</sup> The attributes of a community that affect a policy action situation include the demographic features of the community, generally accepted norms about policy activities, the degree of common understanding potential participants share about activities in the policy area, and the extent to which potential participants' values, beliefs, and preferences about policy-oriented strategies and outcomes are homogeneous (Ostrom 2011: 21-23).

<sup>6</sup> The types of rules the IAD framework asks to consider in an institutional analysis are closely linked to the elements of an action situation. When we analyze rules-in-use in the action arena, we concentrate on the operating rules that are commonly used by most participants and on the sources of these rules, rather than on rules that can be articulated but are not widely observed. There are seven types of rules are considered in IAD framework: position, boundary, authority, aggregation, scope, information, and payoff rule. Position rules specify the set of positions or roles that participants assume in an action situation, and the number and type of participants who hold each position. Analysis of traffic policy for example, has drivers, pedestrians, a voluntary association (American Automobile Association), and traffic control officials. Boundary rules can be thought of as exit and entry rules: they specify which participants enter or leave positions and how they do so, e.g., rules related to licensing drivers or becoming employed as a traffic control official. Authority rules specify the actions participants in given positions may take, such



as the set of rules that governs what a traffic control officer may do when s/he stops a driver, or when one driver collides with another. Aggregation rules determine how analyzing both compliance and non-compliance helps us to better understand the incentive structure in the action arena. Scope rules specify the jurisdiction of outcomes that can be affected and whether these outcomes are or are not final. Information rules affect the amount and type of information available to participants in an action arena. Payoff rules determine how costs and benefits are meted-out in the action arena. In example, insurance rules, licensing rules, and traffic codes determine who bears the cost of driving violations in a traffic intersection and hence, the benefits of complying with different types of rules in the action situation (Ostrom 2011: 17-21).

<sup>7</sup> For example, key patterns of interaction in political-economic analyses typically include market structure, information flows, and the structure of political participation. Once the constraints of the physical and material world, community attributes, and rules-in use are taken into consideration, patterns of interaction flow logically from the behavior of actors in the action arena. Patterns of interaction refer to the structural characteristics of an action situation and the conduct of participants in the resulting structure. In tightly constrained policy action situations with little or no uncertainty, participants have a limited range of strategies, and a policy analyst can make strong inferences and specific predictions about likely patterns of behavior (Ostrom 2011: 24-26). The IAD framework identifies key variables that researchers should use in evaluating the role of institutions in shaping social interactions and decision-making processes. The analytical focus of the IAD is on an “action arena”, where social choices and decisions take place. Three broad categories of variables are identified as influencing the action arena: institutions or rules that govern the action arena, the characteristics of the community or collective unit of interest, and the attributes of the physical environment within which the community acts (Ostrom 2005).

<sup>8</sup> The IAD further defines the key features of “action situations” and “actors” that make up the action arena. The action situation has seven key components: 1) the participants in the situation, 2) the participants’ positions, 3) the outcomes of participants’ decisions, 4) the payoffs or costs and benefits associated with outcomes, 5) the linkages between actions and outcomes, 6) the participants’ control in the situation, and 7) information. The variables that are essential to evaluating actors in the action arena are 1) their information processing capabilities, 2) their preferences or values for different actions, 3) their resources, and 4) the processes they use for choosing actions.

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