

Homeland Security Management: A Critical Review of Civil Protection Mechanism in Korea

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〈Abstract〉

The Framework Act on the Management of Disasters and Safety 2004(FAMDS) currently underpins Korean civil protection system, and under this FAMDS, Korean civil protection establishes a three-tiered government structure for dealing with crises and disasters: central government, provincial & metropolitan government, and local government tiers. In particular, the concept of Integrated Emergency Management(IEM) emphasizes that emergency response organizations should work and act together to respond to crises and disasters effectively, based on the coordination and cooperation model, not the command and control model. In tune with this trend, civil protection matters are, first, dealt with by local responders at the local level without direct involvement of central or federal government in the UK or USA. In other words, central government intervention is usually implemented in the UK and the USA, only when the scale or complexity of a civil protection issue is so vast, and thus requires a degree of central government coordination and support, resting on the severity and impact of the event.

In contrast, it appears that civil protection mechanism in Korea has adopted a rigid centralized system within the command and control model, and for this reason, central government can easily interfere with regional or local command and control arrangements; there is a high level of central government decision-making remote from a local area. The principle of subsidiarity tends

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to be ignored. Under these circumstances, it is questionable whether such top-down arrangements of civil protection in Korea can manage uncertainty, unfamiliarity and unexpectedness in the age of Risk Society and Post-modern society, where interactive complexity is increasingly growing.

In this context, the study argues that Korean civil protection system should move towards the decentralized model, based on coordination and cooperation between responding organizations, loosening the command and control structure, as with the UK or the USA emergency management arrangements. For this argument, the study basically explores mechanisms of civil protection arrangements in Korea under current legislation, and then finally attempts to make theoretical suggestions for the future of the Korean civil protection system.

Key words : Civil Protection, Emergency Management, Integrated
Emergency Management, Framework Act on the Management
of Disasters and Safety 2004, Risk Society, Postmodernism,
Coordination and Cooperation

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I. Introduction

The Framework Act on the Management of Disasters and Safety 2004 (FAMDS) currently upholds the basic legislative structure of Korean civil protection management. Before the FAMDS, the basic legislation in Korea adopted a tripartite system, consisting of ‘civil defence’, ‘natural disasters’, and ‘man-made disasters’. Those three types of disasters had been managed by the three corresponding acts: the Framework Act on Civil Defence(FACD), the Countermeasures against Natural Disasters Act(CNDA), and the Disaster Management Act(DMA). In particular, the FAMDS introduced the concept of Integrated Emergency Management(IEM), for example, by using the integrative term, ‘disaster’. However, despite these efforts, civil protection preparedness and response arrangements in Korea do not seem to be integrated within and between emergency responding organizations, yet(KNPU, 2010).

In the Republic of Korea society, ‘Civil Protection’(usually referred to as ‘Emergency Management’) has not been a very well-known or respected discipline. Many in the pro-

fession were holdovers from the days of civil defence, and most of the elected officials did not see the value of emergency management until they had a major disaster in their communities. To make matters worse, the field of emergency management in Korea seems to be dominated by two categories of emergency personnel - fire fighters and civil engineers -without active involvement of other responders or professionals(Ha, 2009). In this context, the roles of the Korean police at disaster scenes tend to be considered, in isolation from the wider context of the whole civil protection or emergency management(Kim, 2009b). Consequently, their roles have been diminished to simply maintaining or restoring public order and peace in a disaster situation(Kim and Lee, 1998), or responding to terrorist attacks.

Such a current Korean civil protection system might be insufficient to handle newly-emerging risks in 'Risk Society', where uncertainty, complexity, and multiplicity of new technologies are increasing at an unprecedented rate(Beck, 1992), or in 'Post-modern society', where complexity is also increasingly growing(Browning and Shelter, 1992). In this context, this study aims to critically examine the current Korean approaches to civil protection, presenting a general overview of Korean emergency management development. Through this process, this study will suggest the future directions of Korean civil protection mechanism by conducting theoretical analysis and discussion of the problems lurking in the current civil protection system. This paper commences by introducing the Constitutional perspective of civil protection in Korea.

II. Constitutional Perspective of Civil Protection in Korea

Article 34, Section 6 of the Constitution of the Republic of Korea tasks the State with responsibility for civil protection - i.e. the management of disasters, by stipulating that the State shall endeavor to preclude disasters and to protect citizens from harm therefrom. In other words, the central government is primarily responsible for the management of all kinds of disasters in Korea. On the other hand, Article 117, Section

1 of the Constitution also articulates that local governments shall handle administrative matters pertaining to the welfare of local residents, manage properties, and may enact provisions relating to local autonomy, within the limits of acts and regulations. Therefore, it is recognized that not only the central government but also local governments have the basic responsibility for providing for the safety of their citizens in South Korea.

In practice, a majority of civil protection matters, such as crises and disasters, are managed by local responders at the local level with the central government in a subsidiary role. However, the relationship between the central government and local governments, generally speaking, seems to be founded on the concept of command and control, rather than that of coordination and cooperation, contrary to the UK or USA system(Kim, 2009b). Notably, political leadership at the central government level has a very strong influence on how local governments handle their responsibilities, when it comes to disaster management(Choi and Ryu, 2006). Understanding the history and development of civil protection system is of great significance because the concepts of emergency management or civil protection have been applied differently at different times. Therefore, the following section intends to briefly look at the history and development of civil protection mechanism in Korea.

III. History and Development of Civil Protection Arrangements in Korea

The Korean peninsula, currently occupied by two different countries: the Republic of Korea(South Korea) and the Democratic People's Republic of Korea(North Korea), covers a total area of 222,514 square kilometers; roughly the same size as Britain. In contrast, the Republic of Korea, which the paper is associated with, encompasses a total of 100,032 square kilometers, with a population of approximately 50 million as of April 2010(KOSIS, 2010). It extends southwards for about 684 miles from continental Asia into the Pacific Ocean in East Asia. South Korea is surrounded by the East Sea on

the east, the East China Sea to the south, the Yellow Sea to the west, while the Korea Strait connects the first two bodies of water. South Korea has a continental climate with four distinctive seasons, especially characterized by drought in spring, heavy rainfall and typhoons in summer, and heavy snowfall in winter. These geographical and climate conditions and characteristics have caused a great number of natural disasters in South Korea(Kim and Lee, 1998).

Korea had been a single political entity whose territory approximately coincided with the Korean peninsula until Korea was annexed by Japan in 1910. The Korean peninsula had been ruled by Japan from 1910 to 1945. However, in August 1945, Japan was defeated by the Allies, and consequently Korea was emancipated from the Japanese colonial rule. However, it was not considered as a complete independence for Korea, in that the Korean peninsula was soon divided into two countries along the 38th parallel, with the United States' Army occupying South Korea and the communist Soviet Union's Army occupying North Korea(Pyo, 2000). The 38th parallel increasingly became a hot spot between the two Koreas as their conflict was expanded by the United States and the Soviet Union's involvement as part of the larger Cold War. Finally, the Korean War began as North Korean troops invaded South Korea on 25 June 1950. In the beginning, the Korean War was viewed as a civil war between the two rival Koreas, but soon developed into a political clash between the communist and the capitalist worlds, or an armed conflict of two superpowers by proxy(Moon and Lee, 1995). Military confrontation with North Korea has remained acute and protracted since the Korean War in 1950, and the two Koreas still remain divided until now. Under these circumstances, higher priority seems to have been assigned to civil defence than any other activities(Kim, 1998; Ha, 2009). In this regard, emergency response organizations at the local level have acted as part of a 'military-like', line organization structure under the direction of the central government.

As previously mentioned, before the FAMDS 2004, South Korean civil protection arrangements were fragmented into natural, man-made, and civil defence disasters, predicated on the Framework Act on Civil Defence(FACD), the Countermeasures against Natural Disasters Act(CNDA), and the Disaster Management Act(DMA) (See Table 1).

Modern civil protection system in Korea received official recognition in the Framework Act on Civil Defence(FACD) 1975, preparing for military attacks from North Korea(Lee, 2006). According to Article 2 of the FACD, 'civil defence' was defined as any measures of the public for protecting their lives and property from an attack by an enemy or a disaster under the direction of the government, which may jeopardize public peace and order in a place of the Republic of Korea. However, with an increasing number of natural disasters, such as floods and typhoons in the 1980s, Korean civil protection system commenced to radically evolve into natural disaster planning. For this purpose, the CNDA was passed in December 1995, primarily to manage all sorts of natural disasters occurring in South Korea. In the meantime, as an unprecedented series of man-made disasters have occurred in the 1990s, the then Korean government enacted the DMA in June 1995 in order to cope with man-made disasters more comprehensively. Particularly, the Sampoong department store collapse in 1995, where 502 people were killed and 938 people injured, facilitated the enactment of the DMA decisively.

In passing the FACD, the CNDA and the DMA, the Korean civil protection arrangements commenced to assume the form of a tripartite system, grounded on three kinds of disasters: civil defence, natural disasters, and man-made (especially technological) disasters. However, the then Korean civil protection system was defined by "types of a disaster, rather than by the responding functions"(Kim and Lee, 1998, p.199). For this reason, it was criticized that the then Korean government had accepted a hazard-specific approach - managing each disaster through enacting individual acts and resultant presidential decrees - not an 'all-hazards' strategy(Ha and Ahn, 2009). As a result, it was strongly recommended that emergency planning should be built around, not the cause of a disaster, but the response to the disaster, by integrating operations under exceptional circumstances with day-to-day activities.

Table 1: Selected Key Legislation

- The Framework Act on Civil Defence 1975
- The Countermeasures against Natural Disasters Act 1995
- The Disaster Management Act 1995
- The Framework Act on the Management of Disasters and Safety 2004

In 2004, the government finally started to manage all types of disasters comprehensively, based on an all-hazards approach(or a multi-hazards approach) by enacting the Framework Act on the Management of Disasters and Safety 2004(FAMDS). In other words, the FAMDS 2004 has accommodated an integrated approach to civil protection or emergency management, and this was made explicit by employing the integrative term, 'disaster'. Furthermore, the FAMDS 2004 repealed outdated legislation, such as the DMA 1995. The Framework Act on Civil Defence 1975(FACD) and the Countermeasures against Natural Disasters Act 1995(CNDA) are still in existence, but both of them have been revised into simple administrative procedure acts, with regard to functions, organizations, and formation. In this regard, the FAMDS 2004 is currently recognized as a virtual core legislative framework in Korean emergency management. Noticeably, the Daegu subway fire disaster in 2003 added a strong impetus to the re-establishment process of the Korean civil protection system, promoting the enactment of the FAMDS 2004(Ha, 2009; Kim, 2009b).

When it comes to organizational change, in June 2004, the Korean National Emergency Management Agency(NEMA) was established by emulating the Federal Emergency Management Agency(FEMA) of the United States, which was triggered, in part, by the Daegu subway fire disaster(Jeong, 2006). Similar to FEMA, NEMA is not an independent agency but a subordinate organization within the Ministry of Public Administration and Security(MOPAS). The NEMA serves as an official government agency, charged with the management and coordination of natural and man-made disasters at the central government level in accordance with the FAMDS 2004. The NEMA is acknowledged as the first specialized national emergency management organization in Korean history(Jeong, 2006). However, the NEMA does not have a role

in maintaining law and order, and this role is conducted by the Korean National Police Agency(KNPA), the centralized police force, which is also under the supervision of the MOPAS.

IV. Framework Act on the Management of Disasters and Safety 2004

1. General Overview

The Framework Act on the Management of Disasters and Safety 2004 (FAMDS) is currently the legislative framework of the Republic of Korea civil protection system. According to Article 1 of the FAMDS, its major objective is to set up the disaster and safety management systems of the State (i.e. central government) and local governments, in order to preserve territory and to protect the lives, bodies, and property of citizens from disasters. Furthermore, the FAMDS aims to prescribe the necessary details, regarding the management of disasters and safety, such as disaster prevention, preparedness, response and recovery. Noticeably, Article 3 of the FAMDS mentions that a disaster causes, or is likely to cause, serious damage to not only peoples' lives, bodies and property, but also the State itself, thus providing the definition of 'disaster' as follows:

- Natural disasters caused by typhoons, floods, heavy rainfall, gales, wind waves, tidal waves, heavy snowfall, droughts, earthquakes, yellow dust, red tide, and any other equivalent natural phenomena
- Damage beyond a scale determined by the Presidential Decree, caused by fires, collapses, explosions, transportation accidents, CBR(Chemical, Biological and Radiological) accidents, environmental pollution, and any other similar accidents
- Damage caused by the disruption of national key infrastructure, such as a supply

of energy and water, telecommunication, transport, finance, health service, and the spread of a pandemic

The FAMDS 2004 enumerates three different kinds of disaster authorities: 'Responsible Authorities for Disaster Management(RADM)', 'Emergency Rescue Authorities(ERA)', and 'Emergency Rescue Assistance Authorities(ERAA)'. The Responsible Authorities for Disaster Management(RADM) consist of central government departments, local governments, and public institutions and organizations which are designated by the Presidential Decree. Constitution of the Emergency Rescue Authorities(ERA) incorporates three key governmental institutions, such as the Korean National Emergency Management Agency (NEMA), fire headquarters, and fire stations, prescribed by the FAMDS 2004. NEMA plays a highly pivotal role in providing national coverage of disaster management in terms of fire-fighting, emergency medical service, and rescue(NEMA, 2009). For this reason, the field of civil protection in Korea was historically considered as a unique function of fire departments or stations, aloof from police work, and nowadays, it is widely recognized that NEMA is in charge of overall coordination of disaster management in Korea(KNPU, 2010). Finally, the Emergency Rescue Assistance Authorities(ERAA) consist of support organizations, such as the Korean National Police Agency(NPA), the Korea Coast Guard(KCG), the Korean Meteorological Administration(KMA), the Korean Forest Service(KFS), etc., all of which are prescribed in the Presidential Decree.

When it comes to training and exercises for emergency preparedness, Article 73 of the FAMDS 2004 states that the Minister of the Ministry of Public Administration and Security(MOPAS), the Heads of the Emergency Rescue Authorities(ERA), metropolitan city mayors or provincial ("Do") governors, and the heads of "Si/Gun/Gu"s (which will be explained in detail in the following sections) have a statutory responsibility to conduct (multi-agency) emergency preparedness 'training' on a regular basis in conjunction with partner agencies. Unfortunately, there are no regulations, regarding the holding of 'exercises'. The partner agencies must participate in the aforementioned training on request, unless there are special reasons for not attending. The FAMDS 2004

introduced the concept of Integrated Emergency Management(IEM), which is comprised of four activities: 'prevention and mitigation', 'preparedness', 'response', and 'recovery', strikingly similar to the USA system(Ha, 2009).

2. Civil Protection Preparedness, Response, and Recovery Arrangements

1) Central Government Level

Under the FAMDS 2004, Korea establishes a three-tiered governmental structure for civil protection: central government, provincial & metropolitan government, and local government tiers(See Table 2). At a central government level, there exists the Central Safety Management Committee(CSMC), chaired by the Prime Minister. The CSMC is intended to review, control and coordinate the overall national safety management policy, and further to coordinate the disaster and safety management activities between relevant government departments at different levels in terms of emergency preparedness. Membership of the CSMC consists of ministers of central government departments, such as the Ministry of Public Administration and Security(MOPAS), the Ministry of Strategy and Finance(MSF), the Ministry of National Defence(MND), the Ministry of Education, Science and Technology(MEST), etc. The Korean National Emergency Management Agency(NEMA) currently conducts the task of the secretariat for the CSMC.

However, in the event of a large-scale(usually nation-wide) disaster, the Central Disaster and Safety Countermeasures Headquarters(CDSCH) can be established under the leadership of the Minister of the Ministry of Public Administration and Security (MOPAS), in order to provide follow-up countermeasures, such as operational assistance. The main purpose of the CDSCH is to ensure a fast, efficient and combined response and recovery, when the dimensions of a disaster are so vast and complicated that central government's command and control is so vital. CDSCH has nearly an identical membership with CMSC, but CDSCH's membership additionally contains governmental

agencies and offices, such as the Korean National Police Agency(NPA), the Korea Coast Guard(KCG), the Korean Meteorological Administration(KMA), the Korea Forest Service(KFS), and the Public Procurement Service(PPS). When it comes to search and rescue, there exists the Central Emergency Rescue Control Group(CERCG), and its role is to coordinate, and further to command and control all of the national rescue activities under the leadership of NEMA Administrator.

Table 2: Three-tiered Structure for Disaster Management in Korea

Structure (Disaster Scale)	Disaster Management Organization
Central Government Level (Large-scale)	Central Safety Management Committee (CSMC), Central Disaster and Safety Countermeasures Headquarters (CDSCH) Central Emergency Rescue Control Group (CERCG)
Regional Level (Middle-scale)	“City/Do” Safety Management Committee (CDSMC) “City/Do” Disaster and Safety Countermeasures Headquarters (CDDSCH) “City/Do” Emergency Rescue Control Group (CDERCG)
Local Level (Small-scale)	“Si/Gun/Gu” Safety Management Committee (SGGSMC) “Si/Gun/Gu” Disaster and Safety Countermeasures Headquarters (SGGDSCH) “Si/Gun/Gu” Emergency Rescue Control Group (SGGERCG)

2) Provincial & Metropolitan (Regional) Level

The present administrative divisions of South Korea can be divided into seven metropolitan cities(“City”) including one special metropolitan city(Seoul, capital of South Korea), and nine provinces(“Do”) including one special autonomous province, Jeju. These are further subdivided into 75 cities(“Si”), 86 counties(“Gun”), and 69 autonomous wards(“Gu”). A “Gu” is strikingly similar to a borough in London or New York. Figure 1 illustrates the current arrangements of administrative districts in South Korea. At a provincial & metropolitan level, the “City/Do” Safety Management Committee(CDSMC), whose main duties are basically the same as the Central Safety Management Committee(CSMC), can be convened, when a middle-scale(regional) disaster occurred in their areas.

The CDSMCs are set up under the leadership of each metropolitan city mayor or provincial(“Do”) governor. Similar to the Central Disaster and Safety Countermeasures

Headquarters(CDSCH), there exists “City/Do” Disaster and Safety Countermeasures Headquarters(CDDSCH) under the chairmanship of metropolitan city mayors or provincial governors. The CDDSCH is the equivalent of the CDSCH of a central government level. Membership of CDSMC and CDDSCH is decided by their regional ordinances. Similar to the Central Emergency Rescue Control Group(CERCG), there exists the “City/Do” Emergency Rescue Control Group(CDERCG) at a regional level. The CDERCG is operated under the leadership of the Commissioner of each fire department, who is accountable to metropolitan city mayors or provincial governors for his or her search and rescue activity.

3) Local level

At a local level, there exist the “Si/Gun/Gu” Safety Management Committee (SGGSMC) and the “Si/Gun/Gu” Disaster and Safety Countermeasures Headquarters (SGGDSCH). Both of them are established under the responsibility of the head of “Si/Gun/Gu”s, when a small-scale (local) disaster occurs in each locality. Each head of the “Si/Gun/Gu” mirrors the responsibilities and authorities of mayors of the metropolitan city or provincial governors. The SGGSMCs and the SGGDSCHs are the equivalent of the CSMC and the CDSCH of a national government level, respectively. Autonomous wards(“Gu”) are part of metropolitan cities(“City”), and cities(“Si”) and counties(“Gun”) are part of provinces(“DO”). Thereupon, the relationship between the provincial & metropolitan level, and local level seems to be operated on a command-and-control basis(Kim, 2009b). Membership of SCGSMC and SCGDSCH is decided by their local ordinances.

With respect to emergency search and rescue, the local level has “Si/Gun/Gu” Emergency Rescue Control Group(SGGERCG) under the control of the Chief of a fire station. According to Article 52, Section 1 of the Framework Act on the Management of Disasters and Safety(FAMDS), the Chief of a fire station - also leader of the SGGERCG - is empowered to command the whole of search and rescue activities at disaster scenes, and reports directly to the heads of “Si/Gun/Gu”s. However, according to Article 52, Section 3 & 5 of the FAMDS, the Commissioner of a fire department

and NEMA Administrator have legal powers to command and control the entire search and rescue activities instead of the Chief, even in a locality, when there is an urgent need or a large-scale disaster happens. When it comes to the role of the police at disaster scenes, police work at a disaster scene seems to be neglected in Korea(KNPU, 2010). The role of the Korean police tends to be confined to cordoning, managing traffic, and conducting criminal investigations, separately from the wider context of civil protection arrangements, although this aspect of policing is also its inextricable part(Kim, 2009b).

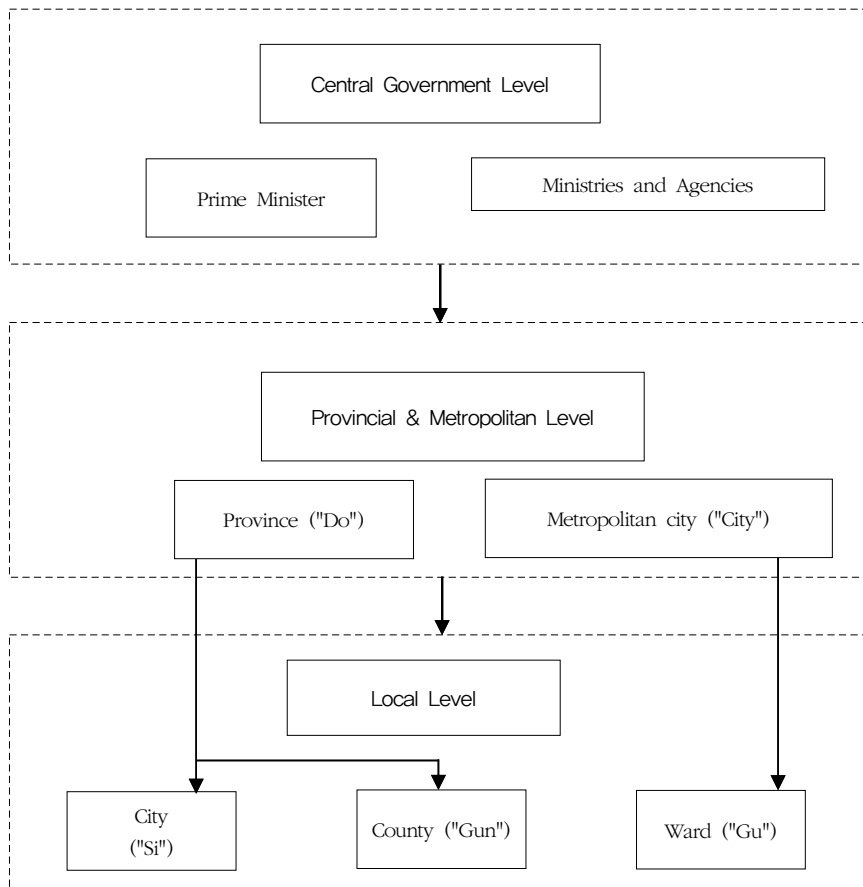


Figure 1: Administrative Divisions of Republic of Korea

V. Discussion and Conclusion

The Korean civil protection system has also evolved from civil defence activity to peacetime emergency planning. In Korea, the Framework Act on the Management of Disasters and Safety 2004(FAMDS) upholds the current legislative framework of civil protection arrangements. Before the FAMDS, the basic legislation adopted the tripartite system, fragmented into three activities: ‘civil defence disasters’, ‘natural disasters’, and ‘man-made disasters’. Civil protection preparedness and response arrangements of the three types of disasters were separately grounded on the Framework Act on Civil Defence (FACD), the Countermeasures against Natural Disasters Act(CNDA), and the Disaster Management Act(DMA). In this context, it can be argued that Korean civil protection mechanism had been defined by types of disaster, rather than by the responding functions, before the FAMDS was enacted. Under the FAMDS, the Korean civil protection structure can be divided into three levels: ‘Central government level’, ‘Provincial & Metropolitan(Regional) level(City/Do)’, and ‘Local level(Si/Gun/Gu)’. However, the FAMDS seems to emphasize the role of central government in civil protection, without presenting equal emphasis on the roles of regional and local governments(Ha and Ahn, 2009)

In the milieu of Integrated Emergency Management(IEM), it is imperative that local responders should cooperate and share information to respond to crises and disasters effectively(Cabinet Office, 2005). This is because a disaster usually spans boundaries of one agency’s jurisdiction, and no single agency can possess all the skills and resources necessary to respond at disaster scenes(Petak, 1985). In Korea, major incidents are, in principle, managed by local responders at the local level, but central government is easily able to meddle in regional or local command and control arrangements – i.e. the principle of subsidiarity is seldom respected. All of the Korean committees and headquarters, mentioned in the FAMDS 2004, have legal powers to direct and command its members. Further, the relationship between central, regional and local levels is basically operated on the concept of the command and control, not coordination and cooperation(Park, 2004). In other words, Korean civil protection system adopts the

centralized system and structure, and can be defined as a top-down system from central government level to local government level; there is a high level of central government decision-making remote from the local area. For this reason, the CSMC and the CDSCH are easily able to interfere with regional or local command and control arrangements¹⁾.

In contrast, civil protection issues are dealt with by local emergency response organizations, without direct involvement from central government or federal government in the UK and USA(Haddow et al, 2008; Kim, 2009a; Miskel, 2006; Moore and Lakha, 2006). For this, local responders are required to work together at all of stages of emergency preparedness and response (multi-agency planning, training, and exercising, and joint press briefings, etc.) at the local area in the UK and USA. However, the mechanism between the response agencies is based on cooperation and coordination, not command and control. In particular, in the UK, centralized and national response to major incidents is traditionally considered as not only expensive to maintain but also slow to respond to disasters(Home Office, 1989). Instead, it is emphasized that the arrangements for managing civil emergencies should be decentralized at a local level, and that for this, more coordination and cooperation between the various agencies need to be encouraged and developed. Finally, this could be best achieved by adopting an integrated approach to civil protection system(Coles, 1998). For this reason, each emergency response organization's duties are harmonized and discharged in liaison with other responders at a disaster scene - for example, through adopting the common protocol - in the UK or USA (Haddow *et al*, 2008; Miskel, 2006; Moore and Lakha, 2006).

The Korean civil protection system is based on a command-and-control model, requiring rigidity and centralization. However, crises, by definition, demand a flexible

1) For example, as mentioned in Section IV, not only the CDDSCH but also the CDERCG are under the control of each metropolitan city mayor or provincial governor at a regional level. However, when a large-scale disaster occurs and the CDSCH is established at a central government level, the CDSCH can require the CDDSCH and the CDERCG(including the RADM) to provide administrative and financial arrangements and other necessary assistance, and further to dispatch their members of staff, according to Article 15 of the FAMDS. City mayors and governors are not able to decline the request without special reasons by law.

structure and model, and thus emphasize coordination and cooperation, not the model of centralized command-and-control(Dynes, 1994; Helsloot, 2008). An intriguing extension to this is to ask again whether the centralized emergency management arrangements with the command and control model is appropriate in 'Risk Society', where uncertainty, complexity, and multiplicity of new technologies are unprecedentedly augmenting these variables(Beck, 1992), or in 'Postmodern society', where multiplicity and diversity are also increasingly growing, assimilating various paradigms and ideologies equally(Browning and Shelter, 1992; Holtzhausen, 2000, 2002). In the era of risk society and post-modern society, it is really the case that the problems inherent in crisis response are very complex, and are characterized by high levels of uncertainty(Boin *et al*, 2005). They rather give rise to controversy and conflict in tackling civil protection matters. In this context, Rosenthal(1994) argues that coordination and cooperation is the solution to many problems of crisis response. Also, the application of Risk Society and Postmodernism theories to crisis management requires that Korean central government should release the tight command and control, which their current legal authority gives them. Korean civil protection or emergency management system has also adopted IEM, but still seems to lack key factors of IEM, such as coordination and cooperation between responding organizations(SERI, 2005), particularly considering the current organizational and legislative arrangements of civil protection in Korea.

“A lack of understanding of emergency management is likely one reason why officials have suggested that the nation’s response to catastrophic disasters needs a stronger command-and-control system that might be best handled by the military.”

(Vaugh and Sterib, 2006, p.131)

In this regard, Korean emergency management needs to move towards the model of coordination and cooperation, loosening the command structure, as with the UK or USA civil protection arrangements. Emergency response organizations are also required to work together at all of stages of emergency preparedness and response (planning, training, exercising, and responding), but the mechanism should be based on

cooperation and coordination, not command and control. To this aim, all of the responding organizations, which are involved in civil protection work, need to share an interoperable response protocol for the purpose of keeping physical and psychological interoperability, but the reality in Korea is that for example, the police do not share a protocol with other emergency services, such as fire and ambulance services. In conclusion, the central government should not be directly involved in operational work at the local level, unless the scale of complexity of a civil protection issue requires some degree of central government's coordination and support. This point is too often ignored in Korea(SERI, 2005), and the study concludes by citing what Winston Kobyłka, Assistant Director of the UK Emergency Planning College (EPC) emphasized:

“The central government is like a pilot of the helicopter hovering over London. When hovering, he or she can have an entire view of London. However, if the pilot comes down to the ground, he or she can have the details of a specific area, but would lose the high level view of the whole city of London. The role of the central government is to have this high-level strategic view, and not get involved in the detailed ground level operational aspects unless, there is a very urgent need.”

(W. Kobyłka, personal communication, 13 February 2008)

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〈국문요약〉

국가안전관리: 한국의 시민보호(위기재난관리)체계에 관한 비판적 고찰

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현재 우리나라의 국가안전관리(위기재난관리)체계를 지탱하고 있는 기본법은 ‘재난 및 안전관리기본법’이다. 이러한 ‘재난 및 안전관리기본법’ 하에서 우리나라의 국가안전관리체계는 위기와 재난을 효율적으로 관리하기 위하여 이른바 삼단계(중앙정부, 시도, 시군구)를 채택하고 있다. 통합위기관리체계(TEM)는 일차적으로 지역 대응기관의 조정과 협력(Coordination and Cooperation)체계를 중시하는 개념이며, 특히 서로 동등한 위치에서 기관과 기관 간의 협력을 강조하고 있다. 이러한 통합위기관리체계의 흐름에 발맞추어 영국과 미국의 국가안전관리체계는, 지역사회 내의 지역대응기관들이 중앙정부나 연방정부의 직접적인 개입없이 일차적으로 시민보호와 관련된 문제(위기 및 재난)를 관리하는 시스템을 구축하고 있다. 다시 말해, 영국과 미국에서는 위기와 재난의 범위가 아주 광범위하고 복잡한 경우, 이로 인하여 중앙정부의 조정과 협력이 절실히 요구되는 때에만 비로소 중앙정부의 개입이 직접적으로 이루어지고 있는 것이다.

이와 반대로 한국의 국가안전관리체계는 지시와 통제(Command and Control) 중심의 중앙집권화 된 시스템을 채택하고 있기 때문에, 위기재난 발생시(중요도에 관계없이) 중앙정부가 쉽게 지역단위의 지휘체계를 무시하고 이를 통제하고 간섭할 수 있다. 현대사회는 불확실성, 비친숙성 및 비예측성이 증폭되고 있는, 이른바 ‘위험사회(Risk Society)’ 또는 ‘포스트모던 사회(Post-modern Society)’라고 일컬어진다. 이러한 불확실성의 시대에서 과연 우리의 하향식 국가안전관리체계가, ‘위험사회(Risk Society)’와 ‘포스트모던 사회(Post-modern Society)’의 불확실성, 비친숙성, 비예측성을 효과적으로 관리할 수 있는 지 의문점이 제기된다. 이러한 맥락에서, 동 논문은 한국의 시민보호체계도 영국과 미국의 위기재난관리시스템과 마찬가지로 분권화된 조정과 협력모델(Coordination and Cooperation)로 변화해야 한다고 주장한다. 이를 위해서, 현행 ‘재난 및 안전관리기본법’ 체계 하에서 우리나라의 시민보호체계 및 안전관리체계를 비판적으로 검토하고, 이를 토대로 국가안전관리체계의 발전 방향에 대한 정책적 시사점을 제시하고자 한다.

주제어: 시민보호, 위기관리, 통합위기관리체계, 재난 및 안전관리 기본법, 위험사회, 포스트모더니즘, 조정과 협력