

# Court rejects call for South Korean opposition leader's arrest

Ben McGrath  
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A court in South Korea rejected an arrest warrant on Wednesday for Lee Jae-myung, the leader of the country's main opposition Democratic Party (DP). The allegations against Lee go beyond the immediate charges and point to growing tensions over the danger of war and declining social conditions.

Prosecutors have accused Lee of bribery and related charges dating back to his tenure as mayor of Seongnam (2010-2018), a city just south of Seoul, and as governor of Gyeonggi Province (2018-2021). On August 22, prosecutors formally charged Lee with involvement in an alleged scheme to transfer millions of dollars to North Korea. They have also accused Lee of providing preferential treatment to private property developers and other companies in Seongnam.

In rejecting prosecutors' demand for an arrest warrant, Judge Yu Chang-hun of the Seoul Central District Court stated, "In comprehensive consideration of the degree to which the defendant's right to defense is needed and the extent of concerns about the possible destruction of evidence, it is difficult to see the rationale and need for his arrest to the extent that the principle of investigation without detention should be ruled out."

On September 21, the National Assembly gave its consent for Lee's potential arrest. As a sitting lawmaker, Lee was protected from detention while parliament is in session. However, the unicameral legislature passed a motion 149 to 136 in favor of the warrant. The National Assembly is comprised of 300 seats, but two are currently vacant.

Though it is the opposition party, the DP holds a strong parliamentary majority with 168 seats. The next-largest party is the ruling right-wing People Power Party (PPP) of President Yoon Suk-yeol, which holds 111 seats. A considerable number of Lee's own party

therefore voted against him. Another motion to approve Lee's arrest was narrowly rejected in February.

Lee has denied the allegations against him and had embarked on a 24-day protest hunger strike that ended on Saturday. Lee stated in a press release last Friday in response to the National Assembly vote, "The livelihoods of the people and democracy should be guarded by stopping the recklessness and the regression of dictatorial administration by the prosecution."

Lee has accused President Yoon, South Korea's former top prosecutor, of a legal attack on him to eliminate a political opponent prior to next April's general election. Yoon narrowly defeated Lee in the March 2022 presidential election.

According to prosecutors, Lee oversaw the transfer of \$US8 million between 2019 and 2020 to North Korea through a third-party intermediary, Kim Seong-tae, the former chairman of the Ssangbangwool Group, a textile manufacturer. Allegedly, \$5 million was a joint smart farm project in the North and the additional \$3 million was to pave the way for Lee's potential visit to the North.

Lee has rejected knowledge of Kim's activities while the latter told investigators that Lee was aware of the money transfers. Lee's former deputy governor Lee Hwa-yeong, who was also charged in relation to the case in March, reportedly told prosecutors in June that he had kept Lee Jae-myung informed of the cash transfers to the North after previously denying his former boss' involvement for months. However, Lee Hwa-yeong altered his testimony this month to again deny the DP leader's involvement.

Notably, the period during which Lee allegedly orchestrated the money's remittance to North Korea was during a relative thaw in tensions between Pyongyang and Seoul. Securing various sanction

exemptions, Seoul and provincial governments like Gyeonggi attempted to launch economic projects with Pyongyang, which were ultimately canceled as they cut across the US war drive against China and due to the COVID-19 pandemic.

In addition to these allegations, Lee has also been accused of corruption in several construction projects while mayor of Seongnam. These include current charges that he provided favors to private developers while blocking the public Seongnam Development Corporation from bidding on an apartment development project in the city's Baekhyeon-dong district. Prosecutors allege that this resulted in 20 billion won (\$US14.8 million) worth of damages to the public company.

Whether or not true, there is more to the case than just Lee Jae-myung's alleged corruption. Backroom deals, preferential treatment, and illegal payoffs have long been part of doing business in South Korea. But as in the West, corruption cases in South Korea are used to settle political scores within the ruling class.

The Yoon administration is worried about its growing unpopularity. In August, Yoon attended a trilateral summit at Camp David near Washington D.C., meeting with US President Joe Biden and Japanese Prime Minister Fumio Kishida. The summit was hailed by the US ruling elite for bringing Seoul and Tokyo together and enhancing military cooperation between the two.

Historical issues stemming from Japan's brutal colonization of Korea had for years prevented Washington's two key allies in the region from deeper collaboration, seen as a necessity for its war plans against China. When Yoon came to power in May 2022, he pledged to deepen Seoul's alliance with Washington and to improve relations with Tokyo. This has led to a growth in anti-war sentiment.

Furthermore, working class anger is growing towards declining economic and social conditions, as a result of inflation and the ongoing COVID-19 pandemic. Last year, a strike by truck drivers in June and then again in November and December had a serious impact on the economy. Recently autoworkers and railway workers have threatened to or have gone on strike.

For the past 30 years, the South Korean ruling class has relied on the Democratic Party and the Korean Confederation of Trade Unions (KCTU) to contain social discontent and prevent workers from breaking

from the confines of the capitalist system. While the DP poses as a worker-friendly alternative to the conservative PPP, the KCTU falsely postures as a militant labor organization to lead workers' struggles into dead-ends. Both regularly use anti-Japanese chauvinism to drive wedges between Korean and Japanese workers and to distract from domestic conditions.

However, the corruption case against Lee Jae-myung is another warning sign that the government is preparing to crack down on any opposition to its policies.

In the past year, President Yoon has denounced protests against his government and threatened to seriously curtail democratic rights. He has labeled any political opponents as North Korean allies and sympathizers, declaring that "anti-state forces" are "still rampant" in South Korea.

The government is therefore reviving the police state measures of past dictatorships under the guise of tackling corruption and suppressing supposed North Korean supporters. In reality, these autocratic measures are ultimately being prepared to strike at the working class.



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