



This study was compiled as a working document in 2000 as part of International IDEA's work on State of Democracy and Democracy Assessments.

© International Institute for Democracy and Electoral Assistance 2000

International IDEA publications are independent of specific national or political interests. Views expressed in this publication do not necessarily represent the views of International IDEA, its Board or its Council members.

Applications for permission to reproduce or translate all or any part of this publication should be made to:

International IDEA
SE -103 34 Stockholm
Sweden

www.idea.int

International IDEA encourages dissemination of its work and will promptly respond to requests for permission to reproduce or translate its publications.

DEMOCRACY REPORT
FOR
SOUTH KOREA

Dr. Chung-in Moon
Dr. Youngjae Jin
Dr. Wook Kim

I. Citizenship, Law and Rights

Nationhood and citizenship

Is there public agreement on a common citizenship without discrimination?

Summary assessment: *Korea is basically a homogenous society, consisting primarily of one ethnic group, “Han.” As such, there is not a serious dispute on the questions of citizenship and national boundaries, although problems might arise in the future regarding how to treat North Korean residents who move to the South and so forth. Due to the general homogeneity of the society and strong cultural inclination for uniformity, minorities (ethnic Chinese, foreign workers, and other disadvantaged minority groups) have not received a fair and equal treatment. While the situation is getting better in recent years, due to many voluntary civic groups’ efforts and the changing culture (a greater tolerance for diversity), this improvement in the social arena has yet to be institutionalized in the political arena.*

1.1 How inclusive is the political nation and state citizenship of all who live within the territory?

The political nation is recent and, contrary to common experience, is not founded on a cultural basis. Rather, the political nation has had to fashion a sense of national culture. Refugees from the north had trekked to a newly-created south whose infrastructure had been destroyed and population equally dislocated. Nationbuilding was obviously an enormous task, entailing the formation of personal identity as well as identification with others and with the country. In this process, the political leadership often used history to emphasize Korean distinctiveness. The nation settled on half the land learnt to claim the history it had once shared with its northern half. Society was therefore complex, including 'indigenous' residents as well as northern refugees, all acknowledging continuity with the same past. River Han on which Seoul stands is a powerful symbol of such continuity. Under the circumstances, nationhood became quite exclusive. Though citizenship extends to all residents, social prejudice against some sections prevails (see next section, 1.2). Article 2 of the Constitution merely says nationality is 'prescribed' by law. There is little evidence that residents are denied citizenship. Of greater concern is the status of foreign minorities of Korean origin, especially in Japan, though Article 2 only mentions the duty of the state to its citizens abroad.

One question that remains to be settled in this regard is the citizenship of those North Korean residents who have fled to the South. With the worsening of the North Korean economy, the number of these people has been increasing in recent years, and is expected to increase even at a faster pace in coming years. Since the Constitution stipulates that the North Korean territory is within the state boundary, these former North Korean residents are, legally speaking, entitled to have South Korean citizenship. So far there has been no serious problem granting these people citizenship, since the number is

not that great. When the number exponentially increases, however, it is sure to pose a serious social and political problem. Therefore, the legal status of North Korean residents needs to be settled before it is too late.

1.2 How far are cultural differences acknowledged, and how well are minorities protected?

As in some other countries, the general homogeneity of South Korea obscures the position of minorities (Lie, 1998). As elsewhere in the world where minorities are particularly small, South Korea's too are predictably overlooked. An additional feature of the South Korean minority experience is the extent to which the nationalist idiom has been invoked by successive authoritarian governments and their opponents (Lie, op cit, describes this as competing versions of nationalism, by authority above and dissent below, sometimes resulting in frank xenophobia). Chinese, 'outcast' groups, and illegitimate children of US soldiers receive unfavourable social treatment. Hence, cultural differences are either glossed over or give rise to prejudice.

As to discrimination against ethnic Chinese residents in Korea, the wall of discrimination is slowly coming down, although there are still some discriminatory measures. The number of ethnic Chinese living in this country reached 22,000 in late 1998, of which 95 percent are from Shandong peninsula, eastern China, according to the Justice Ministry. At the seminar titled "Globalization and Human Rights: Enhancement of the Legal Status of Chinese Residents in Korea," most participants agreed that nowadays long time discriminatory policies against Chinese residents in Korean society lessened considerably thanks to the government's efforts for globalization, but that there remained much to be done to enhance their basic rights. Specifically, they called for an end to the system in which an ethnic Chinese must renew his or her visa every five years despite being a permanent resident.

Another newly-emerging social problem in minority protection is the prejudice and maltreatment toward illegal foreigners. The number of illegal foreigners has been steadily increasing in recent years, and according to the Ministry of Justice it now totals more than 170,000 (as of August 2000). China accounted for 85,429 or 49.5 percent of the number of illegal aliens, followed by Bangladesh with 13,774, Mongolia with 12,155, the Philippines with 11,850 and Thailand 11,309 (*The Korea Times*, Nov 6, 2000). Most of them are here to make money and are working in poor conditions. There are frequent reports on some Korean employers' maltreatment and abuse including even physical violence toward this minority group.

1.3 How much consensus is there on state boundaries and constitutional arrangements?

Regarding state boundaries and constitutional arrangements, there is no serious internal dispute. The country does have a serious external dispute with Japan on a small uninhabited island, called 'Dok-do.' Both countries are claiming that the island belongs to them, and at times the dispute has been on the verge of developing into a diplomatic

war, if not a real war. As this dispute strengthens rather than weakens internal consensus on state boundaries, it is not really a problem in terms of citizenship and nationhood.

More relevant would be the above-mentioned question of whether to include the North Korean territory within the state boundary or not. As noted, the Constitution clearly says that the territory is within the boundary, and currently there seems to be no internal dispute on this constitutional position. A serious internal dispute may arise on this issue, however, especially if a great number of North Korean residents move to the South in the future.

1.4 How far do constitutional and political arrangements enable major societal divisions to be moderated or reconciled?

Since the Korean society is largely homogeneous and minorities are so small and politically weak, it did not need to devise any constitutional or political arrangements to moderate or reconcile major societal divisions, which can be witnessed particularly in Northern European countries. In other words, there have been no serious cultural or ethnic divisions historically.

In the future, however, such constitutional or political arrangements may be needed. The regional conflict between Youngnam (the Eastern part) and Honam (the Western part) has been politically reinforced over the last 20 years, and many are worried that this basically political conflict may develop into a serious social division. Also if the country were to be reunified gradually and peacefully, some kind of constitutional arrangements would be necessary to reconcile the great cultural and political differences between the North and the South.

1.5 How impartial and inclusive are the procedures for amending the constitution?

The ease with which the constitution has been amended is symptomatic of the long political repression in South Korea. An amendment was attempted and defeated in 1951, in the thick of the War. The first amendment duly succeeded the following year, amid the war and martial law. Tellingly, the subject was the direct election of the President, the incumbent Rhee immediately winning a 72% victory.

This signifies a weakness in the political system, constitutional amendment being a convenient tool at the command of the executive. Constitutional amendment could be used to curb dissent by concentrating presidential power. The 1960 student uprising was followed by the fourth amendment on 'antidemocratic acts', illustrating the ease with which the constitution was used to provide cover for those in office. Undoing these abuses of the constitution took decades. The present constitution is largely that adopted in 1987, approved overwhelmingly by referendum. It reverses earlier amendments on almost every single count. (Article 128 (2) expressly forbids amendment on presidential terms for the incumbent. It may be recalled that previous amendments had permitted direct election, waived the two-term limit, and installed a president for life).

Articles 128 to 130 under Chapter X lay down the procedure for amendments. Amendment may be proposed by the president or a majority of the national assembly, as

long as it is then publicized three weeks and passed by two-thirds the full house. It must be deliberated by the State Council, composed of the president, prime minister, and up to 30 members. Amendment requires further approval by referendum, ie, by over half of over half the electorate.

1.6 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

Many citizen groups and voluntary organizations have emerged recently to protect and further the interests of minority groups such as Chinese, outcast group, illegal foreign workers, and even homosexuals. Also many existing organizations are providing services for these minorities. For instance, non-profit organizations such as the Seoul Ethnic Koreans' Church and the Sungnam Migrant Workers' House not only provide illegal foreign workers with free facilities, but also work hard to protect their rights. More recently, lawyers' associations such as the Seoul Bar Association and the Korea Legal Aid Corporation (KLAC) have begun to offer free legal counselling services for both legal and illegal foreigners. (*Chosun Ilbo*, March 24th, 2000)

Of course, these recent developments signify that the Korean society is now showing greater compassion and tolerance for the socially disadvantaged minority groups than before. There seems to be still a long way to go, however. All these activities to protect the rights of minorities are occurring mostly in the social arena, without being transpired into the political arena. Most minority groups and their representative organizations are politically weak, and do not receive strong public support. Therefore, they are having great difficulties in making their demands heard politically and thus making policy changes necessary to protect their rights institutionally. In other words, only a small part of the Korean society is showing compassion for these minorities, while the public at large is still not very much concerned with the protection of their basic rights.

2.0 The rule of law

Are state and society consistently subject to the law?

Summary assessment: *In general, the principle of "rule of law" has not been highly regarded in the Korean society, partly due to the relative recency of a modern legal system. Instead, personalism or "rule by personal authority" seems more prevalent. High-ranking public officials and politicians, in particular, have not been consistently subject to the rule of law, when they get involved in major corruption scandals. While the Constitutions guarantees the independence of the judiciary, the actual records do not support it. It is true that there have been significant improvements in recent years, but the judicial independence (and the political neutrality of the Prosecution, in particular) is*

still being highly questioned. Consequently, the public's confidence in the judicial system is rather low.

2.1 How far is the rule of law operative throughout the territory?

The introduction to the present report noted that reestablishing political standards has been an uphill task. Rule of law has been noticeably absent, not as in stateless societies or under a political vacuum, but in being disregarded. Its place was taken by a draconian and pervasive authority under central, even personal, control, often legitimized by an amended constitution. Police therefore became a party to political battles. Hence, rule of law was routinely flouted.

This has eased since the sweeping 1987 constitutional (9th) amendment which was also ratified by referendum (Oh, 1999). This removed the various abridgements to civil liberties and strengthened parliament. Impeachment of the president, prime minister, judges, and other officials were now permitted. Indeed, the highest office-bearers have since been tried on various charges, usually related to corruption and misuse of office. Such attempts to bring powerful offenders to book even on limited corruption charges must be seen as part of political and economic reforms. Indeed, dictators had dispensed favours for large bribes then used to retain office.

But these recent improvements are only one aspect of rule of law. Notable areas remain to be improved, eg, the excessive use of force in dealing with demonstrations in effect criminalizes the participants. Retraining police and the armed forces must be part of the effort in reestablishing rule of law.

2.2 To what extent are all public officials subject to the rule of law and to transparent rules in the performance of their functions?

This aspect has grown in importance. The 1987 constitution enjoined strictness in the performance of public duty, but it was not till subsequent reforms that it became a public issue. For example, President Kim Young Sam who had come to power on an enormous business donation to his party voluntarily disclosed his assets in 1993, to general surprise. However, major disasters such as a bridge of building collapse are immediately linked to corruption of officials responsible for their construction. It will be some time before public confidence is achieved in this area.

The problem of public officials' corruption and arbitrary application of laws and regulations still remains to be one of the most salient political issues. Despite all the previous institutional reforms and public campaigns against corruption, scandals involving high-ranked public officials continue to break out. Most recently, the nation's financial and political circles have been rocked by a major loan scandal involving a 32-year-old venture capitalist (Chung Hyun-joon), key officials at the Financial Supervisory Service, the financial watchdog of the government, and allegedly some powerful members of the ruling Millennium Democratic Party (*Korea Herald*, October 27th, 2000). The investigation is still going on, while the political neutrality of the prosecution is being questioned by the opposition party, the Grand National Party.

At lower levels, public officials' arbitrary application of laws and regulations for their personal gains continues to be a problem, although it does not get as much publicity. Bribery and corruption seem to be still prevalent at all levels of public officials and their activities, and this prevalence of corruption is one of the major reasons why the rule of law cannot be strictly observed in the Korean society.

2.3 How independent are the courts and the judiciary from the executive, and how free are they from all kinds of interference?

The 1987 constitutional amendment was comprehensive enough to be considered a new constitution. Its chapter on the judiciary upholds independence, judges expected to act "independently, according to their conscience and in conformity with the constitution and the law" (Oh, 1999). The president appoints the chief justice and other Supreme Court judges are appointed by the president and ratified by parliament. Other judges are appointed by the chief justice. Chapter V of the constitution on the courts, Articles 101 to 110, and Chapter VI on the constitutional court, Articles 111 to 113, lay down the guidelines for the judiciary. Article 103 says judges will act independently; their political neutrality is thereby implied.

These are constitutional provisions. The actual record of the hierarchy of supreme, high, and district courts must be judged on the ground. Their reputation became tarnished by prolonged functioning under a regime which had suspended many liberties normally expected to be upheld by the judiciary. This led to court-pessimism in important quarters, eg, trade unions. Unions believed that verdicts went against them only because the judges were compromised. This had the odd effect of perpetuating 'unrealistic' expectations because of distrust of the judiciary (Mo, 1999). Hence, interference in courts was not the issue so much as the protracted abridgement of fundamental or sectional liberties.

In disputes between workers and corporations, the courts made a number of important rulings which should have clarified the position for both. But courts were awkwardly placed. "Although the courts made many decisions that led to better compliance, the history of executive dominance under authoritarian regimes undermined their independence and authority during the transition period" (ibid). Such an analysis could apply equally well to other spheres of South Korean life. For a repressed, dictatorial system to reintroduce fundamental liberties and multiparty politics required a transformation of judicial outlook.

There is a dearth of material on the functioning of courts, specifically, on emerging trends. "...court decisions are published selectively ... those relating to political or ideological issues, are never published ... [h]uman rights attorney Pak Won-sun ... has argued that the primary source materials such as court documents, including investigatory records and court opinions, are simply not kept, or ordinary researchers are denied access ... [a] former Korean judge told the author in July 1994 that his controversial judgment in a 1986 case on an anti-government demonstration was never released even to the parties involved, let alone to the public" (Youm, 1996).

At the same time, it is clear that the 1987 political liberalization set in motion and underpinned by sweeping constitutional changes did encourage litigation. (Much was directed against press intrusion). The courts too were emboldened. In 1988, the Supreme

Court for the first time since 1972 struck down a law, in this case the Act for the Protection of Society, upheld nine times since its 1980 enactment. Soon after, the Seoul High Court ruled that the Act on Assembly and Demonstration was vague in parts and, moreover, unconstitutional. Even more radical was the court-martial of military officers who had assaulted an editor for deploring 'military culture'. The accused were regarded as having undermined the trust and prestige of the military among the people. In 1994, judicial reforms were introduced by statute. (ibid).

Courts have traditionally been subjugated to the executive. Courts and public lost no time in testing the democratic arena, but the task of restoring comprehensive judicial independence is immense. Though the achievements are few, they are significant.

<The 1987 Constitutional Amendment and
the Independence of the Judiciary>

The present Constitution, amended on October 29, 1987, was the outcome of the continuous struggle of the Korean people, who were determined to make democracy prosper and to build an advanced modern state. Accordingly, it guaranteed maximum autonomy and independence to the judiciary as a strong means to promote a law governing principle and to protect the basic rights of the people.

In the early 1990s, with the rapid development of its economy, Korea faced the dual pressures of opening up its economy and globalization. In this context, the Korean judiciary assumed the new responsibility of providing more efficient and professional judicial services. The consensus for the reform of the judicial system developed not only from the courts but also from other sectors of the nation.

The former Chief Justice, YUN Kwan, created the Committee for the Reform of the Judicial System in the Supreme Court when he was inaugurated in September of 1993. The Committee, which consisted of various leaders of society, submitted its proposals for reform to the Chief Justice. These proposals were adopted by the National Assembly in July of 1994.

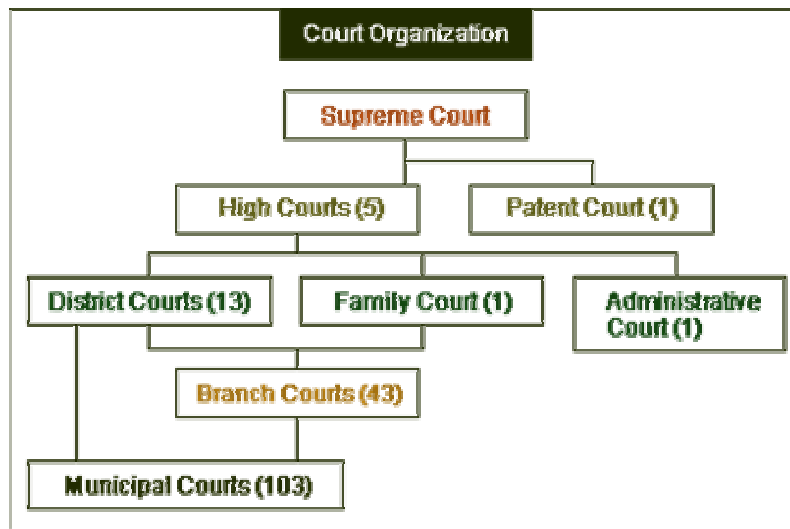
The new Court Organization Act attempts to instill in the Korean people a greater trust in their judicial system by raising the qualifications for a judge. It also aims to maintain the high quality of the judiciary into the 21st century by establishing specialized courts such as patent court and administrative courts, which will contribute to the more efficient resolution of disputes.

It has also created municipal courts to provide the residents in rural areas with more convenient judicial service. Presently, these municipal courts have replaced the former circuit courts.

<The Organization of the Court System>

There are three tiers of courts in Korea : the District Courts (including the specialized Family Court, Administrative Court), the courts of original jurisdiction; the High Courts, the intermediate appellate courts; and the Supreme Court, the highest court. The High Courts and the District Courts are divided into geographic districts. The Court Organization Act grants the courts general jurisdiction to preside over civil, criminal, administrative, electoral, and other litigious cases.

It also allows for decisions in non-contentious cases and other matters that fall under their jurisdiction in accordance with the relevant provisions. In addition, military courts may be established under the Constitution as special courts to exercise jurisdiction over criminal cases in the military. Nonetheless, in these cases the Supreme Court retains final appellate jurisdiction.



2.4 How equal and secure is the access of citizens to justice, to due process and to redress in the event of maladministration?

According to the U.S. State Department's 2000 annual report on human rights worldwide, Korea generally respects the human rights of citizens. While the report notes instances where police subjected detainees to verbal and physical abuse, many human rights groups in Korea agree that the number of such cases continues to decline. In particular, the Korean Ministry of Justice has shown improvement in sticking to due process by faithfully implementing guidelines requiring that suspects be told when they are arrested of their right to remain silent and their right to counsel. (*Korea Times*, March 2nd, 2000)

There are some improvements that need to be made in redressing the past injustice done to some political prisoners. The government continues to require released political

prisoners to report regularly to the police under the Social Surveillance Law and still has not authorized independent investigations of the cases of some prisoners who were sentenced on charges believed to have been fabricated by previous governments. According to the department, some of these prisoners were reportedly tortured to extract confessions and received trials that did not meet international standards of fairness.

The constitution only mentions claims to compensation arising from false imprisonment (Article 28) and unlawful official action (Article 29). The actual record would broadly be of two kinds, (i) compensation claims arising from dereliction of duty or corruption (eg, in construction accidents), and (ii) investigation and rectification of maladministration, including possible compensation claims. That is, maladministration can be general or specific to individuals, and the record on both needs to be considered.

2.5 How far do the criminal justice and penal systems observe due rules of impartial and equitable treatment in their operations?

There have always been lingering doubts on the neutrality and independence of the criminal system, and of the prosecution, in particular. When it comes to investigating those with political and economic power (eg., high-ranking officials, influential politicians, and CEOs of large business firms), the prosecution has been criticized for being too lenient, presumably due to political pressure, while often disregarding the basic rights of weak people and the underprivileged. Consequently, people have shown strong mistrust in the prosecution.

Recently, a prosecutor called for a reform aimed at ensuring the neutrality and independence of the prosecution. He proposed to scrap a Justice Ministry regulation which requires the prosecution to obtain prior approval from the justice minister when prosecutors seek arrest of lawmakers, cabinet ministers and vice ministers. According to the reform-minded prosecutor, the justice minister could exercise influence, direct or indirect, on the investigation process of the prosecution. The minister has personnel management rights over prosecutors, and his personnel policy is still dominated by nepotism, which puts priorities on ties with the political power in terms of regional bases and scholastic background (*Korea Times*, July 16th, 2000).

This incident signifies two things. On one hand, despite several reform efforts, the criminal system is still far from achieving the goal of political neutrality and independence. One courageous member of the prosecution has spoken out and officially admitted what many citizen groups and ordinary people have been long aware of.

On the other hand, and more importantly, pressure for reform on the criminal system is growing stronger and stronger. There have always been external pressure and demand for reform, but the fact this call for reform came internally from a member of the prosecution is significant indeed. The neutrality of the prosecution has now become one of the most important political issues, thanks to the major loan scandal involving a venture capitalist (refer to Section 2.2). Right now, the opposition party, the Grand National Party, proposed an impeachment motion against the prosecutor-general (who was charged with unfair actions against opposition candidates in the last election). Given all these recent developments, it seems that the prosecution will be a recipient of heavy and growing pressure for reform.

2.6 How much confidence do people have in the legal system to deliver fair and effective justice?

According to the New Korean Barometer survey of 1997 (Shin and Rose 1997), Korean people do not have great confidence in political institutions. More than three quarters of Koreans (77%) believe that most people can be trusted, but this trust in face-to-face relations does not extend to trust in major political institutions. (Rose and Shin 1999, 341) The portion of respondents who showed trust in the courts, the National Assembly, and political parties, were 58%, 23%, and 20%, respectively.

One may say that the number for the courts (58%) is not bad, and take comfort in the fact that people have much greater confidence in the legal system than in other political institutions. This comfort must be qualified, however, by the fact that lawyers are highly respected simply due to the nature of its profession, and thus definitely more trusted than politicians in any societies. It seems to be a more significant finding that almost a half of Koreans do not trust the courts, supposedly the guardian of social justice. Again, this lack of confidence in the legal system seems to arise mostly from its failure to secure political neutrality. In particular, people are quite disappointed with the way the legal system handles corruption cases involving politicians and high-ranking officials.

2.7 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

In 1999, illegal wiretapping by law enforcement agencies emerged as a salient issue. The opposition party charged that the current Kim Dae-jung government had long been indulged in this illegal practice, and the public responded positively to this charge. According to one public opinion survey conducted in September 1999, 81.9 percent of Koreans believed that illegal wiretapping was a serious problem in the country. About 46.6 percent of the respondents also said that illegal wiretapping by government agencies was more serious or as serious as in the past governments. Only 21.8 percent said the problem had become less serious. (*Korea Herald*, September 23rd, 1999)

Under heavy political pressure, President Kim Dae-jung instructed the stopping of illegal wiretapping, and the government pledged that it would seek an amendment to the Privacy Protection Act to put stricter controls on wiretapping. The ministers also said the government would faithfully stick to laws and regulations when engaging in lawful wiretapping for investigating crimes related to national security, drugs, terrorism and robberies.

3.0 Civil and political rights

Are civil and political rights equally guaranteed for all?

Summary assessment: *Civil and political rights clearly exist, and have been greatly strengthened in recent years. The curbing and violating of people's basic rights, which was so prevalent under the past authoritarian regimes, is hard to witness nowadays. People vote fearlessly, express concern publicly, follow religions of their family or individual choice, walk the streets freely, and express party loyalty with no anxiety at reprisals. The only problem, however, is that this societal liberalization does not necessarily lead to a political democratization. The former is only a necessary condition for the latter.*

3.1 *How free are all people from physical violation of their person, and from fear of it?*

In 1973, the KCIA abducted a popular Opposition leader, Kim Dae Jung, in Tokyo. The reported attempt to throw him overboard during the voyage home is among the more sinister accounts of the treatment of politicians under what had become an unaccountable, one-party state. In wider society, suspected militants on the shop floor or dissident students attracted police attention, and their subsequent suffering has become part of political lore. Over the years these abuses of power have been catalogued and governments urged to repeal or review numerous laws (see Amnesty International, various years).

These old instances of bodily harm were part of the tactics of political intimidation. Political liberalization has made it safer for political workers. The free functioning of political parties, and the recognition of political activity by students and workers, has lessened the risk to the person of activists.

In the main, day-to-day life is peaceful and conducted in a stable civic atmosphere. People feel safe going about their daily business.

Article 30 of the constitution provides for assistance to victims of criminal injury.

3.2 *How effective and equal is the protection of the freedoms of movement, expression, association and assembly?*

The 1987 constitution protects various rights. Chapter II, in Articles 10 to 39, lists the duties and rights of citizens. Article 21 pertains to speech and association, subject only to the honour and rights of others who may be entitled to compensation for unbridled speech. There are separately a freedom to move and rights to work and 'collective action' of unions (except in designated defence industries). There has since been substantial exercise of this right, worker- or student-led demonstrations slowly gaining a middle-class following.

Entering into the 90s, all the legal and institutional barriers to the freedoms of speech, association and assembly have been removed. Basically, people feel free to say what they want to say, and organize a gathering whenever and wherever they want. The number of demonstrations has increased considerably, and the way the police respond to peaceful demonstrations has also changed from 'repressive' to 'protective.'

Nevertheless, there still exist some negative sentiment against public demonstrations by workers, students, and other groups. Probably, this is a cultural factor, arising from people's deep-rooted preference for order and conformity over disagreement and conflict. It is not rare that many conservative people and press make negative comments on the socially weak groups' demonstrations and collective action, condemning such acts as serving their special interests at the expense of the national interest. Not surprisingly, this public sentiment often leads to (or provide rationale for) the government's unwarranted and often unlawful intervention.

3.3 How secure is the freedom for all to practise their own religion, language or culture?

Constitutional Article 11 on equality stipulates there shall be no discrimination on the basis of religion. Article 20 guarantees freedom of religion, and keeps state separate. South Korea is richly diverse, and has Buddhism, Confucianism, Christianity both Catholic and Protestant, Ch'ondogyo, hundreds of minor religions and the long shaman tradition. There are no complaints of religious discrimination.

Political sociologists are interested in syncretic religious observance, ie, when fundamental tenets of a religion are mixed up with elements of another. As in plural societies elsewhere in the world, adherents of one religion comfortably follow the rituals of neighbouring sects. This has political relevance. For example, an academic writer has noted the success of Christianity, especially Protestant, and its recognizably 'Koreanized' character. He cites a Korean explanation that people had felt an abiding sense of national loss from Japanese colonization, and ascribed their political capitulation to cultural failing. The church arrived at the turn of the century, bearing schools and discussion groups. Christianity's appeal lay as much in these attendant structures as in its scripture. Observance then assimilated pre-existing customs, this tolerance further softening its strangeness. Thus, the religion flexibly had local expression, and lent itself to a latent political consciousness. Other beliefs have also been analysed from a political viewpoint. Confucian beliefs are often considered to make Koreans respect authority. Buddhism is the more established religion but has limited political impact. It is even suggested that Confucianism is more ideology than religion, and generally considered to be the source of tradition. But such explanation is too simple. For example, mass discontent is not conditioned by cultural legacy. Irate members of the public show no false reverence in condemning corrupt, opportunistic politicians or appointed officials. People are also clear-sighted enough to regret that their party support serves to give politicians a following: the latter are not automatically thought to reflect people's aspirations.

3.4 How free from harassment and intimidation are individuals and groups working to improve human rights?

Harassment and intimidation on those working to improve human rights are very rare these days. Reportedly, some members of human rights groups do receive threatening calls and letters from time to time, but actual occurrence of physical harassment and violence is much more difficult to observe. Moreover, this intimation

comes mostly from individuals concerned, not from some governmental agencies as in the past. In short, human rights groups are working freely and openly without much fear of harassment or physical violence.

Human rights groups and their leaders usually command high respect from people. It is not that they have thousands of dues-paying members or tons of financial contributions. They are short in membership and in finance. It is just that people do respect them on moral grounds. In that sense, one may say that the very existence of human rights groups is dependent not so much upon their political power as upon their moral rightness.

Due to their financial difficulties, some human rights groups have long received considerable assistance and subsidies from the government. Recently, however, their financial dependence on the government has been publicized and harshly criticized for being detrimental to their independence. In order to maintain their image of being morally right, therefore, many human rights groups are now shying away from such governmental subsidies and trying to achieve financial independence. In general, one may say that the government's control or influence on human rights groups has been weakened a great deal. Its influence is now minimal at best.

3.5 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

Civil and political rights exist, and have been strengthened year by year. People vote fearlessly, express concern publicly, follow religions of their family or individual choice, walk the streets freely, and express party loyalty with no anxiety at reprisals. Thus, a liberal plebiscitary culture has been instituted. Civil and political rights are equally guaranteed for all, and this is a huge achievement. However, this is an incomplete picture. South Korean democratic development is heavily influenced by its overall socioeconomic programme and prior political culture. Universal civil and political rights are a big step, but only a first step. This point has been well expressed by one analyst as follows: "Matters that hinder the democratization of Korea include traditional political cultures, authoritarianism, elitism, regionalism, and militarism -- both old and new... Democracy or development is an idealized stage to be attained after a prolonged process of evolution. Thus democracy and development are both processes and goals... few will challenge the proposition that democratization and economic development remain the two central questions..." Oh (1999)

In fact, enunciation of individual liberal-democratic rights are not so new in South Korea. A "proclamation" in 1948 by General Hodge, resident Commander of US forces, listed equality and due process even as a committee of eminent Korean jurists was drafting the Constitution. His formulation seemed useful, surviving committee changes and later, changes between presidential and parliamentary system. Though written by Koreans trained in Asia, the Constitution bore similar US influences (ibid). Individual rights were written into the Constitution. Yet, the prior legal tradition had been one not of strengthening the individual but of imposing social order, justifying authority rather than check it. One scholar has noted that "... In the Anglo-American world ... the law has

always been something that protects the individual against the state. In ours, the law was always something that protected the state or the ruler against the individual" Hahm (1971) The antecedents of the modern constitution are European rather than Anglo-American, and statutes provide the basis of judicial decisions rather than case law. The social environment of South Korea as the constitution was being written deeply conditioned subsequent statutes and their interpretation. For example, war damage and population displacement made material wellbeing a social ideal recognized by those interpreting the law. For example, a judge considered poverty to be a mitigating factor when a street-cleaner stole rice for his family (see Hahm, 1971). Achieving and sharing prosperity were considered not only more important than civil liberties but given the latter's potential for civic disturbance and economic disruption, a near-substitute. The importance of economic growth is indicated by the fact that the chapter on the economy survived various changes to the constitution. Hahm also records that "liberty and freedom have no meaning to those who do not have even a bare minimum of subsistence. Among such people ... freedom has only one overpowering aspect: freedom from want ... For them the law and order that denies them this fundamental freedom is something hateful... The political leaders of an economically underdeveloped nation ... have to maintain the existing order so that anarchy may be avoided and the nation's economy may have a chance to grow ... This, they say, is in fact what they mean by 'guided' or 'tutorial' democracy".

It therefore seemed inconsistent or trivial for the state to occupy itself with individual liberties at the same time as it was struggling to provide individual welfare. In time, the very beneficiaries of this prosperity would be willing to forgo some of it for a more liberal atmosphere, as reflected in Seoul National University's opinion survey of 1987 (reported by Oh, 1999). Meanwhile, the imprisonment of two presidents on corruption charges, the recent resignation of Prime Minister Park Tae-Joon, and recurrent bribery scandals on infrastructure projects such as the Seoul-Pusan train line, only highlight a secretive system of spoils at the top of which South Koreans have become more and more weary. A weakness of the democratic system is its continued failure to regulate the personal greed of those who have been voted into office. Thus, civil and political liberties are not matched by controls over the political elite. Hence, the demand for and guarantee of civil and political liberties in South Korea has taken many twists and turns. While the constitution and its application are clear, many South Koreans feel such liberties are not sufficient for democracy.

4.0 Economic and social rights

Are economic and social rights equally guaranteed for all?

Summary assessment: *South Korea's economic growth is matched by rapid improvement on human indicators. The most impressive has been education, and there are signs that its effects are felt on political consciousness and mobilization. The strides*

made by industry have included the formation of a vast workforce, whose political role is difficult to disentangle from its economic strength. Its struggle has therefore been economic as much as political. Over the decades, South Korean economic growth has led to the formation of a self-conscious middle class whose demands now are more political than socio-economic. The 1997 economic crisis caused uncertainty over livelihood. Amid these momentous political and economic changes, the urgent question of distribution will continue, and maintaining and broadening civic identity will remain a challenge.

4.1 *How far is access to work or social security available to all, without discrimination?*

The constitution has always had a chapter on the economy, and the 1987 constitution explicitly noted a need to 'democratize the economy' and harmonize the interests of government, enterprises, and 'individuals'. This is a production-centred view though the attempt seemed to be to expand the benefits from and accountability of factories. While the population is growing at one per cent per annum, the labour force is growing at 2.7%, which means more and more people of working age, such as students or housewives, are taking up jobs. At the simplest level, this means work is available. But it does not indicate whether all the workers are able to make ends meet. The remuneration and rewards from work, as well as working conditions, are part of a worker's life. Even when jobs are available, the terms on which they are available reflect society's treatment of the people whose efforts produce economic growth.

Only one-sixth of the population lives in the countryside. In recent decades, people have migrated heavily toward for jobs, and parts of rural areas have become urban centres. From the perspective of people seeking employment, work opportunities have been available over the decades, but work conditions have become a matter of concern.

Jobs become uncertain when, for example, a company collapses. Since the '80s, overborrowing by large firms made them unviable. In recent years, *chaebol* have become notorious for corrupt dealings with government as well as for managerial inefficiency. These family-owned corporations were modelled on Japanese companies, but it became clear that only the structure was copied into the South Korean business climate. The functioning of Japanese firms whose success was built over a long time was not easy to transplant. The bitter complaint of workers of one *chaebol* was that employees were indeed 'family members' of the *chaebol*, but that this was restricted to white collar workers: blue collar workers were 'cattle'.

Apart from the destabilizing effects of firm mismanagement on livelihoods, the manner in which the workforce is absorbed is also disturbing. For example, a report by one scholar who has worked closely with young women workers shows that the latter live in cramped, unsanitary conditions and work long hours for a low wage, which must also support parents and siblings, and go towards dowry savings. These young women are obliged to further squeeze their own consumption, often by missing a meal. It is an onerous existence for "industrial soldiers" and "dutiful daughters" invited to fulfil proudly and honourably their obligation to the nation. The report by Kim (1997) concludes, "When young women took factory jobs, they acquired an unprecedented public role outside the household, but the low status and meagre wages attached to these jobs were

wholly in accordance with the low status with which young women were conventionally regarded".

Cramped housing for industrial workers is not restricted to women. A chronic housing shortage in Seoul and elsewhere means that a large fraction of wages goes towards high rent for no more than sleeping quarters near the workplace.

Based on a newly revised national pension law passed by the National Assembly in December 1998, the National Pension Scheme was implemented on April 1st, 1999. This new state-run compulsory pension system, affecting all Koreans aged 18 to 59, extends to include another 10,470,000 citizens and self-employed persons from the present 4,850,000 company employees, and 2,130,000 farmers and fishermen. The government claims that the new system will tighten the nation's loose social safety net and set the groundwork of an advanced welfare state. However, several civic groups (e.g., the Citizens' Coalition for Economic Justice; CCEJ) have denounced that the new plan was implemented without enough preparations, thus evoking great public resistance.

Under the plan, prospective pensioners are to report their incomes to the National Pension Corporation (NPC), based on which their monthly contributions to the pension fund would be decided. The plan requires employees to contribute 4.5 percent of their monthly salaries, while employers must match their workers' contributions. The other subscribers including self-employed people are set to pay 3 percent of their monthly incomes, although the percentage will be raised by 1 percent each year from July in 2000 until it will become 9 percent in 2005. The biggest public complaint is that the government lacks the ability to precisely calculate the incomes of prospective pensioners, particularly high-income self-employed people such as practicing medical doctors and lawyers, and imposes relatively small amounts of pension fees. That is why some civic groups demand that the fund should be operated separately for company workers and the self-employed until the government finds the means to remove the flaws.

The history of state-administered pension schemes in Korea goes back nearly 40 years to 1960, when it started by covering only government employees under a special scheme. It was followed by two other special pension plans for military personnel in 1963 and then for teachers at private schools in 1975. The government legislated the National Welfare Pension Act in 1973 to introduce a state pension program for the entire population, but the implementation had to be postponed because of the "oil crisis" which was causing great economic difficulties at home and abroad at the time. The program was implemented in 1988 for those working at companies with ten and more employees. It expanded to cover those in workplaces with more than five employees in 1992, and to farmers and fishermen in 1995 (*Korea Herald*, April 1st, 1999).

4.2 How effectively are the basic necessities of life guaranteed, including adequate food, shelter and clean water?

The story of physical quality of life, as with other features studied by this report, is bound up with the story of South Korea's chosen growth path. At high per capita income of US \$ 8,000 per annum, South Korea may be expected to have delivered a minimum standard of living to its population. This is largely true. Hence, the anomalies that persist are all the more surprising.

The answer to the present question lies in South Korea's rapid (or 'compressed') urbanization, the population redistribution accompanying it, the prior exodus from the North and consequent resettlement, the structure of the industrial workforce taking shape, and the policy on rural and urban housing and service provision. One sixth of all South Koreans live in the countryside, but already by the mid-80s, four of every five people had moved to town. The latter's concerns with housing, transport, and quality of their surroundings, were incorporated into political demands. The actual record on provision has been uneven. The Catholic Institute of International Relations (1988) traces the deleterious origins of chronic housing shortage: townward migration of the able-bodied and the imperative of cheap food. In consequence, villagers were infirm or elderly, indebted, and suffering poor service provision. The departed industrial workforce, meanwhile, was not having an easy time of it: at 54 hours, theirs was the longest working week in an ILO survey. In the capital, a quarter of houses were occupied by at least three families, while the average unattached worker lived near work in a 'beehive' measuring two metres by two-and-a-half. This is confirmed by a more recent study of female factory workers (Kim, 1997), noting cramped and unsanitary living conditions. In recent years, quality of life concerns have been voiced frequently in the context of state policy. For example Suh (1998) describes it as 'distorted', expressing the hope that recent civil movements will help improve living conditions as well. He records also that 70% of NGOs are devoted to 'quality of life' improvement.

4.3 To what extent is the health of the population protected, in all spheres and stages of life?

The Korean government first introduced a national medical insurance system aimed at serving all Koreans in 1977. Since then, no significant changes have been made to the National Health Insurance Corporation. As a consequence, government funding has ignored the growing dynamic of medical knowledge. Declining government input to the overall medical services budget has shifted a greater cost burden to patients and their families. The government's financial aid rate for the National Health Insurance program gradually declined to its current 26 percent from approximately 50 percent in 1989.

This year, the government has implemented a new medical insurance system incorporating hundreds of regional and corporate insurance associations, as part of efforts to tighten the social safety net. (*Korea Herald*, June 30th, 2000) The state-run insurance system was enforced by 139 insurance associations, who served company employees, and 188 branch offices of the National Health Insurance Corporation, who handled government officials, school teachers and other citizens.

The new system is expected to solve a variety of problems in the existing system, including insufficient coverage and inefficient management. One of the biggest problems of the past system was that corporate insurers imposed different fee amounts on policyholders depending on their financial states. Under the new integrated system, premiums are set at 2.8 percent of the monthly income of each policyholder. Insurance coverage is also expanded, encompassing a variety of services related to disease prevention and rehabilitation. Previously, insurance only covered treatment of diseases.

According to government officials, the aim of the integrated medical insurance program is to create a sense of social solidarity under which those with higher income would pay higher premiums. They said the measure would bring the country one step closer to becoming a modern welfare state. According to experts, however, this goal will only be achieved in January 2002, when the coffers of the two types of insurance companies are actually unified. The government had initially planned to combine their financial holdings immediately, but delayed the plan in the face of strong resistance from insurance associations for company employees.

4.4 *How extensive and inclusive is the right to education, including education in the rights and responsibilities of citizenship?*

Whatever problems South Korean education may suffer, political or public neglect has not been one. When it started on its development path after the War, South Korea was a low-income country, moreover, one suffering war damage, food shortage, and rampant inflation. It could have been excused for pleading inability to raise resources for education, a typical problem of LDCs. However, schooling children and adults has been an article of faith: refugee camps of the 'fifties ran schools, and the government would subsidize *chaebol*, the legendary family firms, to offer workers' classes at the workplace. The introduction noted that in 1991, South Korean children had attained the second highest world score in maths and the highest science mark (Lee, 1997). Lee avers that this determined bid for cognitive and skills development was part of the Republic's growth strategy: Korea has been after all the archetypal 'developmental state'. Education can be rightly described as extensive and inclusive, almost aggressively so.

This goal-orientation has not robbed education of its deeper consequences. In tandem with socioeconomic advance, it has played a significant role in the formation of civic consciousness and in more overt politicization. University students have been at the forefront of protests and unobtrusive infiltration of factory workforce (it was common for graduates to 'underreport' their qualifications and seek employment on the shop floor in order to organize workers denied the usual channels; see Oh, op cit). Helgesen (1998) observes, "[m]oral indignation makes student activism a duty...". On a different scale, state and economy have rapidly constructed society. Through the '80s, a workforce enriched by its technical and managerial skills coalesced outside the workplace into an ill-defined but visible 'middle class'.

Hence, education has been a political and economic priority. Lee (1997) notes that spiralling school enrolment even to secondary level preceded the economic boom. The overall effect has been to develop the skills of the population: by the '60s, the majority of workers had some formal schooling. In addition, such preoccupation with education has also produced a sense of national belonging and civic duty. Popular anti-government movements followed by worker unrest have pitted an educated population against authority. The 1987 summer protests had started with students and workers but to the surprise of watching journalists were taken up by ranks of irate, well-dressed citizens (Oh, 1999). The social and civic contributions of the educational sector seem quite clear. Under circumstances of recent instability brought about by the economic crisis, the continued identification by citizens of common problems remains to be seen.

A 1987 opinion survey of over a thousand people in the four regions by Seoul National University found the following:

<i>Opinion</i>	<i>Per cent of respondents</i>
Describe myself as 'middle class'	68
Right to rebel against an undemocratic government should be a constitutional right	96
A small part of the economic growth rate can be sacrificed to increase human rights	87
Middle class has contributed to development	85
Middle class is central to democratization	75
Middle class actions do not match its rhetoric	72
Democratization can only help reunification	70
My political influence is limited	63
The press is free	18

Source: (Oh, op cit, page 69) *Note:* The opinions reported above are slightly rephrased for convenience.

In 1990 and 1995, surveys by another commentator (Helgesen, 1998) showed that a majority of South Koreans believe that big business is inimical to the country's democratic progress. Meanwhile, the number who thought that political power was held by the military fell from 79 to 31 per cent. People want a modern government which while being representative and accountable, is also in keeping with Korean tradition. Most people are disappointed with political leaders. Widespread feelings on this matter, and the similarity of student and official views on politicians' ideal qualities or actual shortcomings show that education, expectations, and political liberalization are in tandem. That is, the growth of tertiary education has produced a critical and questioning public, and the intelligentsia is at the forefront of budding civil society. Each step in democratization, whether it is to do with worker struggles, building up the opposition after long repression, or strengthening legal process, is accompanied by much public clamour in the press and on the streets. Much is made of the value traditionally accorded education, but modern educational progress cannot be seen in direct descent. In 1957, the government adopted a Children's Charter which reflected UNESCO norms. A tension existed between convention and (foreign) modernity, and schooling can be viewed as a working combination. By the time students reach university, cognitive skills and a sense of public duty are highly developed. Radical influences channel this material into overt political involvement. Thus, a connection can be seen between education and recent political development, even if it is not straightforward.

4.5 *How free are trade unions and other work-related associations to organise and represent their members' interests?*

Trade unions and worker associations have been liberalized not gradually but in discrete steps corresponding to political phases. It is generally accepted that martial law in 1961 and the determined push for exports were harsh on labour. Yet "a highly politicized labor movement with deep historical roots in the opposition to Japanese occupation threatened elites and the chosen course for development. Park's initial response to labor included a total ban on strikes, deregistration of all existing unions, and arrest of many union activists. After destroying oppositional unionism in 1961, Park sought renewed political legitimacy by establishing civilian rule and liberalizing labor and other legislation. But at the same time he ensured the emergence of politically docile trade unions by creating an umbrella organization, the Federation of Korean Trade Unions (FKTU), with which all reactivated unions had to affiliate. Until the mid-1970s the national industrial unions that make up the federation functioned mainly to moderate union demands, implement government policy, and discipline recalcitrant locals" (Deyo, 1987b). Another way of saying this is that labour repression helped secure growth.

After 1987, some change could be expected in the political position of labour. Restoration of due process implied relaxation of labour laws. This was forced on policy by a sudden surge of worker demands for the repeal of ban clauses on third-parties, party political activity, and choice of union, and the easing of restriction on public sector and defence workers. Indeed, "[t]he ILO (had) ruled that some disputed labor laws (such as restricted rights for private school teachers and single-union representation) are inconsistent with ILO conventions" (Mo, 1999). This labour upsurge did not result in immediate legal changes but brought about some official softening in various forms such as passive but directed nonintervention (ibid). Workers for their part struck hard and long, drawing angry government reaction before the Ministry of Labour began to review the law. Most significantly, the courts issued several important verdicts which clarified and defined the law. Some found against labour by ruling that an action was illegal. Labour won from restitution of public sector workers' rights and striking down the 'single union'. Such judgments had the effect of disciplining both labour and government (ibid). In 1993, reform initiatives were welcomed by labour but a spreading strike in Hyundai plants dismayed the government which reverted to a hard line and abandoned reform plans. Subsequent reforms served to divide and factionalize labour.

In addition, the particular conditions of different categories of labour may make their unionization difficult. Young women age rapidly and may drop from favour at the age of 23 in some industries such as electronics. In their all-too-short working life, they are consumed by the determination to support parents and siblings as well as save rapidly for their own dowry. "Because women regard themselves as little more than temporary workers, they are willing to provide the low-paid, unskilled labour needed for light industry, and their focus on family diverts their attention from labour issues and makes them more difficult to organize". It would seem that trade unions can only ever represent the interests of these workers by improving their wages and conditions, humanizing and prolonging their working life, training and skilling them, and harnessing their energies to purposes larger than the daily clockwork reproduction of their saleable labour power.

Another observation is that labour has not been the beneficiary of recent democratization, being offered wage stability and little change in the law. Most poignantly, its vociferous demands won it little say in the new 1987 polity. It could neither support nor find support from an electoral party or presidential candidate. "Labor was not an active participant in deciding the rules of transition ... [presidential election] concessions ... did not address labor demands" (Mo, 1999).

Hence, trade unions have been increasingly free to organize and represent, but not got very far. Despite their size, there is still no labourist party (parties of the left were banned in 1949). Overlooking this connection between the development of a huge industrial workforce and a political party built around its interests has not helped South Korea. Labour laws were left unreformed in the early stages of the country's 'negotiated' transition from dictatorship (ibid). This residue in turn weakened the ensuing democracy.

In an ironic twist, the new bargaining power of unions since 1987 is blamed for helping precipitate the 1997 corporate collapse which snowballed into a national crisis. Nominal wage rises exceeded productivity gains over the decade, making exports uncompetitive. Government failure to sustain a labour policy, and the South Korean culture of consensus rather than negotiation or reconciliation of opposing interests have been identified among the political factors in the crisis (Mo and Moon, 1999b).

4.6 *How rigorous and transparent are the rules on corporate governance, and how effectively are corporations regulated in the public interest?*

The story of modern South Korea may be considered to be the story of its flagship industry: steel, chemicals, heavy machinery, and cars. Through the '80s, the world came to recognize names such as Daewoo, Hyundai, and Samsung. In the '90s, exports were joined by investments, Europe looking to South Korean firms which had come to regard their own labour as too dear. South Korea had been a NIC, Asia's next giant, and a home of sunrise industries; it was now buying assets in the manner of Japan. The perseverance of the state during the '60s, President Park personally convening monthly meetings of exporters, had paid off. Thus, the South Korean development path had been traced by a close alliance between government and business. The nature of the latter too changed over these decades, competitive enterprises giving way to *chaebol*, family-owned corporations, especially conglomerates of firms with interests in several subsectors.

Given the close relation between business and government, it may have been only a matter of time before corruption allegations surfaced. Through the '80s, as the South Korean manufacturing sector achieved international stature, it was associated at home with wealth concentration and political or official corruption. There was widespread unease at state collusion on various fronts which was clearly enriching favoured sections. But nobody was prepared for the magnitude of the collusion, specifically, that simple rules of efficiency or creditworthiness were being bypassed. The public shock at the 1997 collapse was matched by shock at the revelation that the impeccable *chaebol* bore much responsibility. Consequently, big business is being reappraised for its management, accountability, and government policy. With hindsight, it is easy to complain that rules on corporate governance were neither rigorous nor transparent, nor corporations regulated in the public interest. But it is necessary to understand that the leadership role of big

business in economic development went hand-in-hand with its abuse of an expanding system. The business-government understanding is often dealt with in the context of *chaebol* and central government, and the bending of local rules and procedures is often overlooked. For example, one analyst (Kang, 1999) has held government responsible for initiating the wave of land speculation. In an example of the rentier state, local administration raised resources by taxing rocketing real estate. Investors sank productive resources in land, while government simply got round finance shortfalls by further stoking land values.

If the twin aspects of big business, ie, economic dynamism and government patronage, are not properly understood, it would be difficult to devise safeguards against similar future abuse. "[D]emocratic change ... affects the institutions and working mechanisms of the economy. The important question is *how*" (Lew, 1999, original emphasis). Government-business relations in South Korea are more than a matter of concern on corruption. Rather, the South Korean people must question whether such an impenetrable alliance offers the only path to growth.

Liberalization on many fronts cannot now be halted. Government and business have been mutually interdependent especially from 1961. The affiliation gave South Korea its place in the world, and has defined its political economy. The relaxing of political climate since 1987 failed to provide adequate public checks on emerging corporations, and this remains a task for the present political leadership and civil society. If democratization and openness cannot give society control over private corporations whose wealth has been amassed at public cost, then the political improvement is obviously narrow or limited.

4.7 *What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?*

<The Status of Small and Medium Enterprises>

In Korea the term small and medium enterprises (SMEs) is defined as company which employs less than 300 persons and whose assets amounts to less than about 60 million US dollar. The number of SMEs now reaches 2.67 million, representing 99.1% of Korean businesses, and which employ 8.2million persons, 74.4% of the total national workforce.

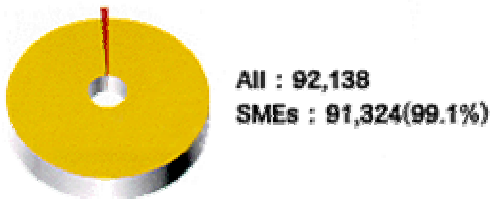
There are more than 91,000 small and medium manufacturing enterprises in Korea which employ from five to 300 persons each. These represent 99.1% of all manufacturing companies. With a total of 1.9 million employees, they account for 69.3% of all manufacturing sector employees. The value of their production and their value-added activities amount to 167 billion US dollar and 70 billion US dollar, respectively, or 46.3% and 46.5% of the nation+s totals in these areas.

Of special note, the most active companies among small and medium manufacturing enterprises are those which employ from five to 49 persons each. These businesses represent 91.6% of all small and medium manufacturing companies. They also represent 58.2%, 44.2% and 45.2%, respectively, of the employees, production and value-added activities.

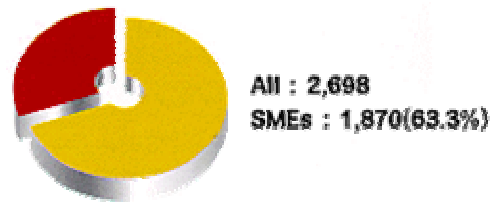
SMEs engaged in seven manufacturing sectors - machinery and equipment, fabricated metal products, textiles, apparel and wool products, food and beverages, and rubber and plastic goods - represent 55.2% of all manufacturing firms in Korea. They are responsible for 42.8% of Korea's total exports. Of the total SME exports, electronics and electric products account for 27.1%, textiles 23.5%, machinery and transportation equipment 17.0%, plastic, rubber and leather goods 6.5%, iron, steel and metal products 6.6%, and others 19.3%.

<The Share of Small and Medium Enterprises in Korea (1997)>

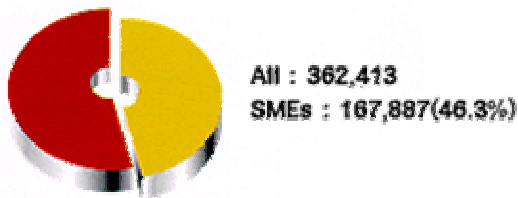
No. of Companies



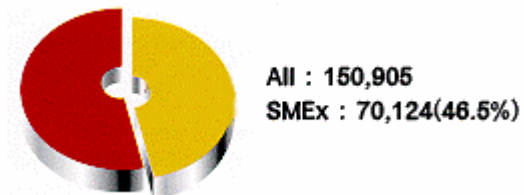
No. of Employees (Unit : 1,000 persons)



Production (Unit : million U.S. dollar)



Value Addition (Unit : million U.S. dollar)



II. Representative and Accountable Government

5.0 Free and Fair elections

Do elections give the people control over governments and their policies?

Summary assessment: *Popular competitive election is now firmly established as the route to legislative and executive office, and the actual electoral process is fairly free and fair. One problem is that voters have a limited range of choice as the existing major parties are all conservative, although there do exist some differences among them. There is also a problem of some disparities between votes and seats, but that is largely a result of the country's electoral system, which is dominantly a simple plurality system partly combined with a proportional representation system. While turnout rates have gone down in recent elections, it is partly a reflection of the decreasing importance of mobilized voting. Finally, election results are widely accepted both internally and abroad.*

5.1 How far is appointment to governmental and legislative office determined by popular competitive election, and how frequently do elections lead to change in the governing parties or personnel?

Multiparty politics in South Korea seem here to stay. The political experience of the country since its emergence from the War has been of dictatorship being forced to readmit dissent. Governments are now determined by presidential and parliamentary elections, and recent elections have changed parties and personnel at the top. Earlier this year, in preparation for the April 13, 2000 election on schedule, the United Liberal Democrats parted company with its partner in the ruling coalition, President Kim Dae Jung's Millennium Democratic Party, which it had helped to power to begin with. On the other side of the ideological spectrum, trade unions formed a new Labour Party (which did not as it happens receive a showing at the polls). Hence, popular competitive election is now firmly established as the route to legislative and executive office.

5.2 How inclusive and accessible for all citizens are the registration and voting procedures, how independent are they of government and party control, and how free from intimidation and abuse?

The National Election Commission takes its job very seriously, and all appearances are that registration and voting are reliable. The registered electorate for 2000 was 33.5 million, or nearly 70% of the population. (The 57% turnout, the lowest ever, reflects public disenchantment with politicians rather than inefficiency in the electoral process).

Any Korean national who is 20 years old or older as of the date of an election has the right to vote. No separate registration is required to be eligible to vote, as in some countries like the U.S. Instead, pollbooks are prepared by the head of a Ku, Shi, Up, or Myon whenever elections are held. Once in print, pollbooks are displayed for public view

to check omissions, errors, or entries of ineligible voters. Complaints or mistakes discovered by viewers are corrected upon notification, and pollbooks thus verified will be finalized 7 days before the date of an election. A pollbook is valid only for a specific election that it has been designed for.

For voters on long-term travel abroad, in military service, or in hospitals for extended care and thus unable to cast their ballots at designated locations, a separate pollbook will be prepared listing absentee voters who can exercise their rights through the Absentee Voter System.

Currently, there is no problem of voters being intimidated or abused by government or parties. It is true that in the past many people (especially in rural areas) were mobilized by the government or village elders to go out and vote for a certain candidate (most often, the government party candidate). With the rapid modernization of the country, however, this so-called “mobilized voting” has lessened quite a bit. (Kim 1998) Although mobilization efforts do occur even now, they now take a more subtle form, far from that of intimidation and abuse. Given that these subtle mobilization efforts are to be found in every country, although to varying degrees, one cannot say that it is a serious problem in the context of Korean election.

5.3 How fair are the procedures for the registration of candidates and parties, and how far is there fair access for them to the media and other means of communication with the voters?

The procedure for the registration of candidates is quite fair and straightforward. A political party wishing to register its candidates or an individual wishing to become a candidate may do so by submitting application to the Election Commission of its or his/her district within 2 days from the first date of an election period. The application documents should include applicant's consent form, recommendations from his/her party or prospective constituents, manifest of personal assets, eligibility for candidacy application, deposit of a specified amount. In the event a candidate is found to be ineligible for candidacy, his/her application will become invalid. A public official who wants to register himself/herself as candidate must resign from his/her post 90 days before the date of election (<http://www.nec.go.kr/eng/main.htm>).

Election campaign activities are regulated by the National Election Commission, and all the candidates are quite fairly treated in the process. The regulations are composed of three aspects. One is the designation of an election campaign period. Campaign activities may occur after the formal acceptance of a candidate's registration until the penultimate day of an election. Any campaign activities outside of the designated period are strictly prohibited.

Second, main means of election campaign are stipulated and regulated. More specifically, there are three main means. One is the use of newspaper, broadcasting media and communication (advertisements via newspapers and broadcastings, presentations by candidates aired on TVs and radios, personal histories of candidates aired by Korea Broadcasting Corp., and P.C communication). Another is the use of promotional materials in print (propaganda posters pasted on billboards, election pamphlets, small printed materials and placards). The final is campaign speech rallies, interviews, and

debates/discussions (joint speech rallies, speeches by independent and party candidates, open speeches, and interviews and debates arranged by particular groups and mass media).

The third and final aspect of regulation is on campaign funds. Limits on the use of campaign funds are set on the basis of population in any given district, and compliance with the prescribed limits is strictly enforced so as to insure clean elections. Candidates are required to open campaign bank accounts and file their account numbers with their account respective EC, and expenses shall not exceed the limits set by EC. The ECs post the results for public knowledge and then examine and confirm the receipt/disbursement statements. Receipt and disbursement statements must be submitted within 30 days (40 days for presidential election) after an election has been held.

While there seems to be no significant discrimination in this official regulation process, in reality there does exist an important discrimination against independent candidates. As mentioned above, no candidate is allowed to do campaign activities before the official election campaign period begins. In reality, however, party candidates (and incumbents, in particular) may obviate this regulation by engaging themselves in normal party activities, which have virtually the same effect as campaign activities. In this regard, independent candidates are severely discriminated.

5.4 How effective a range of choice does the electoral and party system allow the voters, how equally do their votes count, and how closely does the composition of the legislature and the selection of the executive reflect the choices they make?

Seven political parties competed in the National Assembly election of April 13th, 2000. This number is deceiving, however, in two respects. First, three major parties took most seats (265), while the remaining four managed to get only three seats altogether. In effect, then, the election was once again a battle among the big three: GDP, MDP, and ULD. Furthermore, given that the seat of ULD was reduced from 51 to 17, one could even argue that the country is finally heading toward a two-party system. In terms of number of effective parties, then, the voters did not enjoy a wide range of choice. (Of course, this limited number of parties is partly due to the nature of Korea's electoral system, which will be discussed shortly)

Second, and more importantly, the ideological spectrum is quite narrow. Five of the seven (including the big three) are all conservative parties, while only two (Democratic Liberal Party and Korea Youth Progress Party) are on the left side of the spectrum. Moreover, the latter two parties were formed right before the election and could not win a single seat. Of course, there do exist some ideological differences among the big three, as MDP is regarded as the least Conservative and ULD the most Conservative. Compared to the Western democracies, however, the voters had only a limited choice in terms of ideological diversity.

Korea's electoral system combines both a simple plurality system and a proportional representation system. For 227 primary districts, one seat is given to the candidate who has received the simple plurality vote in each district. The remaining 46 seats are distributed to political parties in proportion to each party's share of the valid nation-wide votes. There are legally mandated thresholds that a party must exceed before

it is eligible to receive seats. Specifically, the proportional system applies only to those parties who get 5% and above of the total votes, while those parties whose share are 3-5% are entitled to receive one seat.

In terms of ratio of seats (227:46), one can say that a simple plurality system is the dominant one. With this system, “dead” votes are inevitable, and consequently, there have always been some disparities between votes and seats. For instance, in the recent election, the two progressive parties, Democratic Liberal Party and Korea Youth Progress Party, although they received 1.2% and 0.7% of the total votes respectively, could not win any seat. According to Yoon (2000), the proportionality of the last election for each party was as follows:

Political Parties	Share of Votes (%) (A)	Number of Seats	Share of Seats (%) (B)	Bonus (%) (B-A)	O’Leary Index of Proportionality (B/A * 100)
Grand National Party	39.0	133	48.7	+9.7	124.9
Millennium Democratic Party	35.9	115	42.1	+6.2	117.3
United Liberal Democrats	9.8	17	6.2	-3.6	63.3
Democratic People’s Party	3.7	2	0.7	-3.0	18.9
New Korean Party of the Hope	0.4	1	0.4	0	100
Democratic Liberal Party	1.2	-	-	-1.2	-
Korea Youth Progress Party	0.7	-	-	-0.7	-
Independents	9.4	5	1.8	-7.6	19.1
Total	99.9	273	99.9		

5.5 *How far does the legislature reflect the social composition of the electorate?*

Social backgrounds of Korean legislators are in no way representative of those of the electorate. Most of them are highly educated, wealthy, male politicians in their forties or above. Among 227 members of the National Assembly elected at their districts in the most recent election (April 13th, 2000), all except five are male, clearly demonstrating the male dominance in Korean politics. If we add up 46 legislators appointed by political parties, then the percentage of female legislators increases little from 2.2% to 5.8%. Even this number is quite small, however, when it is compared to those in other East Asian countries: 30.0% in Taiwan, and 10.6% in Japan. (<http://www.joins.com>)

In terms of age, only 13 (5.7%) of them are in their thirties, 60 (26.4%) in their forties, 87 (38.3%) in their fifties, and 67 (29.5%) in their sixties. The number of young legislators (in their thirties) is still small, but it is a considerable increase from the comparable number in the last election of 1996, that is, 7 (2.8%). This increase may be attributed to the success of so-called “386 generation” (referring to the relatively young generation whose are in their “30s,” went to college in the “80s,” and were born in the “60s”) candidates in the Metropolitan area.

In terms of occupation, 189 (83%) out of 227 are politicians, including former and current members of the legislature. Lawyers rank second with 19 (8.4%), followed by 4 from business circle, 3 from educational circle, 2 from the press, and 1 from medical circle. Most of 227 new legislators are extremely wealthy, their average property being more than 3 trillion won.

Another interesting figure is that 56 (25.2%) out of 222 male legislators had their military services exempted, which is almost six times greater than the average exemption rate for ordinary people (4.3%). This great disparity was raised as an important issue during the campaign, due to citizen groups’ efforts to publicize candidates’ personal information (such as records of military services, tax payment, property, and criminal activities) for the first time.

5.6 What proportion of the electorate votes, and how far are the election results accepted by all political forces in the country and outside?

Traditionally, the turnout rates have been rather high, but they are dropping rather rapidly in recent years. The turnout in the most recent election of April 13th, 2000, was 57.2%, the lowest ever for National Assembly election. The local election of June 4th, 1998, had the turnout rate of 52.6%, which was a huge drop from that of the previous local election of 1995 (68.4%). Although the turnout rate for the 1997 Presidential election was rather high, recording 90.7%, it was lower than numbers in previous Presidential elections. The pattern is clear, then. Turnout rates are dropping in all types of elections.

Many analysts attribute the recent drop of turnout rates to people’s disenchantment with politics, and the increase of young voters’ political apathy, in particular. It is hard to totally deny this explanation, but it seems that it is only a part of the story. One may argue convincingly that Korean people have been always disenchanted with politics and that young people all over the world are less interested in politics than the old.

Another important reason for the drop in turnout may be the decreasing relevance of mobilized (forced) voting for Korean voters, which is in turn attributable to the country’s rapid modernization process (refer to Section 5.2). This explanation is supported by the fact that the drop in turnout is the greatest in local elections, where voters are the least interested, and thus most vulnerable to mobilization efforts, and the least in Presidential elections, where voters are highly interested and likely to vote voluntarily (Kim 1999). If this explanation were valid, the recent drop in turnout rates may not necessarily be a bad sign for Korean democracy. It may be just that Koreans might have become more independent, self-conscious voters.

The election results are widely accepted both internally and outside. In recent elections, no political forces have ever contested election results seriously, reflecting that the electoral process has become quite fair. Of course, political parties frequently accuse each other of violating the election law (e.g., spending excessive money or illegally employing government officials during campaign). Most of these accusations are made with political purpose, however, without any legal action.

5.7 *What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?*

Recently, the Supreme Public Prosecutor's Office directed the nation's prosecutors to point out problems in the election law that they encountered during their investigations and suggest possible remedies. After collecting prosecutors' opinions, the prosecution plans to submit a draft amendment of the law to the Justice Ministry. (*Korea Herald*, October 16th, 2000)

As one of its unfair points, prosecutors cited the law's distinctions between sitting lawmakers and their challengers as well as between candidates affiliated with political parties and independents (refer to Section 5.3). Incumbent lawmakers can engage in a wealth of "virtual" campaign events by meeting with their electorates on the pretense of reporting their parliamentary activities even before the 14-day official campaign period. Out-of-parliament candidates (independent candidates in particular), however, cannot engage in any kind of publicity activity before the campaign period.

Another problematic issue in the law is the scope and procedure of the disclosure of candidates' criminal records. Critics have charged that ex-criminals, as long as they received fines or more lenient punishments, can easily be elected lawmakers as the current law stipulates that monetary penalties or more moderate disciplinary measures are not subject to disclosure.

In addition, the prosecution is reportedly considering giving more leeway to civic groups to campaign against candidates that they deem "unfit" to hold office. A coalition of several hundred civic groups blacklisted and campaigned against 86 "unfit" candidates during the last April election and 59 of those targeted failed to win a seat. However, 29 leading members of the coalition were indicted for illegal electioneering. Prosecutors also plan to include in the draft amendment various measures to tackle deeply rooted illicit campaign practices such as vote buying and slander.

6.0 Democratic role of political parties

Does the party system assist the working of democracy?

Summary assessment: *The underdevelopment of political parties has been pointed out by many analysts as one of the greatest obstacles to the Korean democratization. There are no serious restrictions on the activities of political parties. They are free to*

form, recruit members, participate in elections, and organize within the legislature. The problem is that the party system has not yet been firmly institutionalized. The core of the problems is that all the existing parties are still centered around a few political leaders without mass foundation. This lack of mass foundation, in turn, makes a within-party democracy impossible. Consequently, the actual party operation is unduly dominated by a few party leaders, which is in turn responsible for an excessively strong and rigid party discipline. Another problem of the party system might be the lack of ideological diversity, which is in turn strongly related to the problem of regionalism, that is, the heavy reliance on regionally-based support.

6.1 How freely are parties able to form, recruit members and campaign for office?

The ups and downs in South Korean party politics and the frequent repression entailed dull the memory of an outbreak of parties following the 1945 liberation from Japan. There were 40 in two years. It is a truism that more than courts or a responsive administration, parties are required to sustain electoral politics. Helgesen (1998) quotes Ahn (1978) who calculated that only five of 160 registered political parties lasted two congressional elections. Indeed, easy proliferation and immediate extinction are the order of the day. It shows at once that parties can form and function freely, and that there is a weakness in their very formation, structure, and political role.

Left-wing political parties were banned in 1949. Section 4.5 had noted that no political party has formed around interests of the vast industrial workforce that has grown since. Mo and Moon (1999) also observe that most parties remain "conservative" on this score. This suggests that party freedom coexists with ideological narrowness. Parties are indeed free to form, but the free expression of viewpoints implied is less evident.

The Republic of Korea constitution guarantees the freedom to establish political parties and the multi-party system. The purpose, organization, and activities of all political parties shall be in line with democratic principles. Also, political parties shall be structured so that they can enhance citizen participation in the formation of political opinions. By law the state shall protect such parties and provide financial assistance necessary for the management of accredited political parties.

A political party comes into being when and if its central party has all the legal provisions pertaining to its district parties and when it is formally registered with the NEC. There are some conditions that need to be met. For a political party to become a valid entity, the number of its district parties should be equal to over 1/10 of the total number of electoral districts of the National Assembly. The district parties ought to be set up at least in 5 different metropolitan areas including the capital city, and no one metropolitan city or province may have more than 1/4 of the total of district parties. Finally, a district party can become a valid entity by securing 30 or more prescribing party members. (<http://www.nec.go.kr>)

6.2 How effective is the party system in forming and sustaining governments in office?

Governments were for a long time sustained in office by force. Hence, a link did not develop between party politics and regular contest for office.

Quite apart from official suppression of dissent, there seems to be an added problem, inadequate development of political parties from the ground up. This deficiency in mass validation (despite evidence of mass support at critical times) is the obverse of the tenuous government-parties link just noted. Hence, politics is widely regarded as working through pressure groups. Helgesen (1998) reports a 1989 survey which listed the armed forces (33%), students (26%), US armed forces (24%), *chaebol* (9%) and industrial labour unions (2%) as perceived to influence the government. (Nobody cited peasant organizations as having any influence. The low importance attached to union pressure is remarkable. Despite serious industrial unrest in the late 1980s, 70% of those surveyed blamed employers). Political parties thus do not enjoy public confidence. This distance from voters on the one hand and experience of administration on the other indicates a weakness in the party system. The absence of people's trust carries over into government, which does not enjoy much credibility either.

The low expectations of parties is symptomatic of another problem; the absence of clear ideological lines separating the parties. The strength of personality of certain candidates helps their party win votes, but voters find it difficult to identify clear socio-economic or political programmes of the party of their choice.

Thus, the party system does not seem to have yet realized its potential in providing discernibly different government, though people seem to have certainly voted for more liberal, honest, and humane administration.

6.3 How free are opposition or non-governing parties to organise within the legislature, and how effectively do they contribute to government accountability?

Parties are basically free to organize within the legislature. The only restriction is that a party must have at least 20 seats, in order to be able to register as an "official" negotiation group. Supposedly, this restriction is intended to prevent political chaos arising from the existence of too many parties. Yet, this is a clear discrimination against smaller parties, since being an official negotiation group brings many privileges, such as consultations on house steering issues and the agenda of Assembly meetings, request on the appointment and replacement of members of the Standing and Special committees, and consultations on the number, time, and order of speakers on the agenda of the plenary session. Most importantly and tangibly, parties registered as negotiation bodies are entitled to share 50/100 of the total government subsidies evenly among themselves, while those with 5-19 seats are given 5/100, and those with less than 5 seats 2/100.

As a result of the recent National Assembly election, the third party, ULD, fell short of this threshold, winning only 17 seats. With the support of the ruling party (MDP), ULD wanted to revise the regulation right after the election, arguing that the threshold must be reduced to 15 seats. Due to the vehement opposition from the opposition party, GNP, and unfavorable public opinion, however, the revision efforts have produced no results so far. In the near future, there is a possibility that GNP might lessen their opposition and let the revision pass, in return for concession from ULD in other respects.

Under authoritarian regimes of the past, opposition parties were not able to play a significant role in the policy making process. Their role was merely either to physically block the passage of important laws, or to criticize the ruling party with harsh words. Nowadays, opposition parties are trying to play a more constructive role in the policy making process, and contribute to government accountability. More often than not, however, their efforts have fallen short. Despite their efforts, the main role of opposition parties is still reduced to that of criticizing and obstructing the government, rather than that of actively participating in the policy making process.

6.4 How fair and effective are the rules governing party discipline in the legislature, and to what extent is 'floor crossing' discouraged?

Party discipline in the legislature is quite strong in Korea. Probably it is too strong and rigid that many political analysts emphasize the necessity for cross voting. Although party discipline has certain merits and utilities, the rigidity of party line voting in the Korean legislature is negatively viewed. It is mainly because the strong party discipline is a result not so much of ideological cohesion, but of "factionalism" and "boss rule." Rank and file legislators are so heavily dependent upon party leaders and faction leaders for political fund and candidate nomination that they do not dare to act or vote against the will of the party leadership. More often than not, therefore, they are forced to show blind allegiance to party directives at the expense of their own personal views and their districts' interests.

Recently, young politicians (mostly the newly elected in the April election this year) from both the ruling party (MDP) and the opposition party (GNP) got together and boldly voiced the need for reforms and democratization in both the organization and operation of their parties and parliament. By vowing to put an end to factionalism and boss rule, they have directly challenged political heavyweights and even party presidents. These first- and second-term lawmakers have also launched an assault on the chronic national ailment of regional antagonism, and went as far as to feel out means to cross party lines for the legislation of reform bills, a virtually unheard-of move in the Korean political scene.

The major political parties have accepted some of the new lawmakers' demands. Park Sang-cheon, the ruling party's secretary general, mentioned several times that cross voting on matters related to the selection of the new parliamentary speaker and certain legislation could be permitted. Veteran politicians are unlikely, however, to bow further to their younger counterparts' pressure. The old hands launched a counterattack at the first general meetings of representatives elected to the 16th National Assembly, and made it that lawmakers-elect had to abide by the party rules.

It looks like that party discipline in the legislature will remain strong in some time, but as time goes by and these reform-minded younger generation legislators gain more influence in both parties, it will be gradually weakened. And in the context of Korean politics, that is not necessarily a bad sign. Rather it is a sign of increasing democracy within parties.

6.5 How far are parties effective membership organisations, and how far are members able to influence party policy and candidate selection?

Korean political parties have a very weak mass foundation. Although they officially claim to have a great number of party members, these official numbers are meaningless. Most of official party members are transient in nature, as they tend to join their respective parties, not voluntarily (out of love and preference), but because of peer pressure (mobilization efforts) or in return for monetary compensations. Typically, therefore, the number of party members increases greatly during the campaign, and afterwards it rapidly decreases.

This lack of mass foundation is regarded as one of the most notable and vital weaknesses of Korean political parties. In fact, it leads to many other problems, such as frequent name changes, merges, and splits of parties, the lack of within-party democracy (mentioned at Section 6.4), and the necessity for a huge amount of political funds. In this context, many experts argue that cultivating wide mass support is the most important future task for Korean political parties.

Being centered around a few political notables and lacking genuine grass root members, it is no wonder that the process of making party policy and selecting candidates is dominated by a handful of party leaders. More recently, major political parties have introduced a rather open nomination system where district party leaders (if not grass root party members) could have some influence on candidate selection, but even this new system is not truly democratic. Most often, it is being used as a procedural device to legitimize the choice made by top leaders.

6.6 How far does the system of party financing prevent the subordination of parties to special interests?

Compared to the past, the current party financing system is much healthier. In the past, political funds were mostly distributed not through official party lines, but through a few influential politicians and their informal factions. Thus, most political funds were raised on individual basis covertly and in a corrupt manner, the most important source being business conglomerates. The result was a close connection between politics and economy, and subsequently great influence exercised by business firms on individual politicians (rather than on political parties).

Through various reform efforts in the 90s, the flow of political funds is now more open to the public, although still a huge amount of funds is believed to flow around covertly. The sources of party finance include party members fee, supporting money, deposit money, government subsidies, moneys raised by supporters association through fund drives, and other incidental income gained according to party constitution and rules. The supply of government subsidies, in particular, is believed to have contributed to a more open and fair party financing system, by reducing the importance of black political funds.

Korean special interest groups are not as active as those of Western democracies, although they are beginning to voice their demands more often and more vociferously in recent years. Yet, most of their major activities take the form of public demonstration,

designed to attract people's attention and sympathy, and their linkages to parties in terms of donation and campaigning are still very weak. In that sense, Korean political parties are relatively free from the influence of most special interest groups. The only exception would be the continuing (although weakening) influence of individual business firms on individual political leaders. Also the military, if it can be called a special interest group, still seems to exert a significant influence upon political parties as a veto group, although the two are not closely linked financially.

6.7 *To what extent do parties cross ethnic, religious and linguistic divisions?*

Parties do cut across these categories, but there is a tendency among voters to identify with a region. President Kim Dae Jung is Catholic and from the underrepresented Cholla region. His religious origin has a precedent, but it is considered remarkable that a candidate from relatively deprived Cholla has become President. Regional identification is made with the leader of the party, and consequently the party.

There is a strong sense of regionalism in South Korea which seems slightly at odds with social events. The heavy population dislocation in the War, and subsequent townward migration under rapid economic change, could be expected to dilute recollection of one's region of origin. But any regional attachment seems to have got reinforced in recent decades as a result of discriminatory central policy. For example, Kwangju recollection of the crushing of their 1980 rebellion is not only sad but also bitter, due to a prior sense of discrimination. People of the far south west have long been accorded low status. They see the brutal 1980 suppression as part of this general prejudice. Conversely, Taegu-Kyongsang in the south east is the breeding ground for national politicians and is considered hegemonic. There seems to be an abiding loyalty to region via party leadership. It forms the basis to the 'regional' national vote, bedevils electoral politics, and is vexing to political analysts and civic groups.

6.8 *What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?*

7.0 **Government effectiveness and accountability**

Is government accountable to the people and their representatives?

Summary assessment: *The Korean government and bureaucracy are generally deemed to be quite effective, although the effectiveness is difficult to measure. While the level of public confidence in government effectiveness might be one measure, it is quite volatile, varying widely from one administration to another, and from one particular time to another. The historical trend is that the public confidence is dropping. The government accountability, on the other hand, is moving in the opposite direction. The legislature's*

ability to scrutinize the executive was almost non-existent in the past, but thanks to various institutional reforms and the changing political atmosphere, the legislative power vis-à-vis the executive is on the rise. Of course, there is still a long way to go, but this trend is likely to continue.

7.1 How far is the elected government able to influence or control those matters that are important to the lives of its people, and how well is it informed, organised and resourced to do so?

The government's control over the society and the people is quite extensive and secure. The government still has highly competent bureaucrats, as upper echelon civil servants are being recruited through highly competitive exams. Thanks to the historical tradition of respecting those who serve the country, the civil service had long been able to attract the highly talented young people. The maturing of an open and industrial society, however, has opened new avenues to an exciting future in the private sector for young people, and the private sector is drawing many top-notch talent into creative, adventurous enterprise, causing some concerns over the deteriorating quality of civil servants. Notwithstanding this inevitable trend, public service is still highly valued (especially, when compared to other industrialized countries), and many talented young people are being recruited annually.

This is not to say, however, that government policies are effective. The competence of government officials and the effectiveness of government policies are two different matters. In fact, the effectiveness of government policies is being highly questioned these days, and many people are arguing the necessity for downsizing the government organizations, and for easing or abolishing many unnecessary government control and regulations over the private sector. The government itself has promised to do so repeatedly, but the results have less than satisfactory. As a consequence, the demand for deregulation (in sectors of economy and education, in particular) is getting stronger and gaining more support from the public.

7.2 How much public confidence is there in the effectiveness of government and its political leadership?

As already mentioned in Section 2.6, Korean people do not have great confidence in political institutions. According to the 1997 survey by Rose and Shin (1999), more than three quarters of Koreans (77%) believe that most people can be trusted, but this trust in face-to-face relations does not extend to trust in major political institutions. The portion of respondents who showed trust in the courts, the National Assembly, and political parties, were only 58%, 23%, and 20%, respectively.

The level of public confidence in the effectiveness of government and its political leadership is not that high in general, although it varies widely from one administration to another, from one leader to another, and from one particular time to another. The current administration led by President Kim Dae-jung started with rather high public support and confidence (so-called honeymoon effect), but it is gradually losing public support and confidence due to the failure of most of its reform efforts in political, economic and

medical areas. With the success of inter-Korean summit meeting in July and the winning by Kim Dae-jung of the Nobel Peace Prize, the administration is now trying to regain public support, but the still staggering economy and the so-called “reform fatigue” make the prospect not too bright.

7.3 How effective and open to scrutiny is the control exercised by elected leaders and their ministers over their administrative staff and other executive agencies?

Since Korea has a presidential system, ministers are to be appointed by the President in consultation with the Prime Minister. Therefore, ministers have various backgrounds. Some of them are former members of the National Assembly, some are selected from career bureaucrats, and still others are recruited from the academic circle. Due to this diverse backgrounds, the style of leadership and the degree of control vary widely across ministries.

There are not many systematic studies on the effectiveness of control exercised by ministers over their administrative staff. It is commonly believed, however, that ministers’ control is considerably limited, although it does vary depending on their personal backgrounds and personalities. One of the main reasons for this limited control is that ministers usually have extremely short terms. Knowing that their ministers will soon leave, career bureaucrats have no strong incentive to be loyal and faithful. Moreover, as ministers themselves also expect to be replaced shortly, they tend to have very short-term perspectives on their jobs, thus not bothering to exercise a tight control over their staff members.

One of the results of this lax control over public officials is the prevalence of corruption at all levels of bureaucracy. Bureaucratic corruption is not only prevalent but also structural in that it cannot be easily cured. (For more detailed discussion on this, refer to Section 9)

7.4 How extensive and effective are the powers of the legislature to initiate, scrutinise and amend legislation?

The Constitution clearly stipulates that the power of legislation is vested in the National Assembly (Article 40). Looking at the National Assembly Act, one also finds numerous rights and powers conferred upon the legislative body. Institutionally (that is, Constitutionally and legally) speaking, therefore, the legislature is able to exercise quite extensive powers over legislative action.

Whether it is actually doing so is a different matter, however. Of course, when compared to its past experience of being ridiculed as a “rubber stamp” under the authoritarian regimes, it presently does exercise substantial powers. More often than not, however, the legislature’s involvement in the legislative process tends to be symbolic and superficial, without serious discussion and scrutiny. The public perception is that legislators are primarily concerned not so much with good policies as with inter-party struggles for political advantages. In short, political considerations take precedence over legislative action.

7.5 *How extensive and effective are the powers of the legislature to scrutinise the executive and hold it to account?*

According to the Constitution, the legislature has many powers with which to check and scrutinize the executive. It has the right to consent to the conclusion and ratification of treaties, the right over taxation and budget (to be discussed at Section 7.6), the right to investigate public affairs and inspect government offices, the right to request the Prime Minister, ministers, and government delegates to attend the legislative session and answer questions, the right to pass a recommendation for the removal of the Prime Minister or a State Council member from office, and finally the right to pass motions for impeachment of the President, the Prime Minister, members of the State Council and other public officials, in case they have violated the Constitution or other laws in the performance of official duties. (<http://www.assembly.go.kr>)

Of course, not all these powers are used with the same frequency and effectiveness. Most widely used is the right to investigate public affairs and inspect government offices, which was restored through the most recent constitutional amendment. According to many observers and civic groups (for example, the Civil Oversight for Parliamentary Inspections), however, even this new right is not being exercised properly. They say that legislative investigation and inspection tend to be superficial and unprepared. Notwithstanding the criticism, it is hard to deny that the power of the legislature over the executive has been considerably increased by these new practices and that the trend is likely to continue.

7.6 *How rigorous are the procedures for approval and supervision of taxation and public expenditure?*

The legislature's fiscal powers are considerable. First, it has the right to deliberate and decide upon the national budget bill. According to the Constitution, the executive formulates the budget bill for each fiscal year and submits it to the National Assembly within ninety days before the beginning of a fiscal year. The National Assembly decides upon it within thirty days before the beginning of the fiscal year. More specifically, budget estimates are referred to the competent standing committee for a preliminary examination, to the Special Committee on Budget and Accounts for deliberation, to the plenary session, and to the executive for promulgation.

Second, the legislature has the right to examine settlement of accounts. The executive formulates the statement of accounts for each fiscal year and submits it to the National Assembly one hundred and twenty days before the beginning of the next fiscal year. The statement of accounts is referred to the competent standing committee for a preliminary examination.

Third, it also has power over taxation, as the Constitution says that the National Assembly shall decide on the types and rates of taxes as determined by law. In addition, the executive needs to obtain the approval of the National Assembly when it plans to use reserve fund, to issue national bonds, or to conclude contracts which may incur financial obligations on the state outside the budget.

7.7 *How comprehensive and effective is legislation giving citizens the right of access to government information?*

Recently, and much belatedly, Korea enacted a law regarding the opening of information and records held by public institutions. The purpose, of course, was to secure citizens' right to information and to guarantee the transparency of government operation. According to this law (enacted in 1996), any citizen may request the opening of information held by the government and other public institutions, and they must respond to this request within 15 days.

The problem with the law is that it stipulates many exceptional cases, and that some of them are quite ambiguous. For example, the law says that information that might considerably hurt the state's vital interests or the public's safety and interests may not be opened up, but who is to define what the national interests are and what threatens public safety and interests? Given Korean bureaucrats' strong inclinations to act safe, they are highly likely to apply these exceptional cases quite liberally. Partly due to the ambiguity of the law, and largely due to public officials' uncooperative attitude, gaining access to government information is not as easy as it seems on paper.

7.8 *What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?*

8.0 **Civilian control of the military and police**

Are the military and police forces under civilian control?

Summary assessment: *Despite the long history of military intervention in politics, the civilian control of the military seems now firmly established. While the military still remains one of the most politically influential groups (as a veto group), the chance of its direct intervention in politics through illegal means seems very low. The police and national security services have also become quite accountable recently and gained considerable public confidence, although some improvements need to be made. The country is almost free from the operation of private military organizations such as paramilitary units, private armies, warlordism and criminal mafias.*

8.1 *How effective is civilian control over the armed forces, and how free is political life from military involvement?*

This report has noted elsewhere, the heavy stranglehold of the armed forces over general administration and the social costs thereby. It is also noted that recently, this control has eased. According to Helgesen (1998), in 1990, 79% of South Koreans thought the military controlled political power, but this figure dropped to 31% in five years. The

civil maturation since 1987 and the response of successive governments have combined to return the army to barracks.

However, this is not the complete story. The gradual relinquishing of political control by the defence sector does not automatically imply its converse, ie, civilian control of the forces. This has been achieved in the sense that the democratically-elected president commands the services which have for their part backed out of day-to-day politics. But the defence sector's concern with its country's fluid and unpredictable strategic position means that it will continue its involvement in a different fashion. For example, military officers are undergoing fullfledged university programmes to help acclimatize them to civilian control. A book on a different subject altogether, Yaeson conglomerate, has made a comment which is relevant here. "Not only has South Korea had a succession of military governments, but the fact that all South Korean men perform compulsory military service has contributed to the militarization of all aspects of society" Janelli and Yim (1993).

8.2 How publicly accountable are the police and security services for their activities?

The police and the national security agency, National Intelligence Service (NIS), are quite accountable, although some improvements need to be made. At the administrative level, the Board of Audit and Inspection makes investigations over them both regularly and irregularly. The legislature also does its job through regularized legislative audit and special investigation for important matters. For instance, when it was publicly known in September 1999 that law enforcement agencies including the National Police Agency and NIS had been engaged in illegal wiretapping, they became targets for both harsh public criticism and special investigation.

Of course, the national security agency enjoyed a great leeway as the untouchable in the past. It is well known that the agency, once called the Korean Central Intelligence Agency (KCIA), served mainly as a repressive tool of past authoritarian dictators. Hoping to polish its tarnished image, the agency has changed its name to the National Intelligence Service (NIS) as of January 1999.

Nowadays, the agency is being controled by the legislature to a considerable degree. Through the successive revisions of the relevant law in 1994 and 1999, the newly created Intelligence Committee of the National Assembly is given substantial rights over the agency's budget and activities. Although budget items may be hidden or disguised, their validity must be reviewed by the Committee in a closed session. The agency is also obliged to submit relevant data, testify, and answer questions when requested by the Committee. Finally, the director must audit the accounts and staff activities, and report the results both to the President and the Intelligence Committee.

8.3 How far does the composition of the army, police and security services reflect the social composition of society at large?

The composition of the army, police, and security services does not closely reflect that of society at large. The armed forces are predominantly conscripted young male in

their twenties, and elite members are also male dominated, although the proportion of female at the elite level is increasing. This phenomena of male dominance and the trend of increasing female are also observed in police and security services.

One interesting development in recent years is that the national security agency, NIS, is attracting talented young people of the country. In the past, entering the agency was negatively viewed especially among college students. Since the 90s, however, the entrance exam has become highly competitive and most of new entrants are graduates of top universities in Korea. Of course, this development is a reflection not only of a superficial change in the agency's image, but also of a fundamental change in its functions and activities.

8.4 How free is the country from the operation of paramilitary units, private armies, warlordism and criminal mafias?

The country is quite free from the operation of any kinds of private military organizations. Paramilitary units, private armies, warlordism are non-existent. Organized criminal groups do exist, but they are not even comparable to Russian Mafia, Chinese Triads, Japanese Yakuza, and Colombian Drug Cartles. According to the Violent Crime Department at the Supreme Public Prosecutor's Office, the criminal groups raise most of their operational money through such businesses as private loan businesses, housing redevelopment projects, casinos, speculative cycling and horseracing, real estate agencies and job recruiting services that find jobs for Korean women abroad.

One of the reasons for this underdevelopment of organized crime groups may be the determined will of past political leaders to crackdown them, followed by the prosecution's continuing efforts. In 1980, Chun Doo Whan launched a large-scale attack on criminals as a part of his efforts to clean the society. In the early 90s, a "war against crime" was once again proclaimed. According to the prosecution, 13,187 members of criminal organizations had been arrested from 1990 until February 1999, although 11,322 of them, including key leaders of gangster groups, were released from prison.

8.5 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

Recently (October 2000), President Kim Dae-jung ordered to dissolve a controversial special police investigation unit under the direct control of the presidential office. The investigation team had often been at the center of political controversies, because critics accused the President of abusing it for political purposes and using it for partisan investigation of politically sensitive cases. It also had been charged with human rights violations. (*Korea Herald*, October 17th, 2000)

The police unit, which was created by the late President Park Chung Hee in 1972, has a long history of irregularities, which did not end with the inauguration of President Kim in early 1998. Most recently, a member of the unit, commonly called the "Sajik-dong team" named after its location, was arrested on a charge of taking bribes from a man

in connection with an investigation of an alleged corruption scandal, which led to the fall of former Culture and Tourism Minister Park Jie-won.

The 26-member unit, which was under the direct control of a senior presidential secretary, usually a high-ranking prosecutor, had also been swept up in a big controversy in 1999, when the wives of senior government officials were accused of taking expensive clothes from the wife of a jailed businessman. The opposition accused the police unit, which initially cleared the wives of any wrongdoing, of covering the case up, and under mounting public pressure, Kim fired the Minister of Justice Department, whose wife was allegedly involved in the scandal.

9.0 Minimizing corruption

Are public officials free from corruption?

Summary assessment: *South Korea has succeeded in achieving rapid economic development and democratisation. Yet enormous political secret funds created by former presidents have caused a mistrust of the government and an indifference to politics, which has come to act as a hindrance to the financial crisis of 1997. The “Hanbo Incident” and the “Kia Incident”, each of which has been indicated as one of the direct causes of the financial crisis, led people to realize the enormity of harm caused by the link of corruption between politics and economics. In this context, Kim Dae-jung government has defined the eradication of corruption by such means as legislation to prevent corruption, strengthening of the power of the Board of Audit and Inspection, and reform (Moon and Mo 1999).*

9.1 *How effective is the separation of public office from the personal business and family interests of office holders?*

The issue of corruption in South Korea has not been one of politicians using their office to build personal business empires, but of awarding public contracts to private bidders (bribery by economic agents such as suppliers rather than by members of the public). Rapid growth from the '60s led to the equally rapid enrichment of entrepreneurs and exporters. Officials and elected politicians were not prepared to stand by and watch the benefits of the high if unsteady growth rate flow to a private sector the state had nurtured. The rationale for a particular company bagging an export contract over its competition was not published. The entry of South Korea into world trade gave rise to a particular relationship between state and market. Some of the latter's functions were assumed by the former: over time, the more efficient firm may have survived but South Korea had no time. The state had to aid the firm. In the absence of public scrutiny, and facilitated by the secrecy in prolonged dictatorship, contract-awarding authorities were easily corrupted.

Another axis of state corruption was with the army which funded politicians even as it acquired refracted power. Closing the vicious circle, ex-soldiers entered civilian

politics, management positions, and business. Yet this did not lead to a military-industrial complex: the vested interests were those of US arms manufacturers (Hamm, 1999).

Much public disenchantment through the late '80s was over this issue despite strong economic performance and the absence of poverty. Such corruption continues to cause concern: it has been a prominent campaign issue in the April 13, 2000 parliamentary election. Writing about 1997, Oh (1999) says, "since 1948, no Korean president installed for a regular term had retired from office gracefully..." To repeat from an earlier section in this report, the imprisonment of two presidents on corruption charges has merely made people more disillusioned than ever. Very recently, Prime Minister Park Tae-Joon resigned following a tax evasion revelation. Prominent bridge and building collapses have been condemned for infrastructure project bribery even as citizens mourned the dead. Recent allegations over a proposed Seoul-Pusan train line are a reminder of a secretive system of spoils at the top. Much-acclaimed democratization is failing to regulate the personal greed of elected leaders. Thus, there is no guarantee that someone elected to public office will not misuse it for private gain. President Kim Young-Sam's declaration of assets (including his family members' health club membership) on assuming office had caused much surprise. There are few provisions for the scrutiny of official or discretionary decisions for vested interest.

9.2 How effective are the arrangements for protecting office holders and the public from involvement in bribery?

The problem of corruption is not totally concerned with the formal arrangement, but with informal connection among people. This is world-wide phenomena, not just in South Korea. As far as the effectiveness for controlling the involvement in bribery is concerned, it has not been effective.

Korean history of close relationship between political dictatorship and economics has been an important factor in this current assessment. The 1997 economic crisis in Asia, based also in part on corruption in the financial sector, also contributed to this result. All in all, the 2000 CPI(Corruption Perception Index) ranking indicates Korea needs to make further efforts in order to curb corruption.

The Korean government itself has proclaimed a war against corruption. It prepared anti-corruption programs, which are now being enforced. Furthermore, Seoul metropolitan government's `On-line Procedures Enhancement for civil applications' (OPEN) system is accepted worldwide as alone of the best examples in preventing corruption in municipal administration.

Recently, the Anti-Corruption Network in Korea - now TI(Transparency Index)'s National Chapter in Korea - reported that people see corruption as slightly declining compared to a few years ago. It can be taken as a small sign of improvement. However, the CPI 2000 should remind everyone that the fight against corruption dare not be relaxed. We all yearn for improvement, but positive change only comes slowly when endemic corruption is the enemy. Perceptions of levels of corruption do not change greatly from one year to the next. Positive results are only going to emerge from tireless and consistent multi-year efforts.

9.3 How far do the rules and procedures for financing elections, candidates and elected representatives prevent their subordination to sectional interests?

Paragraph 9.1 and earlier sections mentioned an emerging nexus between officials and big business. In time, this extended to reelection of parties. Candidates and parties received 'donations' and can be expected to have returned the favour once in office. Bribes to bureaucrats too would require a return favour in addition to the award of a contract, such as overlooking quality or performance criteria. A number of serious accidents in the mid-90s were ascribed to faulty workmanship enabled by compromised authorities.

The development of a more open and competitive political system raised hopes for better scrutiny of the mutual dependence between business and elections to office. That is, old and new contestants in the fray and their supporters could perform a watchdog function, ensuring that election expenses of rival parties were not met from commercial sources in the expectation of contracts and favours. An equally important 'sectional interest' is the armed forces. The demilitarized zone makes the army extremely important, though the location of the peninsula gives the airforce and navy particular significance as well. The defence sector may not be able to finance elections in the same way, and in recent years has retreated from active political participation. There is also evidence that people acknowledge and appreciate this: for example, it has already been reported that a study by Helgesen (1998) showed that in 1990, 79% of South Koreans thought the military controlled political power, but this figure dropped to 31% in five years. Yet its interest in civilian politics, especially in view of South Korea's ongoing strategic concerns, continues unabated. In an innovative twist, senior officers are being instructed in the humanities with a view to reinduct them in civilian life. Their contest for public office or recruitment to the bureaucracy is not far away. Hence, this sectional interest is unlikely to lose touch with affairs of state.

9.4 How far is the influence of powerful corporations and business interests over public policy kept in check, and how free are they from involvement in corruption, including overseas?

Business ethics system is disputable in South Korea. Corruption is not just the product of accepting bribes. There also is the bribe-giving side of the corruption coin, as well. Showing this side of the coin as well is the intention of TI's Bribe Payers Index (BPI), first published in 1999. In this index Korea ranked 18th out of 19 countries. What is the meaning of BPI and that ranking?

This bribe-paying side of the corruption equation is extremely important right now. Many of the street protests that we see at major conferences -- such as those in Seattle, Prague, and Seoul -- reflect the distrust of the people toward globalization and the role of business in the international economy. Transparency in business dealings is more important than ever and corporations should see the protests as a challenge to them to act with integrity. The OECD convention on Combating Bribery of Foreign Officials in International Business Transactions was adopted in Korea on Dec. 17, 1997 as Law 5588.

However, it is vital that countries that have ratified OECD Anti-Corruption Convention now enforce it and that companies demonstrate that they are in compliance.

This year, TI-Korea conducted research on 30 major companies in Korea regarding how many have codes of ethics or codes of conduct, and what their contents are. As a result, it was revealed that only eight companies have such codes. But even the existing codes remained on the formal side, rather than having easy-to-use, understandable, and pragmatic language. Companies should see the need for education in business ethics as well as set-up ethics committees. The private sector should also recognize the importance of protecting whistle-blowers. As TI-Korea has argued, a business ethics system is one of the major elements for the anti-corruption struggle.

9.5 How much confidence do people have that public officials and public services are free from corruption?

The Integrity Pacts (IP) concept was developed in the middle of the 1990's by TI. It is a multilateral and mutual pact against corruption among government offices and companies submitting a tender for specific projects. It is intended to accomplish two primary objectives: 1) to enable companies to avoid resorting to bribery by providing assurances that their competitors will also not participate in the illegal practice, and government procurement agencies will undertake to prevent corruption, including extortion, by their officials and to follow transparent procedures; and 2) to enable governments to reduce the high cost and the distorting impact of corruption on public procurement.

TI-Korea has called upon the Korean government and municipalities to adopt the Integrity Pact for transparent public procurement. The fact that three municipalities, including Seoul metropolitan government, are currently applying Integrity Pacts to their tendering process is in my view a good start for transparent administration of local government. On the other hand, despite these implementations, other government bodies and municipalities remain silent. The Integrity Pact will work effectively only when the entire public sector, including public companies, participate. Adopting this concept nationwide can make a strong impact against bribery and graft in public business

9.6 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

Most people expect the establishment Anti-Corruption Law, and strong function to public officials and corporations. Korea is currently seeing large efforts to pass an anti-corruption law. It is important that there will be a protection and reward program for the whistle-blowers by the anti-corruption regulation, providing for an additional and effective way to curb corruption next to external auditors.

It empowers public officials themselves to become fighters against corruption, not friends of corruption; changing public servants from objects to subjects of the anti-corruption movement. The point is how to develop the bright sides of their characters and how to control the dark sides. Lastly, civil participation can be added as one of the main

powers to curb corruption. Korean NGOs' have a pivotal role in the nation's anti-corruption movement. Activists, specialists and well-known personalities require civil participation and support in all parts of society to become effective. People can be a more effective corruption control subject through their engagement than other visible institutions.

Looking at the progress of political democracy in Korea, there is also hope for the fight against corruption. It is my belief that this hope is on the way toward realization. Many NGOs have proposed and participated in the anti-corruption movement, in succession with human rights, social justice and democratization movements of the past several decades. Their campaigns during the last general election had an important impact on curbing political corruption in Korea.

However, none of these programs can be a panacea, one-size-fits-all, that solves all problems. In many cases corruption has been treated as a matter of private lack of morality or ethics of individual public officials. There has been little attention placed upon corruption as a systemic problem. Social background is an important factor of corruption. Low wages play another role, be they low in absolute or comparative, real or perceptive terms.

And while corruption in public administration is a key issue in the people's perception, transparency in the private sector, academia and even within civil society play an important role as well. Koreans are now pessimistic for eliminating the corruption after Chung Hyun-joon loan scandal (October of 2000) in which even Financial Supervisory Service is involved. The loan scandal has drawn acute attention because a number of celebrities, including politicians, especially those in the ruling party, government officials and journalists were alleged to have contributed their money to several investment funds managed by Chung, 32, who rose to sudden prominence riding on the venture business boom last year. The prosecution has confirmed bribery charges involving some financial regulators after intensive questioning of suspects who were arrested over the latest illegal loan scandal. Prosecutors at the Seoul District Prosecutor's Office obtained a statement that about 1 billion won was offered to some ranking officials of the Financial Supervisory Service.

The prosecution secured the testimony from Lee Kyong-ja, vice chairwoman of Dongbang Mutual Savings and Finance Co., who alleged that she had conveyed the money that came from Chung Hyun-joon, president of Korea Digital Line, to Yoo Jo-woong, president of Dongbang, who fled to the United States right before the scandal erupted. "The money was relayed to FSS officials, including Chang Rai-chan, former director-general of the non-bank inspection bureau at the FSS," Lee, 53, was quoted as saying. Chang was found dead at a motel in southern Seoul last week after being chased for over a week on bribery charges. Prosecutors allegedly questioned 2 to 3 FSS officials suspected of taking bribes but it was not immediately known whether they have admitted to the charges. Chung and Lee were formally arrested in late October on charges of taking out tens of billions of won from Dongbang and Daishin MSFC based in Incheon. The two are also suspected of offering bribes to FSS officials in connection with the lower-than-market price issuance of bonds with warrant (BWs) by Yuil Semicon Co.

Country experts: *Is the opening sentence to the answer at subsection 9.1 correct? What safeguards or checks-and-balances exist in the system against abuse of office for personal gain? Have the prominent corruption charges involved (i) big business (ii) group interests or (iii) individual members of the public, eg, applicants for subsidized housing or other benefits? Have the prominent corruption charges involved (a) ministers (b) bureaucrats and police or (c) legislators and judges? Is this merely an elite/middle class issue, or are the poor and rural people equally annoyed? Does local government have a better reputation?*

10.0 The media and open government

Do the media operate in a way that sustains democratic values?

Summary assessment: *The development of the media have marked some characteristics in relation to South Korean political history. In the 1st Republic, the media have a tradition of opposing the President Syngman Rhee's government. In the 2nd Republic, Myon Chang's government (under parliamentary system) permitted unprecedented freedoms of the media. There was a confusion of information sources, and hard to tell fact from rumor. In the 3rd Republic, President Chung-hee Park reorganized or closed down many dailies and news agencies, which reminds us of "pseudo-media." This is the same in the 4th and 5th Republic. In the process of democratisation (in the 1990s), the media has autonomy from the government. However, the influential media in South Korea are like the emerging industrial conglomerates, becoming news oligopolies. Fortunately, each influential daily news have its own ideological position so that it can reflect diverse sectors of the society (Chong, 1992).*

10.1 *How independent are the media from government, how pluralistic is their ownership, and how free are they from subordination to foreign governments or multinational companies?*

The mass media have played a prominent role in South Korea's recent democratization, though with a mixed record. The portents are promising with respect to independence from government and foreign control. However, the content, concerns, and direction of the media are as important in deciding their independence.

Media have supported successive waves of popular dissent, though the extent to which they could have been decided by the authoritarian government of the day. The first abrupt termination of press freedom came in 1961 with the coup. Recurrent policies of curtailing the press have had deleterious effects: one 'purification' was a purge, with hundreds of journalists sacked for incompetence or a frankly anti-government stance. In his constructive study of press law, Youm (1996) observes that in general, press controls and the way in which the press exercised its freedom, have been whimsical rather than considered. On occasion, draconian government interference has had a positive effect, as in the 1980 merger of six news agencies into a single one, Yonhap, whose expanded

resources now permitted a welcome Korean character, reporting from the interior as well as overseas. More often, media muzzling has resulted in lopsided news values: for example, coverage would become soft and sensationalist. Despite this, the press enjoyed avid readership. Between 1970 and 1980, the number of newspapers declined from 44 to 25, but their circulation more than doubled from 2.94 to 6.22 million.

Yet the story of media is more than that of the press. Even in days of great press freedom before the 3rd Republic commenced in 1962, the public preferred radio, though they listened to private stations. Government radio was distrusted, and papers considered irresponsible. Subsequent seriousness has restored press credibility, and South Koreans have over a hundred newspapers to choose from. Their consumption is reinforced by an equal number of radio stations, dozens of television stations, to say nothing of computerized information services. Technological change has swept media along, about half the radio stations broadcasting FM, while television is fed by cable and satellite. The April 2000 general election saw heavy campaigning on the web, parties competing to attract ever-younger voters.

10.2 How representative are the media of different opinions and how accessible are they to different sections of society?

During the late '50s, popular preference for private radio over newspapers and government radio showed that people not only rejected official propaganda, but that they rejected irrelevant or unsympathetic news values as well. The magnitude of change since then in politics, education, and mass communication, has further refined this taste and discrimination among mass audiences as well as improving their comprehension. To answer the question of 10.2 is ultimately to estimate the “freedom of speech” between the media and the citizens.

One of the prominent example is “Anti-Chosun Ilbo(or Chosun Daily Newspaper) campaign.” Chosun Daily Newspaper is one of major newspapers, presumably which is the most influential source of news in South Korea. A campaign of boycotting Chosun Ilbo, an anti-national, anti-reunification newspaper, is now being conducted in various ways by public circles of South Korea.. The campaign involves "receipt of citizens' testimonies on false and distorted reports of Chosun Ilbo after the Kwangju movement for democracy in 1980," "exhibition of distorted reports of Chosun Ilbo" and "publication of a collection of articles favoring Japan carried by Chosun Ilbo during the Japanese imperialists' occupation of Korea. In South Korea this campaign is called a movement for having a correct understanding of Chosun Ilbo. The brisk movement is being spearheaded by the citizens solidarity against Chosun Ilbo, which was formed in Seoul on September 20 with several public organizations. Condemning the Chosun Ilbo because of their supposed "anti-unification" position doesn't get at the underlying issues with unification. In the early-1990s, every newspaper has a similar position (i.e., pro-government under the authoritarian governments) for the state and government policy. After the anti-Chosun movement in the late-1990s, there is a possibility that each newspaper has its own tone (i.e., ideological position) so that the newspaper represents specific class or opinion of different sections of society.

10.3 How effective are the media and other independent bodies in investigating government and powerful corporations?

Now, the media is effective in that the government has a regard for the media's feeling. From the 1960s to the 1980s, the mass media would not be effective in investigating the government and powerful corporations. However, since the 1990s, that is, since the civilian government (Kim Young-sam and Kim Dae-jung), the mass media play an important role in checking them. Nevertheless, the media is not totally effective in that it has its own hunch in finance.

Conversely, the government still control the major mass media by taking advantage of the media's weak point. The Seoul District Court in December 14, 1999 sentenced a Seoul newspaper chief to three years in jail with a five-year suspension of sentence on tax evasion charges. Earlier, prosecutors demanded a six year prison term for Hong Seok-hyun, chairman and publisher of the JoongAng Ilbo, one of the country's leading daily newspapers. In a statement, the court said Hong deserved harsh punishment for his evasion of taxes, given his status as the chief of a major Seoul daily. "However, in consideration of his repentance and tax payments, the court is issuing a suspended sentence," the presiding judge said. The court acquitted Hong of another count of tax evasion, noting that he had paid taxes in deferred payments in advance of an order by tax authorities. The investigation into Hong, brother-in-law of Samsung Group chief Lee Kun-hee, followed a month-long probe by tax authorities into Bokwang Group. Hong, the largest shareholder in Bokwang, has run the JoongAng Ilbo almost independently since Samsung, the country's second largest conglomerate, stopped financing the national daily it established in 1965. The tax probe sparked bitter protests by JoongAng Reporters and editors, who have accused President Kim Dae-jung's administration of trying to crush the newspaper.

Many people called the probe "a political tool used to indirectly apply pressure on JoongAng," one of the most outspoken newspapers in its criticism of Kim's policies. Their statement claimed the Kim administration was attempting to control JoongAng by putting pressure on Hong. The latest probe into the JoongAng Ilbo was seen by many analysts as a government reprisal following the daily's support for Lee Hoi-chang, then a ruling party candidate, during the presidential election in late 1997. Even after Kim, a former dissident, took office in early 1998, JoongAng highlighted the new government's policy blunders and was highly critical of the administration.

10.4 How free are journalists from restrictive laws, harassment and intimidation?

We need to mention two kinds of freedom for journalists in South Korea. One is inter-freedom and another is intra-freedom. Particularly, we have to take a note the latter. The Seoul District Court on October 17, 1999 handed suspended sentences to six union leaders of the nation's television networks on charges of organizing illegal strikes in July. Four union leaders at the main state broadcaster Korean Broadcasting System (KBS), including union head Hyun Sang-yoon, were sentenced to two and a half years in prison

with the execution of their sentences being held for three years. Earlier, prosecutors had sought jail terms for all six. The court also handed suspended sentences to Park Young-choon, union leader at the state-invested Munhwa Broadcasting Co. (MBC), and an official belonging to the umbrella group of broadcasters' unions. The court found the union leaders guilty for their leadership roles during the July strikes, alleging their five-point demands, including the independence of a policy-making broadcasting committee, were not subject to legally permitted labor disputes. ``Their sentences were lowered given that their illegal acts were dedicated to guaranteeing journalistic independence of the broadcasters," a presiding judge said. The union leaders were indicted in late August on charges of spearheading illegal strikes for 15 days in July. They demanded that a proposed new broadcasting commission be made fully independent of the government, that stricter requirements for the appointments of the KBS and MBC heads are applied and that shareholdings by outsiders of the broadcasters be limited to less than 10 percent. Union workers complain that the new panel stipulated in the new broadcasting law may be largely composed of pro-government figures who could unduly influence broadcasters in the government's favor.

10.5 *How free are private citizens from intrusion and harassment by the media?*

The answer would be high level of protection in that the institution of Press Arbitration Commission can play a successful role of keeping private citizens from intrusion and harassment by the media. Although it has a short history, it has been institutionalised. For the purpose of arbitrating the disputes between those who are damaged by press report and press agencies concerned, and deliberating the infringements caused by any contents published in the periodicals, the Press Arbitration Commission (hereinafter referred to as "Commission") was established in March 31, 1981, pursuant to the provisions of the Act relating to Registration, etc. of Periodicals.

The function of arbitration can be summarized into two. (1) the Commission has a function to restore affected right and interest of any person who is damaged by any press report, through an arbitration of the dispute on a request for *counterargument report (it refers to a report prepared by the person damaged due to any report of a press agency, and demanding to publish or broadcast it to the press agency as exercise of the 'right of reply' ; hereinafter the same shall apply) and corrected report between the aggrieved person and the press agency concerned. (2) If the Commission finds, through a deliberation of the contents inserted in the periodicals, any obvious and remarkable infringement upon the social benefit and protection of the law or any individual human rights, it may recommend to the publisher concerned the redress thereof to the effect that such infringement may not be repeated.

Any person who is damaged by any press report, may request in writing for the arbitration to the Arbitration Commission, with respect to the dispute with a press agency, caused by a request for counterargument report or corrected report, within one month after he is informed of such report (or within six months after such report is made). If the aggrieved person (hereinafter referred to as "requesting person") makes a request for counterargument report directly to the press agency concerned, the request for arbitration

shall be made within fourteen days after he fails to reach an agreement with the press agency. Any person who is reported by the press to be suspected of any crime, or to have been subject to any penal punishment, may make a request for arbitration to the effect that he demands the press agency concerned (hereinafter referred to as "requested person") to make a further report that he is innocent, within one month after the penal procedure against him is closed in a form of the judgment of acquittal or equal to it.

Especially, two articles are very protective for individual interests.

With regard to the Article 19-2 (Procedure of Appeal of Dissatisfaction), (19-2-1) No person may file any appeal of dissatisfaction other than appeal to a higher court, against a judgment accepting a request for counterargument news. (19-2-2) If it is turned out as result of the examination in the procedure for appeal of dissatisfaction as referred to in Paragraph (19-2-1), that the whole or part of such request for counterargument news shall be rejected, the judgment accepting such request shall be cancelled. (19-2-3) In the case as referred to in Paragraph (19-2-2), if the press agency has already discharged the obligation of counterargument news, the court concerned shall make upon request an adjudication to the effect that it is permitted to report the contents of judgment for cancellation, and order upon request the injured person to compensate the expenses for the counterargument news given already by the press agency, those necessary for the report on the judgment of cancellation, and the damages considered proper as charge for using the paper to insert it. With regard to the Article 20 (Claim for Ex Post Facto Report), (20-1) Any person who is reported by a periodical to be under suspicion of a crime or to have subject to a penal measure, may, when a penal procedure against him is termination in a form of a judgment of acquittal or equivalent sentence, request in writing to the press, agency an insertion of an ex post facto report on such fast within one month from the day of termination. (20-2) The contents of an ex post facto report as referred to in Paragraph (20-1) shall be limited to the extent necessary for the recovery of one's honor or right. (20-3) Except as prescribed in Paragraph (20-1) and (20-2), the provision of this Act concerning the claim for counterargument news shall be applicable to the claim for an ex post facto report.

10.6 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

There are two ways in overcoming the problems. Above all, mass media has been separated from Chaebol. Second, the NGOs, as the third institution have been vitalized in providing the source of news. The mass media is benevolent each other under the oligarchical domination of sources of news.

Country experts: *Who owns the press and electronic media? At 10.1, what is the present status of private, especially foreign, ownership and news control? Have journalists any more public credibility than politicians? What has been the changing role and content of media since the late '80s? At 10.2, what can be said about media news values, entertainment values, and social values as they appear today? On the matter of reflecting the range of social opinion and availability to different sections of society, can you please cite a reliable content analysis or audience survey by a university department*

of mass communication, Hankook Ilbo, or any media research agency? Is there a creditable record of journalists' investigations into official corruption or collusion? What about national media awards: who wins them and why?

III. Participation and Government Responsiveness

11.0 Political participation

Is there full citizen participation in public life?

Summary assessment: *Participation can be a by-product of socio-economic changes. In the last three decades, the socio-economic changes in South Korea has been spectacular. The key is that mobilized participation has gradually been less salient factor in the characteristics of political participation in South Korea. Socio-economic development leads to a greater popular demand for an active citizen role. This situation will become even more serious if the elites choose to ignore or suppress such demands (Kim, 1980). Good examples are the best policy. On January 12 this year, 412 Korean domestic civil organizations launched a social campaign called the Civil Action for 2000 General Election (the CAGE) through official declaration at the Press Center in Seoul, South Korea. The declaration titled as Civil Manifesto for Political Reform urges the year 2000 be commencing year of political reform in South Korea. It asserts that "politics in Korea still remains in the time of the past century when the society and the people therein prepare their way into a new century as well as a new millennium.*

11.1 How extensive is the range of voluntary associations, citizen groups, social movements etc. and how independent are they from government?

Any casual reading of recent publications reflecting on the state of South Korean civil society immediately brings to the forefront the place of civil associations and groups. A range of voluntary, self-help and public mobilization groups are in evidence. The sacrifices made by workers and students in preceding decades and in the defining moment of 1987 could not have borne fruit without some reverberation or answering action in society. This was provided by disparate popular groups, often under a loose leadership provided by religious, cultural, or political agencies. The organizing influence of such groups is more and more in evidence.

Hence, it may be said for a start that voluntary or guided civil associations are extensive. They are mostly free of government interference. But their effectiveness is not only a matter of independence from the state. Suh (1998) discusses this matter in a chapter on civil society in his book on structural transformation. The business-state-market-military fusion in South Korea provided the condition within which the voluntary sector took root. The absence of minimum labour standards of association, etc, gave it an added impetus. Further, it was only natural for it to be affected by the nature of wider

society that was forming at high speed in South Korea. Two-thirds of nongovernmental organizations (NGOs) are in Seoul, and 70% have 'quality of life' objectives. That is, the felt needs of people and visible living conditions have obviously greatly determined the agenda of these groups. The majority are, accordingly, reformist and do not call for a radical overhaul of political-economic structures. They cast themselves as nationalist and having homogeneous appeal, ie, they do not define themselves in terms of supporting one class against another. "The impact of civil movements represented by NGOs may not be strong and may sometimes be affected by capitalist logic, but it is the only counterweight to the institutions of state and industry in a newly democratizing society ... civil movements since 1987 signify the possibility of improvement through the creation of linkages between economic growth and political democracy and social justice".

Considering the effect of 1991 and 1995 urban local elections, Kang (1999) acknowledges the role of NGOs. While effective popular participation in local government is still some way off, the undeniable advances made by civil organizations can only help the process. Kang points out that the special contribution of urban NGOs is in the area of 'collective consumption'. At national level, some civil organizations are politically dissident in character and "adhere to the macro problems of democratization of politics and economy", but their numerous counterparts at local level "are pretty much more concerned with the 'micro' problems of urban problem-solving. More and more, civic organizations of specialized jurisdictions such as environment, garbage collection, public transportation, juvenile violence, education, TV monitoring, battered woman/husband and so on are spreading into every nook and corner of urban civil society". Such organizations have become so successful on day-to-day issues that they are beginning to matter politically. Some local election candidates with such community experience proved quite popular, and national politicians are beginning to notice. Significantly, government coopted the Committee of the Second Nation Building, a well-known NGO, to help mobilize popular participation in its reforms. Independence from government is thus a fluid characteristic, and the unfolding government-voluntary relationship needs to be monitored.

11.2 How extensive is citizen participation in voluntary associations and self-management organisations, and in other voluntary public activity?

Recently it has been said that Korean society has greeted the era of NGOs or Renaissance of them. It means that the status of the NGO is greatly on the increase in Korea. But the name of NGO does not guarantee its quality. NGOs, which began with good intentions, may be changed in quality because of various environmental factors. Therefore, activists of NGOs not only have to make efforts to carry out self-analysis and self-examination but also have to be highly interested in social evaluation. It is important to review the problems of NGO activities. By reviewing, NGO members have to consider new opportunities to construct a new paradigm for the civil movement.

Among the criticisms of the NGOs in Korea, 'the civil movement without citizens' is most frequently mentioned. That means that few men of repute are acting in the civil movement under the name of 'citizen' and that general citizens have few opportunities

to participate in the movement. It has been analyzed that the organizations which have three percent of the people participating have social influence and power. According to the analysis, we learn that the members of the civic organizations are important. It is apt to consider that members are just recruited on a financial basis. We should remember the following. As the organization is operated by only members' fees, it is important to secure the sound health and strength of the organization. But we should not forget the motive power of the civil movement. The civil movement has to create organizations in which citizens can participate, has to listen to the voice of citizens and has to do its best to meet the desires of citizens.

Political opportunities for civil movement organizations to emerge and grow has expanded significantly since 1987. The first step was a partial liberalization during the Roh Tae-woo government, which functioned as an opportunity when major civil movements in Korea started. Although the first opportunity did not continue very long, it was an irreversible trend of expansion for civil society. The Kim Young Sam government in 1993 was the second political opportunity for Korean civil movement organizations to gain status via government and business. As the civil movement organizations expanded in number and size, the government used a collaborative policy toward them. A third step arrived in 1995 when full-scale local autonomy was implemented in Korea, where local and regional struggles found their political arena in local governments.

The Following are major characteristics of Korea's civil movements: (a) Korea's civil movement organizations largely inherited their traditions from the democratic movement. To be more specific, their movement included movements not only for democracy, but also for people and nation (Minju, Minzok, Minjung). Some organizations have already detached themselves from these traditions: CCEJ (Citizens Coalition for Economic Justice) uses citizen instead of people; PSPD (People's Solidarity for Participatory Democracy) uses citizen in Korean, but people in English. Most of the civil movement organizations feel, whether they use the word or not, liability for people and concern for nation and democracy. (b) Korea's civil movements have been fostered by Korean society in general. Democratic movements have been relatively dependent on the established organizations such as religious organizations and universities. There have been many social organizations financed by foreign donor agencies, whose activities are largely dependent on foreign grants. Korean civil movement organizations in the 1990s have raised their funds from domestic sources; either participant fees or donations from businesses, or revenue from government projects. In short, Korean society has been large enough and diverse enough that civil movements can financially live off them. Set aside business and government grants, Korean civil society can sustain civil movement organizations. (c) Korean civil movement organizations have grown fast and tended to expand into national organizations. The large-scale organization has had two effects: a larger impact and larger financial demands. Korea's civil movement organizations tend to exert a more powerful influence than they really have. The power of CCEJ or KFEM does not originate from their organizational capacity. People within the organizations and without are all together potential supporters of the civil movements. Some large organizations also mobilize mass media to make public issues. On the other hand, these organizations are so large that they need more money to maintain the salaries of the activists, office rent, and other expenses. Since the civilian government took power in 1993 and some progressive figures in the government sought the cooperation with civil

movement organizations, the government began to coopt the civil movement organizations. The government has offered various opportunities to commission civil organizations to carry out some part of public campaigns. Once the government changed its attitude toward civil organizations, business followed. (d) Participants and activists of civil movement organizations are not particularly victims of development, environmental destruction, and patriarchal society. Participants are more or less the privileged class in Korea. They are interested in movements in terms of `ideas`, not in terms of material interest. They are professionals, white collar workers, students, and some self-employed shopowners. Women participants in civil movement organizations, other than those in women's movements make-up a relatively small portion. Therefore, Korean civil movements have the problem of accountability. Whose interests do Korean civil movements represent? It is criticized that Korean social movements are generally too mass media-oriented because many social movements are not directly responsive to the voices of the victims. Therefore, it is not common that victims, whom civil movements have fought for, become members of the organizations.

Because of these characteristics, Korean civil movements have various weaknesses. Korean civil movement organizations fail to organize mass participants. Civil movement organizations do not develop their know-how to mobilize the masses. They have to depend more on members` fees than on external sources. In order to be financially self-sufficient, civil movement organizations should be responsive to members. Korea`s civil movement organizations fail to advance new alternatives at the level of behavior, value, organizational culture and structure; they do not try to overcome the difference between the avant-garde and the masses. Korea`s civil movements try to technically cooperate with struggling local groups. But their ties with local groups are weak and inconsistent.

11.3 How far do women participate in political life and public office at all levels?

All women and men have had the right to vote and contest since 1948. Nowadays the political participation of women is positive and highly encouraging. From a logical point of view, the slogan, "Let's guarantee 20% participation of women in the Local Councils!" was created. In the next session three people explained their own experience of political participation. Each person was limited to three minutes each but their presentations impressed me more than any other theoretical claims. However the highlight of this year will be the "Announcement of fourteen women candidates who are earnest workers in local community"! They have already achieved solutions to many local problems while working hard in every area of this country, and will run for the local councils on behalf of their local community and women.

The social status of women is a key measure of the quality of life in today's societies, and women's participation in society is becoming accepted as the global trend and norm. In particular, women in the political sector are expected to play a determining role the development of nations in the 21st Century. In an age of globalization and information, future prosperity will be guaranteed only to those societies which are able to mobilize the potential and resources that lie within the female population. In Korea, legislative and institutional reforms have steadily been promoted since the early 1980s to

erase the traditional barriers against women's social advancement. Despite the new laws, however, the level of women's political participation in Korea remains at the world's lowest. Women's groups have exerted great efforts to expand women's presence in the political sector, but the results have not been tangible. The reasons have been many, as are the measures required to overcome the situation. We will briefly review the present situation of Korean women in politics and the future strategies.

Women's political participation rate is as follows. As of 1999, women account for 3.68% (11 out of 229) of National Assembly members, 5.8% of National Council, and 1.6% of the Local Councils. According to the survey conducted by the Inter-Parliamentary Union research in March 1998, Korea ranked 129 out of 163 surveyed countries for ratio of women lawmakers. The average ratio of women in parliaments was 12.3% for the world, 35.9% for European countries and 13.9% for Asian countries. This indicates a very low political participation by women.

The women's 1998 government committee participation goal for 1998 was 20% and the figure for the goal was increased in 1999 to 23% and 30% for 2002. However, as of end of 1998 women account for only 12.4% of the government committee members. According to a survey on women's participation in committees of all levels conducted on July 1998, women members accounted for 3.1% (175) of the total 5,720 elected members and 10.0% (1,630) of 16,222 appointed members. In the case of central administrative institutes, of the 5,236 appointed members women accounted for 9.4% (492). Only 5 out of the 46 institutes met the goal of 20% (before the goal was adjusted). They are Commission on Youth Protection (25%), Ministry of Health and Welfare (20.2%), Ministry of Labor (24.5%), the Supply Administration (28.6%) and the Presidential Commission on Women's Affairs (80.0%). In the case of local governments, of the 3,827 elected members there were 140 women (3.7%) and of the 10,986 appointed members there were 1,138 women (10.4%). Only one out of 16 organization met the goal of 20% in 1999 (Cholla-Buk-do 20.0%).

As of 1998, there are 17,301 reporters of which 14.9% (2,578) are women. Women account for 14.8% (2,941) of the workers (19,933) in the broadcasting business. Women account for 12.9% (95) of the 735 press agency workers. According to an analysis conducted according to the OECD research activities survey guideline, as of the end of 1995 women account for 8.0% of Korea's science and engineering research and development teams. The largest number of female students who major in science and engineering work in universities (12.6%) but a majority of them are graduate students who are temporarily employed. Women account for 5% of researchers in government invested research institutions or corporations. Current status and prospects of women in the information and telecommunications sector. The service industry (finance, insurance, real estate, logistics, telemarketing) and the information industry (Computer related sector; software and system designer, CAD/CAM. Information processing sector; information searching, processing and providing) are promising sectors for women. This trend has a close relationship with worldwide informatization and the spread of the knowledge based industry. Korea expects that 800,000 job will be created in the knowledge based growth industry. It is estimated that 437,979 people (accrued figure) will be newly employed by the information and telecommunication industry during the 1998~2002 period. However, there is a serious problem in supply and demand of the male and female work force in Korea's information and telecommunications sector.

11.4 How equal is access for all social groups to public office, and how fairly are they represented within it?

These problems have been prolonged public issues. But the leaders of NGOs defend themselves. They say that only a few activists are operating in the organization and thus they have to do all the work, even though it is beyond their competence. However, important problems are the trend of the large scale of the organizations and the departmental style of their operating systems. NGOs are operated on membership fees. Thus, the staff can not sufficiently deal with social problems. They are forced to perform projects which government or other organizations provide to them in order to secure finances. They may have to struggle to secure projects. To perform the secured projects costs them much time. Consequently they are indifferent to standing social problems. Thus, the staff of NGOs have no opportunity for education and training to develop their abilities. This means that NGOs are criticized as having no specialization. Accordingly, it is most important to secure economic independence by arousing citizens' consciousness of participation and having a large membership. To do so, local civil organizations have to make the most of the programs which recruit students as voluntary activists in cooperation with local universities.

A civil movement which centers on citizens can not be built in a day. If we provide students with opportunities to experience the importance of civil rights and civil movements, they will actively participate in these movements after their graduation. Also, NGOs should establish their identity independent of government and private enterprises. This established identity will encourage activists to do more for the benefit of citizens. The following are also pointed out: NGOs have no popularity and specializations. NGOs do an one-shot event such as issuing statements. Activists have limited capability to act in the movement. These problems must be worked out in the organizations.

11.5 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

Korea's civil movement organizations have greatly expanded in terms of their influence and membership. But civil movements in Korea could expand, not because they have effectively solved people's living problems, but because they could win favorable treatment from the mass media. Civil movement organizations have so far recruited their passionate participants from former democratic movements, and their ideologies for mobilizing people are still variations of the democratic movements. Unless Korean civil movement organizations do uphold new and relevant objectives, they will be faced with a crisis of legitimacy. Human rights and democracy, which are still problems to be solved, are not sufficient to attract the general public.

(1) Korea's civil movement organizations, mostly recruited from intellectuals and the middle class, should seek accountability to grassroots people. (2) It is an urgent task for Korean civil movement organizations to institutionalize the social movement: fund-

raising, activist training, mass campaigning, professionalization, and the development of alternative organizations. (3) Korean civil movements have the following new fronts:

Country experts: *Is the emerging middle class active in civic association? What are the normal concerns of the latter: social, environmental, political? Are there prominent or local charities, and what do they work for? Do religious orders have a charitable wing, and what do they offer? What is the status of groups on women's rights?*

12.0 Government responsiveness

Is government responsive to the concerns of its citizens?

Summary assessment: *Unlike the mature democracies, South Korean governments tends to aggregated demands of large groups (especially showing up their power), ignoring the individual's needs and desires. The aggregation is mostly done by a wide variety of interest groups or by political parties. In South Korea, interests groups are in the mid-way of developing such a role. Still, Korean government has been heavily conditioned by the Confucian tradition, in which the officials were expected to decide what the people should have and give it to them as the officials's superiority (Hahm 2000, Macdonald 1992). This means that government responsiveness is so so.*

12.1 *How open and systematic are the procedures for public consultation on government policy and legislation, and how equal is the access for relevant interests to government?*

It is true that governments are trying to be open and systematic in the process of public consultation and to secure easy access for public interest aggregation. Nevertheless, it is difficult to say that the procedures for public consultation on government policy and legislation is open and systematic. Because, according to the poll on December of 1997, most citizens basically regard votes as the single means to access government policy and legislations. It means that most citizens are not accustomed to the other means of affecting the government. The poll was nation-wide and sample size is 1,207. The survey question is that "The vote is the only means when people like me have any say about the what the government does." The result is as follows.

Value	Frequencies	Percentage	Valid Percentage	Cumulative Percentage
Definitely Agree	370	30.7	31.1	31.1
Somewhat Agree	489	40.5	41.1	72.2
Somewhat Disagree	270	22.4	22.7	94.9
Definitely Disagree	61	5.1	5.1	100.0

Don't Know	17	1.4	NA	
Total	1207	100.0	100.0	
Valid Number of Responses: 1190 Missing Cases: 17				

Data Source: *Korean Social Science Data Center*, in Survey for th 15th Presidential Elections (1997)

12.2 *How accessible are elected representatives to their constituents?*

The elected representatives has a low level of accessibility to their constituents. This is mainly because most “constituents don’t think that the elected representatives care much what people like me think.” In some sense, the passive voters are responsible for it.

Value	Frequencies	Percentage	Valid Percentage	Cumulative Percentage
Definitely Agree	318	26.3	26.7	26.7
Somewhat Agree	601	49.8	50.5	77.2
Somewhat Disagree	239	19.8	20.1	97.3
Definitely Disagree	32	2.7	2.7	100.0
Don't Know	17	1.4	NA	
Total	1207	100.0	100.0	
Valid Number of Responses: 1190 Missing Cases: 17				

Data Source: *Korean Social Science Data Center*, in Survey for th 15th Presidential Elections (1997)

12.3 *How accessible and reliable are public services for those who need them, and how systematic is consultation with users over service delivery?*

Most Koreans believe that the public service by politicians is not reliable, simply because “they think that politicians’ behavior before election is different from those after election.”

Value	Frequencies	Percentage	Valid Percentage	Cumulative Percentage
Definitely Agree	463	38.4	38.7	38.7
Somewhat Agree	609	50.5	50.9	89.6
Somewhat Disagree	106	8.8	8.9	98.5
Definitely Disagree	18	1.5	1.5	100.0
Don't Know	11	0.9	NA	
Total	1207	100.0	100.0	
Valid Number of Responses: 1190 Missing Cases: 17				

Data Source: *Korean Social Science Data Center*, in Survey for th 15th Presidential Elections (1997)

12.4 *How much confidence do people have in the ability of government to solve the main problems confronting society, and in their own ability to influence it?*

More than half of Koreans do not think that “people like me don’t have any say about what the government does.”

Value	Frequencies	Percentage	Valid Percentage	Cumulative Percentage
Definitely Agree	140	11.6	11.7	11.7
Somewhat Agree	332	27.5	27.8	39.5
Somewhat Disagree	398	33.0	33.3	72.9
Definitely Disagree	324	26.8	27.1	100.0
Don’t Know	13	1.1	NA	
Total	1207	100.0	100.0	
Valid Number of Responses: 1190 Missing Cases: 17				

Data Source: *Korean Social Science Data Center*, in Survey for the 15th Presidential Elections (1997)

More than half of Koreans that “I can’t understand what the government does, because the things are very complicated.”

Value	Frequencies	Percentage	Valid Percentage	Cumulative Percentage
Definitely Agree	142	11.8	11.9	11.9
Somewhat Agree	393	32.6	32.9	44.8
Somewhat Disagree	475	39.4	39.8	84.7
Definitely Disagree	183	15.2	15.3	100.0
Don’t Know	14	1.2	NA	
Total	1207	100.0	100.0	
Valid Number of Responses: 1190 Missing Cases: 17				

Data Source: *Korean Social Science Data Center*, in Survey for the 15th Presidential Elections (1997)

12.5 *What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?*

The connection between citizens and the local government is more important than that between citizens and the central government. Korean politics is a politics of vortex in which central government is too strong to influence it. Citizens can be educated as active constituents when local autonomy is secured. To understand the democratisation process in South Korea, one is well advised to study the development of local autonomy: It is no exaggeration to call the quality of a country’s local autonomy a benchmark for the quality of its democracy. Local autonomy is the lowest level of democracy. It is here that the

citizen can best discover and experience the advantages of democratic decision-making and participation.

From a historical point of view, Korea's local autonomy has made considerable progress in the course of democratisation since the second half of the 1980s. Of course, I refer first and foremost to the local elections of 1991, 1995 and 1998. Democratic elections are an indispensable part of local autonomy. In all parts of the country we now find elected local representatives (governors, mayors, councilmen and councilwomen), who know, that - if they want to be re-elected - they must convince the people that they are working in their interest.

On the other hand democratic local elections and committed local politicians alone are no guarantee for good local government. The decisive factor is and remains the scope and freedom of action the central authority grants the local communities. If we compare the institutional framework in Korea with the well-advanced systems in Germany or the United States (to quote but two examples), this country still has a long way to go. Korea - unlike Germany and America - has a very powerful centralist tradition. In Germany local self-rule has a centuries-old tradition, it is entrenched in our mentality and has long been a key factor of our political culture.

Far-reaching decentralisation in Korea will therefore call for a new way of thinking, even a paradigmatic change with the hallmarks of a peaceful political-administrative revolution, something Dr. Moon refers to as conversion of mentality. Of course, this cannot be achieved in a short time, and one parliamentary session or presidential term of office will not suffice to complete this epochal reform project.

Although it may sound absurd, the political initiative for a more powerful local self-administration has to come from the top, from the central government; the political center in Seoul must be prepared to relinquish a large part of its powers to the local communities. President Kim Dae-jung has repeatedly emphasized that his government will empower the lower levels. It is still too early to evaluate the President's achievements in this respect. On the other hand, future historians will judge President Kim Dae-jung's ambitious reform project also by whether he was able to put his eloquent words on local autonomy into political action.

More recently we have observed a certain impatience in discussions with Korean experts and local politicians. Critics admonish the poor financial situation of the local authorities. They also point out that - due to legal restrictions - many tasks and responsibilities given from Seoul to the local level have been delegated only with considerable reservations. Corruption is definitely a weak point of Korean local politics. Studies show that corruption has declined on a national level, only to increase on a lower one. And finally, low voter turnout is disappointing for all democrats: If - as recently happened in the mayorial by-elections in Koyang - only one in four citizens entitled to vote meet this obligation, we must speak of a crisis of local politics.

From long experience we know that these undesirable trends are not the result of too much local power, but are rather due to a lack of local autonomy. More participation of the citizens, more transparency, more local democracy - these are the key factors of a democratic and liberal programme, with which the above-mentioned problems may be effectively combated. And finally: civic education of the people is of prime importance. In this respect, the political parties, the media, schools and universities, and civic action

groups have a great responsibility. For only the politically educated citizen will participate in and contribute to local politics - the fundamental base of every democratic polity.

Country experts: *What official matters involve public consultation? Do legislators have an office in their constituency where their electors can meet them? Is government considered to be willing to address social issues or is it perceived as having only economic interests?*

13.0 Decentralisation

Are decisions taken at the level of government which is most appropriate for the people affected?

Summary assessment: *Decentralization serves administrative efficiency more than popular decisionmaking, and various reform measures from 1987 have sought to remedy this. The finances, personnel, and procedures required are not fully in place. National goals notably industrialization or central control notably by the Ministry of Home Affairs do not make it easy to truly decentralize. Regular local elections are crucial to achieving this social goal. Convenience in people's everyday life depends on successful coordination with contractors, suppliers, welfare agencies, voluntary organizations, and other bodies which in turn depends on the efficacy of local government. Public consultation and input are a pressing need.*

13.1 *How independent are the sub-central tiers of government from the centre, and how far do they have the powers and resources to carry out their responsibilities?*

Four cities including the capital are directly administered by central government; the rest of the country is divided into nine provinces. Seoul is significant in having a quarter the national population and huge industries and infrastructure, hence, a heavy administrative burden. Agencies proliferate in answer to Seoul's complexity. For example, 69 companies bear responsibility for garbage disposal in the capital (Kim, 1991b). A mayor heads the 55,000-strong administration of the metropolis. Seoul and major cities are subdivided into districts and blocks. The nine provinces are correspondingly subdivided into cities and counties. Each county in turn comprises towns and townships. There is thus a stratified structure and numerous organizations coordinating at various levels. However, the continued election to public office of local residents is necessary to establish and refresh local control. The Ministry of Home Affairs in particular has a stranglehold on local administration and local autonomy is in part a question of independence from central supervision. Such direction of local affairs by central government has prompted a strong reaction. One scholar (Kim, 1991) notes: "In recent years we have been faced with demands for decentralization and local self-government

... an indication of the irresponsibility, unresponsiveness, unrepresentativeness, and lack of citizen's participation in the highly centralized government. It is also a reflection of the changing consciousness of the Korean people toward the government and administration".

Another scholar, Yong (1991) however concludes that these demands have been answered by promises since the early 1980s, not action. He analyses South Korean decentralization by criteria established by Brian Smith (1980): functions, finances, and structure. During 1972-84, local authorities made less than a quarter of public spending and employed a fifth of bureaucrats. He traces the poor South Korean showing in comparison with the US and European countries to the military coup in 1961. Till then, the 1949 Local Autonomy Law had held, which provided for the direct election of the chief local executive. The 1961 Law Concerning Temporary Measures for Local Autonomy placed administrative responsibility under the Minister of Home Affairs and sensitive recruitment under the president (who even appointed the mayor of Seoul as advised by the Prime Minister). Yong describes the resultant system as deconcentration, not decentralization. He considers this "centralizing tendency" a feature of the state's relationship with emerging capital. New contracts were awarded by central government, the contractors better served by a single centralized authority. Indeed, the concentration of economic and productive power in the hands of expanding *chaebol* mirrored the political and administrative centralization in government. The final factor was threat of political instability: measures and martial law were centrally enforced. Hence, fundamental changes at the top are a prerequisite to decentralization.

That is, the closeness seen between business interests and government had its local counterpart. In the process, local interests and welfare including the provision of services became secondary in importance. The recent attempt to address this as part of the overall attempt to remedy the problems created by the business-government-military alliance faces many difficulties. For example, targeted interventions such as the 'integrated multisectoral strategy' for special assistance to a deprived region require extra structures to perform new tasks such as coordinating with the voluntary sector. Central resources for the purpose are forthcoming, but durable local capacity requires a longer period to install.

Hence, sub-central tiers of government are neither independent nor adequately resourced and authorized. The reasons lie in modern political economy rather than feudal culture, and while a beginning has been made to reverse this, the task is not accomplished. That it is recognized as a task at all is perhaps significant.

13.2 How far are these levels of government subject to free and fair electoral authorisation, and to the criteria of openness, accountability and responsiveness in their operation?

The Second Republic aimed at 'local autonomy' and the Sixth at 'decentralization' (White Paper, 1994, quoted in Kim and Kim, 1997). However the local elections abandoned in 1961 were not restored immediately in 1987. Local elections could go some way to alleviating complaints such as the lack of local accountability and responsiveness. Local elections were held in 1991 and in 1995, for city mayors and provincial governors.

Regionally-uneven development is considered one of the costs of rapid, centrally-directed economic growth, and special programmes have been designed to compensate.

Politically, 'regionalism' is considered a drag on modern representation: civic groups bemoaned the persistence of regional loyalties in the recent elections. At the same time, the War displaced many people, and their migration was part of economic growth. Hence, regionalism has a number of aspects: demographic, cultural, distributive, political and economic. Its effects on the politics of local government are unclear. The identification with politicians from one's region or province of origin seems confined to the centre. There does not appear to be a groundswell for comparable regional politics. It remains to be seen if local government can help political ambitions by offering the promise of a mass base. According to one observer (Helgesen, 1998), "The link between democracy and local autonomy is apparently not an obvious one. A probable reason for this lack of general enthusiasm is that this issue has been a source of conflict between government and opposition. Therefore, even if local autonomy has been discussed for years as linked to democracy, the concept lacks the magnetism that characterizes democracy". General disenchantment with politicians, resulting in the extraordinarily low turnout of 57% for the national election of 13.4.2000, may not augur well for local political aspirations.

Yet the 1991 local elections must be seen as a landmark for their breaking of a three-decade silence at the level closest to the people. Over 4,000 urban seats were contested on a nonpartisan basis, and nearly a thousand metropolitan and provincial seats on partisan basis. On the partisan seats, it became clear that the ruling party had the edge, interestingly, by fielding unknown candidates with presumably greater credibility than familiar faces. The ruling party also represented stability in the wake of turmoil stirred up by recent student politics (see Ahn et al, 1995, who, like Helgesen, also raise the pertinent matter of the link between local autonomy and democratization).

Another observer of the 1991 and 1995 local electoral scene, Kang (1999), suggests that a slow change is indeed taking place. In particular, he records the contribution of NGOs at local, not just national, level. Here, they have been steeped in community issues from public transport to TV monitoring to domestic violence, earning local kudos thereby. In local government elections, some candidates whose main platform was their involvement in such civic organizations, were seen to be quite popular. "Due to its presumable moral strength, to increase its political legitimacy political system tries to gain more of ethical support from the civic organization". Moreover, recent local empowerment simultaneous with central budget cuts has been tantamount to, in Kang's words, "more governance with less government", or authorization without means. An easy way out is then to transfer responsibility for provision to the market, making people pay piecemeal as if they were consumers of public services. Under such conditions, too, pressure groups and NGOs are resurrected. Hence, recent local elections have served to redress a crisis of local legitimacy, but such electoral resumption is not in itself a guarantee of local effectiveness or accountability. It is, however, a start. Even if local autonomy, local government and popular participation remain at some mutual distance, the role of civic groups in recent liberalization may yet have some positive fallout.

The place of local autonomy and in particular locally-elected authority, within the path and pace of democratization is yet to be proven. National political parties have begun to court community groups with local electoral appeal. Since 1991, central government and opposition parties have locked horns on the precise matter of local elections. These are unexpected events. Only the determination of the South Korean

electorate, and their leaders' serious recognition of this, could have made them happen.

13.3 How extensive is the co-operation of government at the most local level with relevant partners, associations and communities in the formation and implementation of policy, and in service provision?

There is necessarily a high degree of coordination with relevant partners at metropolitan and provincial levels and perhaps to the level below, the district level. Private business, schools, contractors, utilities companies, infrastructure and housing builders, are all woven into the complicated web of local implementation and service provision. However, "the most local level" is the urban block (*dong*) and, in the provinces, town and township (*eup* and *myon* respectively). This ultimate level suffers from a lack of suitably trained specialists and is likely to suffer from lack of coordination with external agencies as well. That is, effective coordination is likely to stop at the penultimate local level. Staffing and resourcing the final level, ie, the one closest to the people, is a major requirement in local administration.

13.4 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of priority and public support do they have?

The 7th Republic of 1993 came in a platform of reform. It immediately created an Administrative Innovation Commission (AIC) to deliver efficiency, trustworthiness, and popular contact (Kim and Kim, 1997). Thus, whether decisions are made close to the people affected is a public concern regardless of its practical resolution. This publicly-identified problem, ie, that people may not control matters affecting their lives, recurs in different forms.

Country experts: *Please discuss the results of and issues surrounding the 1991 and especially the 27th June 1995 local elections, rural and urban, and other local government elections.*

IV. Democracy Beyond the State

14.0 International dimensions of democracy

Are the country's external relations conducted in accordance with democratic norms?

Assessments: *Generally speaking, South Korea has a high level of respecting international law. Recently, Kim Daejung government now enact human rights law. Unfortunately, Korea's irrational labor policy is victimizing numerous workers from other Asian countries. There were some 200,000 migrant workers in Korea as of August*

1999. They also face serious problems getting along in a homogeneous Korean society that has high cultural barriers. In accordance with human rights violations to foreign laborers, NGOs including the Citizen's Coalition for Economic Justice try to secure equal rights for foreign laborers.

14.1 How free is the governance of the country from subordination to external agencies, economic, cultural or political?

The omnipresence of the US in domestic and defence matters meant that foreign policy could not be independent of the superpower. All political analysis of South Korea in the decades since the War is a lesson in levels and kinds of US involvement. The US continues to maintain a heavily armed presence along the DMZ. The putative assassination of the incumbent president when he was in opposition is widely regarded as having been stopped at the eleventh hour following rapid action by the US. The political progress of the last decade could help strengthen independence from the US, but continuing defence apprehensions with respect to North Korea, Japan, China, and Russia, mean that South Korea will continue to look to the US. The latter will consequently have some say in governance.

As former imperial power, weighty neighbour and trading partner, and world economic power, Japan is predominant in South Korean affairs. Despite the latter's overwhelming debt in the early 1980s, it escaped the debt crisis afflicting poor and middle economies. An important cushion to this end was a Japanese loan of US \$ 3 billion earmarked for debt service (Lie, 1998). In 1997, Japan repeated the favour. Hence, South Korea's economic prowess in the world has been underwritten by its imposing neighbour to the east.

South Korea's growing economy and commerce gave it the diplomatic leverage to further its economic interests internationally. It has aggressively embraced world conduits and agencies. Such calculated fortification of South Korea is bound up with its changing structure of production as well as the deep involvement of state in economy. Without necessarily being 'subordinated' to external forces, the state has looked ever outward. In turn, it has made a mark: "The advanced industrial economies are less open to free trade in the 1990s, in part because they are wary of the emergence of new South Korea's" (Lie, op cit). Joint preoccupation with home and world has been a feature of South Korean governance.

Reunification with the People's Democratic Republic of Korea, (DPRK, or North Korea), is a constitutional ideal through Article 4. Till the early 1970s, US assistance in the form of military aid kept South Korea alert on its northern border. The latter then became increasingly self-financed and by 1977, bore nine-tenths of its defence costs under its Force Improvement Plan, FIP. Since then it has far outstripped the hardware spending of its northern twin (Hamm, 1999). Such heavy build-up by each Korea even as its patron has melted away still does not guarantee security: "... since armament is the outcome of both external and internal processes, one cannot do much with the internal dynamics of North Korea. A more practical approach would be to 'buy peace' in the literal sense of the term, ie, massive investment aid from the South, which would in the end bring about stability and reform in the North. Economic cooperation is the best

'confidence-building measure' of the South". A more reliable route to provide mutual security would be the strengthening of civil society. This would improve chances of reunification as well as keep the top-heavy state in check : "Democracy is the best approach towards national reunification".

The cold war and the proximity to the antagonists has placed South Korea in a continuously delicate position. In 1983, a South Korean civilian plane was shot by the Soviet airforce, killing nearly 300 people on board. The shock and grief of the survivors and the country at large was matched only by the bewilderment of world observers at the why and how of the incident. The human catastrophe was quickly engulfed in cold war debate. Dallin (1985) concludes, "In the absence of the real "black box" from KAL 007, each side filled its mental, imaginary black box with opposite and incompatible assumptions about the adversary..." The politicization of the tragedy was inevitable. Liberation from Japan had been overtaken by the pain of partition, and South Korea grown in the shadow of the cold war. Its external relations continue to be influenced by the circumstances of its political birth though its extraordinary economic success since has strengthened its position.

Apart from issues of external subordination, there are other aspects of external relations which have a bearing on its democratization. This is South Korea's gains and losses from international law. A number of social and economic issues are in dispute with neighbouring states, such as the Han river diversion by North Korea, the Japanese demotion of its ethnic Korean minority, repatriation of stateless people from Russia's Sakhalin island, Vietnamese boat people, and Hungarian investment (see Chee, 1993). Given the uncertain tradition and practice of domestic law, it is not clear to what extent South Korea is winning its legal battles overseas.

14.2 How far are government relations with external donors based on principles of partnership and transparency?

Unfortunately, South Korea underwent IMF in 1997. Anyway, we have to take a note that South Korea is now a member of OECD. Thus, it bestows a favor to other countries, rather than owe something to the others. To manage the increasing "Official Development Assistance"(ODA) in South Korea is closely related to keep the principles of partnership and transparency.... (More works needed)

14.3 How far does the government support UN human rights treaties and respect international law?

Generally speaking, South Korea has a high level of respecting international law. Recently, this is prominent in the area of environmental laws. After civilian governments by Youngsam Kim and Daejung Kim, South Korean government shows more than the modest levels of supporting UN human rights and respecting international law. Especially, Kim Daejung government now enact human rights law.....(More works needed)

14.4 How far does the government respect its international obligations in its treatment of refugees and asylum seekers, and how free from arbitrary discrimination is its immigration policy?

One of recent surveys says that foreign labours suffer legal, human rights violations. Simultaneously, civic groups form associations for foreign laborers' rights. Unfortunately, Korea's irrational labor policy is victimizing numerous workers from other Asian countries. A recent report by the Joint Committee of Migrant Workers in Korea, a nationwide network of 22 counseling and education facilities for foreign workers, presents glaring cases of human rights abuses committed in the name of a flexible labor market in this age of globalization. Migrant workers began to arrive in Korea in large numbers in recent years. In 1988, the immigration authority amended the laws to increase access to tourist visas. Such visas were used by many ethnic Koreans from China to come here in order to seek labor-intensive, low-paying jobs in the manufacturing industry.

In 1991, the Industrial Technical Trainee Program was introduced to provide visas to foreigners employed by the overseas subsidiaries of Korean companies. This program was created to allow large companies to bring foreign staff to Korea so that they could receive training here. Then the small- and medium-sized businesses began to use the program as a way to bring in cheap labor. They lobbied the government to allow them access to foreign labor, mostly labor from China and southeast Asian countries with low wage scales. In 1993, the Korea Federation of Small Businesses was given the authority to operate a revised "trainee" program to bring in unskilled migrant workers in order to ease the shortage of manpower in the so-called 3-D industries.

There were some 200,000 migrant workers in Korea as of August 1999, according to the Ministry of Justice. Of these, only 11,853, or 5.7 percent, were legally employed on work visas. Most of the remaining workers were "technical trainees" or "undocumented workers," many of them people who were brought in as technical trainees, but who later overstayed their contract periods. These migrant workers suffer from long working hours, low wages, physical abuse and industrial accidents, among other hazards, and have none of the legal protections granted to Korean workers. They are denied the right to defend their interests or to protect themselves from abusive employers by unionizing and conduct collective bargaining and collective action. They also face serious problems getting along in a homogeneous Korean society that has high cultural barriers.

Frequent industrial accidents pose another serious problem for migrant workers. A total of 1,155 migrant workers asked for treatment for injuries from industrial accidents from January 1998 to June 1999, according to figures of the Ministry of Labor. Another 52 migrant workers died of accidents at their workplace during the same period. A group of civil society organizations working for the migrant workers submitted a bill for the law to protect their rights, not as trainees but as workers, to the National Assembly in 1996. But the lawmakers were too busy to study the bill and it remains in their drawers. Members of the next parliament should give the bill priority because, in this era of globalization, nations need be prepared not only for a capital market without borders, but for a global labor market as well. Protecting the rights of migrant workers will eventually help protect Korean workers as well. In this regard, Korean labor authorities and unions need to learn a lesson from the experience of Germany, where the unions called for the same level of salaries and rights for local and foreign workers as early as in the 1950s.

14.5 How consistent is the government in its support for human rights and democracy abroad?

The electoral victory of President Kim Dae-Jung in 1997 was celebrated by the international human rights lobby on par with that of President Mandela of South Africa. Kim had been among Amnesty International's most famous prisoners of conscience, and his assumption of the presidency was seen as the start of a new era in South Korean human rights. That is, future human rights were optimistically regarded to be limited to labour disputes and social ills rather than focus on political prisoner maltreatment.

At the same time, it was hoped that South Korea would now lead the way in supporting human rights and civil liberties abroad. Accordingly, Amnesty International (1998) is pressing for an 'ethical foreign policy', ie, one furthering human rights overseas. South Korea supported the International Criminal Court discussed in 1998 which in the end was approved by 121 states. The next step is its ratification by each country, and South Korea has been urged to assist in this. Amnesty International has also called upon the South Korean government to actively support the UN declaration on groups working to improve human rights, and on the Draft Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts. Further, Amnesty International has recommended that the South Korean government initiate a public awareness campaign on human rights, lobby internationally against child military recruitment, campaign internationally against the death penalty, and make human rights a regional foreign policy issue. The last point is interesting: whether South Korea goes along with including a human rights component in its dealings throughout Asia, ie, with Indonesia, Myanmar, Viet Nam, and Afghanistan, remains to be seen. Whether it will invoke this in dealings with Russia, Japan, and China is an even more intriguing question.

14.6 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

In accordance with human rights violations to foreign laborers, NGOs including the Citizen's Coalition for Economic Justice try to secure equal rights for foreign laborers. Sixty-seven local civic groups launched a joint committee to abolish discrimination against foreign laborers here and secure their basic rights. The civic groups, including the Citizen's Coalition for Economic Justice and the progressive Korean Confederation of Trade Unions, told a news conference at a restaurant in downtown Seoul that the joint committee will actively campaign for equal rights for foreigners.

Country experts: *Please develop subsection 14.1 ... is the Republic of Korea popularly perceived as independent within the world order, or is the government suspected of bowing to foreign pressure (if so, which)? Is the continuing US armed presence a sore point? To which countries does South Korean foreign aid go? What of the threat perception within the region: China, Japan, Russia, North Korea and others?*

Was the French nuclear test in 1994 condemned? Indian-Pakistani tests in 1998? Is there wide support for reunification from citizens and political parties? Is the treatment of South Koreans or people of Korean origin abroad a domestic issue, eg, ethnic minorities in Japan? What about 14.5: is South Korean foreign policy incorporating any human rights considerations, and in what manner? Does defence expenditure cause concern among the intelligentsia? How is South Korea performing on the nonpolitical front, eg, activities of Korea Foundation, cultural exports, etc?

In refining ALL SECTIONS (nos. 1 to 14), kindly include material from Korean-language sources, both academic and popular, esp newspapers.

To add:

Box on Comfort Women and Japanese compensation
--

Less than a tenth of some 300 Asian women forced into prostitution by the Japanese military during World War II, have accepted payment from a Japanese "comfort women" fund offered last year. The Asian Women's Fund was formed in August 1995 by the government of then prime minister Tomiichi Murayama to provide compensation to hundreds of women in Southeast Asia and South Korea used as sex slaves, euphemistically called "comfort women", by the invading Imperial Japanese forces. The fund offered payments a year later to the 300 surviving comfort women in the Philippines, South Korea and Taiwan, who are now in their 60s and 70s. None of the Taiwanese women accepted any compensation. Since the start of the payment on August 15 1996, 21 former sex slaves in the Philippines and seven others in South Korea have accepted two million yen (17,000 dollars) each in compensation, the news agency said. But the rest of the women have refused to take the "atonement" money donated by the Japanese public, demanding instead an official apology and compensation by the government. Despite its key role in setting up the fund, the government insisted on calling it a "private" fund to keep intact Tokyo's stance that all individual claims linked with Japan's wartime aggression have been settled.

It is more than clear that what the ex-comfort women want is Japanese state-level recognition of and an apology for the forceful recruitment of women from Korea and other occupied zones, totalling some 200,000, for sexual services for imperial Japanese army soldiers. Seeking to assuage the trauma of the former comfort women with money but not an official apology is nothing but a ploy to gloss over Japan's past wrongdoings. It only adds to the Korean and other Asian people's resentment. The Japanese government has never acknowledged that the system was run by the government at its own initiative. Most disgusting are its attempts to falsify historical facts and shirk its obligation to compensate for the untold damage in the lives of the hapless people of occupied areas it was responsible for. Some officials even claimed that the women had volunteered to offer sex services to make a living. The Japanese government has contended that the question of state compensation for Korea was resolved with the conclusion of the 1965 Korea-

Japan basic treaty for diplomatic normalization between the two countries. Even if this is the case, however, there remains room for Korean people on an individual basis to claim compensation for Japanese criminal acts, forced labor in Japanese-held territory and finally inhumane treatment of "comfort women."

In connection with this question, it should be remembered that the U.N. Human Rights Commission has supported the Korean position, issuing a declaration last year in which it condemned all violations of the human rights of women and called for particularly effective compensation for sex slavery and forced impregnation. Japan, as a prominent U.N. member now seeking a permanent seat on the Security Council, must at least comply with the U.N. commission's resolution that virtually demands Japanese state-level compensation to the Korean women.

The Korean government provides 500,000 won a month for each of the women involved for housing and medical assistance. The government can afford to increase this relief depending on the situation. This means that even without Japanese compensation, the government can support the some 300 ex-comfort women reported still alive here. Accordingly, what matters is not the amount of money but the attitude of the Japanese government, namely its adamant denial of its involvement in the state-run sex service project and its accountability. In this context, it is recalled that President Kim Young-sam once remarked that what the Korean government wants is not Japanese money but a sincere apology for past Japanese misdeeds.

It cannot be denied, however, that the Korean government has taken a rather lukewarm approach to the compensation issue, expecting a spontaneous response to the former comfort women's long-standing demand for Japanese governmental steps, a formal apology and then due compensation. In any event, the two countries need to reach an early agreement to wrap up the festering issue, as it is a stumbling block to the mutual efforts to liquidate the legacies of an unhappy past and forge a most amicable and trustful relationship in the future.

Box on Saemaul Undong

The New Community Development of Korean(Saemaul Undong) came into being in the 70s aimed initially at rural community development. However, some argue that it is manipulated by Park Chung-hee in order to keep rural integration for his presidency. Korea was a promising environment to begin approaching systematically the issue of Participation's appropriate role in planned economic change.(Athur Goldsmith,1980) The New Community Development of Korean(Saemaul Undong) ,mostly developed rural areas program with "hands-on"effort, and emphasizing actual practice rather than theoretic.

First started in 1971, this program had been making fire with Government provided in rural villages by distribution of cement. About 300 bags of cement were distributed to each village taking part, with the provision that the cement should not be divided among individuals or used for private purposes, but should be devoted to common interest projects. The Relationship of public and private voluntary organization assistance should be a supportive relationship for attainment of objectives which seek to improve the living standards of the people.(David L.Guyer and Melvin E.Frerey,1980) In many cases, villagers added their own capital goods and labor to the distribution program

with the aim of quickly accomplishing the selected projects. This undertaking was termed an outstanding success with about 16,000 of 35,000 villages responding in what was described as a "very active" manner.

Soon approximately 20 kinds of rural development projects were undertaken in the drive to improve living conditions and to increase income in rural areas under the Saemaul movement. These included an important village road expansion plan designed to improve access and accelerate the movement of people and goods. In the past, village roads linked to local public roads generally were narrow and winding and often lacked bridges. Under the Saemaul campaign, most of the 35,000 participating villages launched projects to straighten and widen roads so vehicular traffic could be handled more easily. Bridge construction also was undertaken, with about 65,000 built in the period between 1971 and 1975. Another project called for the renovation of farmhouse roofs. In 1971, more than 80 percent of the 2.5 million farmhouses across the country had rice-straw thatched roofs that had to be replaced every winter season, a process calling for a great deal of work. Renovation programs were carried out and by the end of 1977, almost 100 percent of the farmhouse roofs were switched to cement tile or slate construction.(Vincent S. R. Brand,1980.) The appearance of rural villages was altered, and there were some complaints that one aspect of "quaint" beauty had been lost. For the people who lived and worked in the rural areas, however, the change was practical one that saved money and labor.

Also starting early in theThe New Community Development of Korean(Saemaul Undong) was the countrywide distribution of a newly developed, high yield rice that boosted production of that grain dramatically during the 1970s. In the period from 1971 - 1977, the national average rice yield rose from 3.5 to 4.9 tons in polishedrice per hectare. The emphasis on cooperation in rural areas has carried over to riceproduction, and it is quite common to see work teams made up of 20 to 30 farmers participating in a joint endeavor. Usually, the rice seedbed is made in one location for all members instead of having individual seedbeds scattered in several localities. Also carried out jointly is the grain variety selection, the work of growing healthy seedings, transplanting, application of fertilizer and insecticide, weeding, irrigation and harvesting.

References

- Ahmad,Yusuf J., *Administration of Integrated Rula Development*, UNESCO, Mouton,1963.
- Bell, David S., *Administrative Dynamics and developemnt: The Korean Experience*, Yyobo P.C.1985.
- Perkins, D., *Rural Development*, Cambridge: Harvard University press,1980.
- Whang, In Joung, *Management Rural Change in Korea; The Saemaul Undong*, 1981.

Box on pervasive technology; e-campaigning, 386 generation etc
--

``386 Generation" refers to those who are in their 30s, attended schools in the 1980s and were born in the 1960s. Their metamorphosis from leaders of the progressive

student movement into civic activists stems from their frustration over the vain student movement which often lacks civilian support. "We aim to create a new pattern of civic activism through this organization," a member of the group was quoted as saying. They set the objectives of their crusade for this year as advocating new life, new consciousness and institutional reforms. Specifically, the former student activists will strive to pacify the regional antagonism existing between Kyongsang and Cholla Provinces.

Other specific projects include voluntary service and the setting-up of an anti-corruption school. In particular, the group will give top priority to conducting institutional reforms to address deep-rooted problems in the bureaucracy, the deformed chaebol system, corruption in the ruling class and the revision of anti-democratic laws. "Our movement will be based on households, companies and communities, targeting the realization of small and precious values," a spokesman said.

Officials of the National Election Commission explained that heated races took place in constituencies where candidates of the so-called 386 generation were pitted against old-time politicians, and where politicians with different regional backgrounds clashed in pursuing assembly seats. They went on to say that the close contest speaks volumes about the transition occurring in political culture. Another significant feature of the 16th National Assembly election was the remarkable success of nine new faces in their 30s, from what is known as the "386 generation," including five from the MDP and four from the GNP. Also notable are the defeats suffered by many well-known veterans running on MDP tickets. These include former premier Lee Soo-sung, Kim Yoon-whan, Shin Sang-woo, Park Chan-jong, Kim Kwang-il, who once served as chief presidential secretary to Kim Young-sam, now in the opposition camp, Kim Joong-kwon, former presidential secretary to President Kim, Kim Bong-ho, vice-speaker of the 15th National Assembly, and Lee Jong-chan, ex-chief of the National Intelligence Service.

A general social and economic reform has been in progress in Korea, though slowly, a lot of it as advocated by the activities of civil organizations. However, no symptom of reform in politics has been witnessed at all. Up to now, the most recent election in South Korea is the 16th National Assembly election on April 13, 2000. Around that time, one of the most influential sources of election among the citizens is "e-campaigning" in the process of "eliminating campaign of corrupted politicians." Parliament has been, as Koreans often say cynically, in a state of coma. The representatives are blocking the general trend of reform in our society. Politics has come to be of the representatives, by the representatives, and for the representatives, rather than for the people. Therefore, the 412 civil organizations manifested that politics could only be reformed by civil power.

On January 12 this year, 412 Korean domestic civil organizations launched a social campaign called the Civil Action for 2000 General Election (the CAGE) through official declaration at the Press Center in Seoul, South Korea. The declaration titled as Civil Manifesto for Political Reform urges the year 2000 be commencing year of political reform in South Korea. It asserts that "politics in Korea still remains in the time of the past century when the society and the people therein prepare their way into a new century as well as a new millennium. Political corruption in general is the worst obstacle hindering the progress of reform in Korean society, that must no longer be tolerated. We, therefore, urgently demand a clean parliament." On January 24, the CAGE plans to release the list of politicians who are not qualified to run in the upcoming election. The

list is still in the process of being made with great care. The criteria in sorting out politicians who are not eligible for election candidacy are; 1) people who have or are currently involved in corruption, 2) people who have violated or are violating the Election Law, 3) people who have involved in a military coup or anti-human rights career, 4) people who are not diligently carrying out their parliamentary job and so on. In sum, the CAGE aims to: Eliminate corrupted politicians; Amend the Election Law that denies the peoples' fundamental political rights; Organize nation-wide campaigns against old, erroneous political habits and election customs; Gather international support for the CAGE.

There was a general election on April 13 2000, and some of corrupted incumbents was re-appointed as candidate for their political parties. The majority of Korean voters strongly rejected them as their representatives. These politicians used to behave as if the government is "of the representative, by the representative and for the representative," forgetting their duty as servants of the people in a democratic society. Thus, the CAGE is the product of the will of civil organizations to involve in the upcoming general election for the purpose of banning corrupted incumbents from their re-entry into politics. Nevertheless, the Election Law in Korea prohibits any political campaign by civil organizations in concern of election. Even though it is illegal, the civil organizations involved in the CAGE strongly believe that a political reform can be only brought by means of collective civil power for the time being. The CAGE thus also demands that the Election Law be amended to ensure the political right of the people. Civil organizations are also responsible to take action against corrupted politics, because it is their duty to make a political reform progress.

As soon as the CAGE was created, almost all citizens expressed their support for the CAGE activities. Many civil groups, which had not joined the CAGE in the beginning, started to participate in the campaign and currently the number of participating organizations has reached over 500 at the moment. Professional groups also began to join the CAGE. University professors expressed their support to the campaign and established the Policy Advisory Committee for the CAGE on January 19, and 500 lawyers have been working on making the list. Every day the press and the media are covering detailed activities of the CAGE while paying a close look at the citizens' strong interests. The young people in Korea who were indifferent to politics also came to be more and more interested in the April general election as a result of the CAGE activities. Most of them as netizen were informed of the CAGE through the Internet. The Financial Times reported on January 18 that "[t]he power of the Internet is making itself felt ahead of South Korea's parliamentary elections in April, to the displeasure of the aging political establishment." It goes further by saying that "the rising influence of the civic groups comes during a period of public disillusionment about politics after a year dominated by corruption scandals." The Korean politics is in the process of being reshaped by the CAGE with full public support.

Before the CAGE was created, the preparatory committee conducted an opinion poll to find out public attitude towards politics. The result showed that people are strongly disillusioned with politicians and long for a political campaign against them organized by civil organizations. Only 9.5 % of the respondents said that they are satisfied with the political reforms by the parliament and the government. 79.8% responded that they would support civil campaigns to eliminate corrupted politicians,

even if they are illegal. 81.1% answered that the list of unqualified politicians made by civil organizations would be helpful when they choose a candidate in the election. 74.8% said civil organizations' campaigns for the April general election would induce a political reform. If a candidate whom they support at the moment is included in the list, 62.8% of the respondents said that they would withdraw their support. And the poll showed that 60.8% of the members of the parliament should be replaced by new, uncorrupted politicians. In response to a question that concerns current activities of the incumbent politicians, 36.5% of the respondents checked, in a scale of 0 to 100% to express satisfaction, in the category below 40%, 41.0% in 41-60%, 18.7% in 61-80%, and only 0.7% in 81-100%. As shown in the result of the poll, the public explicitly showed their strong discontent with parliamentary activities, the current governmental political reforms, politicians, and politics in general. By contrast, they expressed enthusiasm to support the CAGE activities. And they also believed that the CAGE could undertake the task of political reform at the moment.

As the activities of the CAGE are widely spread to the public through the Internet and mass media, the public is more and more interested in the political reform and, as a result, the degree of their support is further being intensified. The citizens' response to the release of the list could anticipate big bang in Korean politics. According to an opinion poll conducted by MBC (a major TV/radio company) and Korea Gallup, 73.3% of the respondent replied that they would withdraw their support of politicians in the list even though they had supported them before; 68.9% of the respondent replied that the list was made with fairness, whereas the politicians included in the lists said that they doubted impartiality of the list. This shows that the majority of citizens extended their support to the activities of the CAGE.

There will be a mass rally to support the CAGE and to drive its activity forward to rule out the politicians in the list by the civil power at 1 p.m. on the 30th. The 30th of January is named the Recovery Day of People's Right. The rally is going to be held in six major cities throughout the country at the same time. In this rally, yellow cards will be given to the politicians in the list like in football match. In the rallies, yellow cards were distributed to the participating citizens, and the names of the listed politicians were called on the platform, the participants cheerfully responded waving the cards. One participant said in confidence, "I am willing to give the listed politicians this card, if they are nominated as candidate by the parties. This time they must recognize the civil power and they cannot ignore people's strong wish for political reform this time". In the coldness of this winter, the rally in Seoul started with around 1,000 citizens, however, more and more citizens joined the rally after the commencement of the rally. It was held in the Square in front of Seoul Rail Station, and the participant marched to Myungdong Cathedral. When they arrived at the cathedral, the number reached about 3,000. This shows us that the CAGE is strongly supported by citizens, and their will to participate in the CAGE's activities is very strong.

Box on the courts, testing of law in, etc... why do treatises on democracy, authority, etc, say nothing whatever on the law? Also economic laws (on small industry, etc) in separate box at Section 4

Refer to the Section 4.

Box on inter-Korean relations and implications for democracy; reunification prospects and popular support/suspicion? does it need a box?

From the long-term perspective, it is positive. However, we have to take a note of intra-conflict structure within South Korea.

(1) Ideological conflicts: From the establishment of the Rhee Syngman government in 1948 to the early 1980s, the basic ideology of the government was anti-Communism. Especially after the Korean War, the South Korean government has been completely blocking the expansion of discussions on leftist ideas or leftist-rightist conflicts in the society overall. But after the procedural democracy in the late 1980s was established in its own way and after the South Korean system started gathering diverse views in the society, ideological conflicts became apparent in the society. For example, student movements started dispatching students to the North. But they did not necessarily create negative views on unification in South Korea. They merely took part in creating an atmosphere in which students and citizens could be included in the unification policies. Communism and socialism, which were kept at a distance due to its connection with North Korea, made people perceive the value of equality as they were linked to the idea of a welfare state, exposed as Korea was being industrialized. Moreover, as teachers who had usually taught rightist ideologies now formed labor unions, they became opposed to the government, and as time passes, this situation is likely to get complicated between rightist and leftist ideology. The fact that teachers are the ones concerned with the conflicts allow for their being most important means in strengthening as well as sustaining the basis of education, for which they were responsible. This suggests that ideological conflicts which are to be formed within South Korea will not necessarily be rightist-inclined.

(2) Regional Conflicts: If asked to point out one conflict pattern in the current political process of South Korea, most would point out regional conflicts. Regional conflicts which are divided into two forms are well-immanent in our society. Regional conflict has been added on by another aspect and has assumed more complicated aspects. The second one is regional conflict from the social arena. According to the public opinion poll, general citizens, not only Youngnam locals but also other locals, carry ill-feelings towards the Honam people. This has brought wide-spread biased views and discrimination upon the Honam people among all others and led to regional conflicts at the national level. Although the rest are not included in the rivalry consciousness between Youngnam and Honam region, they still hold ill-feelings toward Honam people, just as Youngnam people do. This is perhaps due to incorrect information brought upon them in the process of socialization and biased views of education. If regional conflict is prevalent in our society, when we are at the standpoint of aiming for

unification, then the making of eastern Youngnam and western Honam division can function as a force in the unification policy. The discrepancy of Youngnam and Honam could be extended that of conservative(supported by Youngnam)-reformative(by Honam) conflict in the process of the summit meeting and Korean unification.

(3) Bureaucracy and Government-people Conflicts: By interacting with Korea's authoritative political culture, bureaucracy of South Korea has brought about conflicts between the government and the people. In fact, bureaucracy does not just exist in the nation's bureaucratic institution, but it has existed in all sorts of organizations, including conglomerates and the military. It forms a structure around them and it has always existed in places where there was any mobility. Bureaucracy puts a priority on formality rather than on practicality, and on short-term achievement-based management style rather than on long-term discernment. It is a system in which individuals are sacrificed for groups. Bureaucracy has more or less shown some effectiveness in the society of rapid economic development, but it has also induced some serious government-people conflicts in the post-Industrialization society that puts emphasis on individual character. By strengthening of government authority, regulation of information and sovereign ideology, South Korea's bureaucratic society has always consolidated their own power. In fact, even after the democratic government came into being, bureaucrats had stayed in their places and exercised their power. This does not leave any expectations for changes in the society because there will be remnants left from bureaucratic forms in society overall even after transformation of military government to a democratic one. Since government-people conflict in Korean society has been understood as a composition in which those who rule and those who are ruled, government-people conflict in South Korea can be expressed as a conflict between the elite and not-elite class stratification.

(4) Stratification: South Korea's class stratification can be blamed on a national policy which was only focused on industrialization without alternative plans for welfare policies. The issue here is that there is a relative deprivation arising from class stratification although all citizens may take advantage of benefits of the economic development. Since this kind of relative deprivation may not guarantee equality in competition process itself, which otherwise should be provided in a capitalistic society within their social justice, it could deepen and conflicts between classes could also be constructed. For example, small-medium sized enterprises feel relative deprivation from large enterprises enjoying privileges in managing economic activities. Salaried workers may feel relative deprivation from the so-called upstarts doing leasing business of land and buildings. One side effect of relative deprivation is that income differences between farmers and people in cities lead to farmers moving to cities. Labor management conflict, which forms one of Korea's biggest conflict structures, undoubtedly is rooted and understood in class stratification conflict structure between the possessor class and the labor class. It is difficult to say that what labor class is experiencing is an absolute poverty, but it ultimately comes down to 'poverty within wealth', originated from unequal distribution principle. Therefore, the reason why labor management negotiation is experiencing difficulties is not only about simple income negotiation, but it is because mistrust and hostility exist in deeply-rooted class conflict.

(5) Generation conflict: As Ronald Inglehart pointed out, what is prominent in the post-Industrialization society is generation effect. However, it is not just the view of unification that actualizes generation conflict. Generation conflict shows itself in various

ways, so we cannot be optimistic that it will be solved easily. The older generation and the younger generation show great differences in ethical values. The older generation values 'groups', 'stability', and 'order' because they are much under the influence of the time they grew up in and the time they are in at the moment. On the contrary, the younger generation values 'individualism', 'changes' 'individuality', etc. Perhaps this is not only a problem for the South. However, the basic difference in this inclination between the older generation who put priority on order and peace and the new generation who think that unification is the first on the list even in such chaotic situation decides on what are primary factors for views on unification. Since the older and the new generation's views on unification are originated in basic value system, perhaps they will never be in harmony and always stand parallel to each other. The government tries to expand discussions on unification to all the citizens and gather opinions from them and other social groups. But, as people's views differ in basic value systems, the government will only end up gathering views of the older generation since it cannot but adopt conservative policies compared to the opposition party. So, the activities of the new generation who are left out in the gathering of views on unification will be limited to non-systematic areas.

Let us look at the five conflict areas that we examined beforehand, then see what stage they are in at the moment, and which direction they should head for before entering a positive ending stage. First, in the case of ideological conflicts, South Korea has had them in labor management and reciprocal interaction. In the period right after the liberation, there were leftist-rightist conflicts; however, they were in the recess time in the middle of anti-Communism period. Now, the need for introducing the concept of a welfare state in the post-Industrialization society might be limited in their leftist logic, but it seems that it will gain its own influence in the Korean society. The founding of the left-wing Labor Party and other related small movements in the 1990's democratic period is one example. Needless to say, it is important to take in this kind of leftist logic in the system in order to end the ideological conflict affirmatively. This will help them function as cohesive acting units in the negotiation process of South-North unification. Secondly, the present late 1990s is in a critical situation in the case of regional conflict. Since the current regional conflict is still in cleavage structure, which is the top priority in South Korea's political process, we can assume that regional conflict is in its mature stage. We could mention diminishing steps in that most of South Korea's leaders and citizens all discuss harmful effects of regional conflicts and possible solutions to them, but all of it may be superficial. As a matter of fact, there is a limit in approaching the overcoming of regionalism just by political means, and there is a need for another kind of approach because it is a political-cultural issue. The problem is if regional conflict takes hold of the kind of newly-appeared conservative-reformative dispute cleavage structure, it will be hard to settle regionalism and conservative-reformative disputes. That is to say, if a plan is formed in which Youngnam is conservative(*Bo-soo*), Honam is reformative(*Hyuk-sin*), or East is conservative and West is reformative, then this would mean that another kind of division (*Bo-Hyuk Non-Jaeng*) will be seen in South Korea, not unlike the division of South-North Korea. Thirdly, it seems that the government-people conflict is in the declining stage. This means that the government officials are accepting the assertion that they are not the masters of the people. And since the electoral system in which people get involved in the voting process was started, the chances of government-people conflicts retrogressing in time or of other reasons have diminished. Therefore we can assume that

government-people conflict is not so significant conflict pattern compared to others. Fourthly, the generation conflict can be a long-lasting problem. That the 6•25 generation are now in their 60s at the least and the majority are not in their generation show that the generation without the experience of the war are acting as masters if unification-related generation conflicts are to be looked at by population studies. However, that those who had experienced the Korean War are still in leadership and that those leading elites in their 40s-50s who had not experienced the war want to keep stability and status quo might imply that generation conflict is not in any particular stage, but that it is something of a repeated process.

The regional discrepancy of Youngnam and Honam could be extended to that of conservative-reformative conflict in the process of the summit meeting. This means that South Korea loses national integration compared to North Korea. Diverse interest groups in South Korea recently show serious conflicts in the process of keeping their material niches, such as the conflict between the doctors and the pharmacists. South Korean government has a difficulty of managing it. The South Korean government will have higher chances of national unity if it can manage conflict systems effectively and it will then be able to come to negotiations with the North. If these conflict patterns are not managed well in the social system, the negotiation channels will be multiplied and thus the chances of success will be diminished as much. South Korea's ideological conflict is being expanded into labor management complication, regional plan, and conservative-reformative conflict. In conclusion, the understanding and managing of various conflict structures formed in the Korean peninsula will be an important beginning for South and North Korea to maintain confident, cooperative relationships.