

Some Lessons from Korean Experience in Anti-Corruption Policies and the Role of NGOs : from 1990s to 2000s

한국에서 부패방지를 위한 시민단체의 역할 연구 : 1990년대 - 2000년대

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국문초록

한국에서 부패방지에 대한 적극적 논의가 이루어지고, 나아가서 제도적 장치와 입법으로까지 연결된 김영삼 대통령 이후부터라고 할 수 있다. 김영삼 대통령은 윗물맑기운동이라는 운동에서부터 금융실명제의 도입이라는 제도적 개선에 이르기까지 다양한 부패방지정책들을 추진하였다. 한국의 부패방지정책에서 명확한 전환점이 만들어진 것은 김대중 대통령 때이다. 이 시기에 부패방지법과 부패방지위원회가 만들어졌다. 물론 이들은 정부가 아닌 시민사회와 시민단체가 주도적으로 제안한 것이었으며, 이 제안들을 당시 정부가 적극적으로 수용하여 제도화된 것이라는 점에서, 시민사회가 주도하고, 이를 정부가 수용한 대표적인 부패방지정책이라고 할 수 있다.

부패방지 정책에서 가장 많은 제도적 변화가 일어난 것은 노무현 정부 하에서다. 노무현 정부 하에서 처음으로 부패방지를 위한 중장기 로드맵이 만들어졌으며, 부패방지정책을 총괄, 조정하기 위한 시스템으로서 반부패관계기관협의회가 만들어졌다. 특히 고위 공직자의 이해충돌을 방지하기 위한 제도로서 백지신탁제도가 도입되었다. 백지신탁제도는 부패방지법과 마찬가지로 시민단체에 의하여 처음 제안되었으며, 이후 오랜 논의과정을 거쳐서 도입되었다. 공직자의 이해충돌을 방지하기 위한 효과적인 제도가 미비한 가운데 만들어진 제도라는 점에서 매우 상징적인 제도이다.

이와 같이 1990년대 이후 지금까지 만들어진 부패방지 관련 대부분의 법과 제도들은 시민단체 주도로 만들어졌다. 시민단체들은 단순히 구호로서만 주장한 것이 아니라 구체적인 법안의 형태로써 제안하였으며, 이것이 이후 정부안의 기초가 되었다는 점에서 시민단체 활동의 진일보된 모습을 확인할 수 있다. 특히 1990-2000년대는 부패방지를 위하여 정부와 시민단체간에 상호작용이 활발하게 이루어진 시기라는 점에서 의미가 있다.

물론 이와 같은 제도들이 도입되었다고 해서 한국사회와 공공부문의 부패가 현격하게 줄어들고 깨끗해졌다고 평가하기는 쉽지 않다. 국제투명성기구 등의 조사결과는 아직까지 한국의 사정이 나아지지 않았음을 보여주기 때문이다. 또한 부패방지를 위한 시민단체들의 노력과 성과에도 불구하고, 여전히 시민단체들이 효과적으로 활동할 수 있는 국내의 여건은 제대로 마련되어 있지 않은 실정이다. 이를 위해서는 시민단체 스스로의 노력도 필요하지만, 시민들의 적극적인 관심과 참여, 그리고 시민단체와 이들의 역할과 활동에 대한 정부의 긍정적인 태도가 필요하다. 흔히 말하는 소통과 협력, 좋은 거버넌스를 통해 부패방지가 효과적으로 이루어질 수 있을 것이다.

주제어: 반부패정책, 시민단체, 투명사회협약, 부패방지위원회, 부패방지법

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I . Introduction

Lord Acton, a 19th century famous historian, said, “Power tends to corrupt, and absolute power corrupt absolutely.” Corruption is ubiquitous as long as human beings seek to power. Corruption is more than an ethical issue. Corruption actually damages not only other peoples but sometimes those who committed corruption themselves.

There are various definitions about corruption. Generally speaking, corruption means “the abuse of public power to gain the private interest.” In public sector, corruption occurs when public office is illegally abused for private gains(World Bank, IMF)

Corruption is a widespread phenomenon that undermines good governance, erodes the rule of law, hampers economic growth and efforts for poverty reduction, and distorts competitive conditions in business transactions. The case of Korea is not an exception. Corruption in Korea has remained as one of the primary obstacles to socio-economic development.(Park,2006:1)

In Korean Anti-Corruption Act, corruption is defined like as ; (a) The act of any public official's abusing his position or authority or violating Acts and subordinate statutes in connection with his duties to seek gains for himself or any third party. The Act described the type corruption, that is, the act of causing damages to the property of any public institution in violation of Acts and subordinate statutes, in the process of executing the budget of the relevant public institution, acquiring, managing, or disposing of the property of the relevant public institution, or entering into and executing a contract to which the relevant public institution is a party.

A few scholars suggested two major explanations for the causes of corruption. (Jung-hsiang Tsai, 2009:367). One is an economic interpretation and the other is a political interpretation. From an economic perspective, high economic growth and corruption can coexist with each other, especially in East Asia. On the one hand, such economic growth brings about more profits, which also make corrupt dividends increase; on the other hand, the corrupt monies are plowed back into the domestic economy because of a predictable certainty about the domestic market. Since a strong state controlled most economic resources during authoritarian regime in Korea, corruption flourished among political leaders, while at the same time countries maintained a high level of economic growth. The political perspective is that in Korea, the strong state and big businesses established a political - economic alliance in order

to reduce inefficient transaction costs and make efficient investments.

Corruption occurs because the individuals involved in the transaction calculate that the benefits outweigh the risks. In this regard, it is the reason that counter-corruption measures should seek to lower the number of opportunities for corruption, reduce the possible benefits from corruptible transactions, and increase the penalties as well as the risks of actually being penalized(Park,2006:189).

But these suggestions are individual-centered approach. These conditions are implementing more effectively under the special structure or context. We should consider the corruption-resistant structure, that is, separation of power, the power balance of government-society, and good governance, etc.

II. Corruption, Democracy, and Civil Society

The high degree of government intervention in the economy, or the big government is the main cause of corruption, because big government intervention to the economy or society can create more rents and encourage rent-seeking behaviors in the people. Overall intervention by government to the society block the citizen's participation to the government and economy for the efficient oversight.

So, it is essential for citizens to participate in anti-corruption efforts, largely through NGOs. There is a correlation between democracy and corruption : of the 20 least corrupt countries in Transparency International's most recent *Corruption Perception Index*, 18 are developed democracies. *TI Sourcebook* notes oversight and monitoring within the state by those who have incentives to do so—is more likely to succeed to control corruption. Corruption prevention in democracies is never going to rely heavily on democratic participation—such participation itself can threaten corruption when it is used to seek access, and it is an implausible resource for ensuring accountability (Warren,2005:1-2).

Democracy is not a cure-all for corruption(Rose-Ackerman, 1996). But This is the pre-condition for the diminishment of corruption in many developing countries. So Democracy is the most important and efficient factor to prevent the corruption.

The role and impact of democracy in controlling corruption are very complex. Democratization has both positive and negative impacts on controlling corruption in a

few states. Competitive elections and the growth of civil society can be a check on corrupt politicians, but the need to finance expensive election campaigns creates new incentives for corruption(Rose-Ackerman, 1999). Moreover, the exposure of corruption and media reports are likely to increase with improvement in the freedom of the press, which may cause perceptions of corruption to rise even though actual corruption has not risen(You,2009:17)

In Korea, confucianism has often been criticized of fostering patrimony, nepotism, social distrust, or gift exchanges for a long time(Fukuyama, 1995). Democracy weakened this negative side of confucianism in political or economic sector.

III. Corruption in Korea : past and present

Much of public surveys put corruption at the top of the political and economic agendas in Korea. In Korea, the progress of economic development is the diffusion of corruption for a long time.

Corruption also became a prominent issue in the past elections. Where sitting governments made the fight against corruption central to their election platforms, as in Korea, their credibility was shaken by new allegations of their own involvement in corruption. In Korea, the president' sons were charged with taking bribes in June 2002. The president was forced to make public apologies for his son's corruption(You,2009)

The Korean economy had grown very rapidly during the past 50 years until the recent financial crisis from 1960s to 2010s. Korea achieved the economic miracle on the ashes by the unequal development strategies by state. In the state-centered development process, the government took in its hand the total control of resource allocation. That caused the politico-administrative corruption in Korea. That is, the governmental control to the market led to collusion between the political power and the economic elite.

Especially, the governments is lacking political legitimacy, relied on illicit funds and docile bureaucrats to keep the power. So rampant state capture and politico-bureaucratic corruption was the inevitable result in Korea.(Park,2006:182)

Unfortunately, such Korean economic success has not come without problems. In the process of pursuing government-driven economic development policies in the past,

corruption began to mount due to excessive regulation governing the issuance of permits, licenses, and the like. Political corruption (state capture) became an accepted practice as politicians solicited political campaign funds from large conglomerates in exchange for offers of privileged business opportunities. In addition, a variety of socio-cultural factors contributed to the spread of corruption throughout society. Some of the factors included authoritarianism, factionalism and favoritism stemming from personal or private connections. (Park,2006:189)

Korea's economy was regarded as a spectacular success story among developing countries(You,2009). Some people said that the core of the developmental state was 'Weberian bureaucracy' with meritocratic recruitment and promotion, career service, and reasonable pay and prestige. However, the Asian financial crisis radically changed the perceptions of Korea. For example, IMF blamed the Korea as a crony capitalism. Thus Korea's image was changed from a model developmental state to a rampant corruption state and cronyism (Johnston(1986) establishes four modes of corruption using two indicators (number of suppliers and types of stake): (1) market corruption—many suppliers with routine stakes; (2) crisis corruption—few suppliers with extraordinary stakes; (3) patron - client networks—few suppliers with routine stakes; and (4) cronyism—few suppliers with extraordinary stakes).

The main characteristics of Korean economic development is the state or government intervention in the economy. This meant extensive interaction between public officials and businessmen and the result is the collaboration or corruption.

Many scholars explained rampant corruption in Korea throughout its history after post-colonial era, including the period of Park Chung-Hee's presidency, and attempted to reconcile the high growth and high corruption. So Some scholars like Wedeman(1997) argued that Korea has had widespread, high-level corruption ever since 1945, but that the type of corruption was functional impact to economic development in Korea(You,2009)

Park's slogans for the military coup in 1961 was to eliminate corruption. So the military government arrested chaebol(large conglomerates) owners on charges of corrupt wealth accumulation. But government-driven economy and unequal development strategies produced a rent seeking economy and corruption in the society(Lee, 1995). This stream had been maintained to 1980s.

The role of chaebols in the Korean economy has a double-faced image. Positively, they devoted themselves to the rapid rise of the economy by driving exports.

Negatively, they contributed to making the economy extremely centralized and highly dependent on bureaucratic decisions, which deters the stability and fair distribution of benefits.(Park,2006:190)

The authoritarian government controlled most of all banks and adopted a low-interest rate policy, which created large rents to the chaebols. The collusion between politics and business(chaebol) means political-business corruption. Thus, many chaebol became the symbol of corruption. In Korea, chaebol and politician has been intertwined in the process of state development.

When Chun Doo-Whan came to power in 1980, he attempted to cut the corruption between government and business like Park. But this attempt is a temporary gesture. Some later Chun make a illegal connection to the chaebol.

Similar gestures were repeated under the Roh Tae-Woo and Kim Young-Sam administrations. Government has changed, but slogans or gestures for preventing corruption have not changed. Chun and Roh received huge amount of unofficial political donations. Two former Korean presidents, Chun Doo-Whan and Roh Tae-Woo, were sentenced guilty of corruption.

Economic development cannot explain the rampant corruption in Korea. Economic development in Korea does not diminish the total corruption but increase or diffuse rent-seeking in the society.

Corruption in Korea was formed by the government-driven economy and the chaebol. That is the political-business corruption. The political leaders collected a dividend from business, providing favorable policies to the business(chaebol). The relationship between the state and the chaebol was as mutual hostages. The newly elected president could not change this corruption. After the 1987 democratization, the structure has not changed. The chaebol still remained on the government's hand.

Many people said there were no countervailing powers to the chaebol in Korea. The chaebol finally became the dominant power. Hence, it could explain why corruption in South Korea has not diminished with the ongoing process of democratization. The connection between business and the politician(or government)is very solid and the corruption is still prevalent in Korea.

The state of corruption in Korea has not been static. It may be said to have improved or worsened at certain periods. But unfortunately, many people think that the corruption in Korea is very confirmed and hard nut to crack in the future.

IV. Anti-corruption policies and institutions in Korea

Most incoming government had made the fight against corruption. But despite these initiatives, most government was embroiled in corruption scandals of its own. As a result, the Korean public became increasingly disillusioned with the government.

There are so many rules, regulations and institutions to fight corruption since the establishment of government in 1948. For example, The Act on the Public Servant's Ethics to register and publicly disclose property held by government officials was enacted in 1981 under the Chun's authoritarian government ironically. A real-name financial system was also set up to help expose underground political funds, bribery, and other black money from Kim Young Sam government in 1993.

The turning point in anti-corruption policy in Korea was the enactment of the Anti-Corruption Act(ACA) in 2001 under the Kim Dae-Jung government. The purpose of this Act is to serve to create the clean climate of the civil service and society by preventing and regulating the acts of corruption efficiently(Article 1, Purpose). These Acts and systems are the symbolic tools for preventing corruption in Korea.

This ACA was initiated by NGO at the beginning in 1995. Korea Independent Commission on Anti-Corruption(KICAC) was established at the base on this act in 2001. The Code of Conduct for public officials was enacted at the same base as a executive order in 2002. Blind Trust system was introduced to The Act on the Public Servant's Ethics in 2005 to prevent the conflict of interest for higher servant. The conflict of interest is the main factor to erode the ethics and trust. So, most developed countries like OECD have this system brother to Blind Trust.

Local government had strived to prevent corruption, too. Most representative tool is the OPEN system. This IT-based Transparency System(OPEN) was adopted in 1998 by Seoul metropolitan government. The Online Procedures Enhancement for Civil Applications(OPEN System) has been created as a major anti-corruption initiative in local government sector. The OPEN system is a system under which the whole processes of civil affairs administration, from acceptance to the final processing, are made public on the internet. The OPEN attracted considerable attention at home and abroad since its introduction in 1999(Park,2006)

Kim Young-Sam(1993-1997) was the first civilian President. Important anti-corruption laws and systems had been introduced in the Kim Young-Sam government.

He had started his presidency as an extensive anti-corruption drive. He declared he would not receive any money as President unlike his predecessors Chun and Roh, and introduced reforms such as the disclosure of assets by high-level public officials (amendment of The Act on the Public Servant's Ethics) in 1993, the real-name financial transaction system(amendment of financial transaction act) in 1993, and amendments of the Election Malpractice Prevention Act and the Political Fund Law in 1994 and 1997. Most reform policies were enacted in the early step of his presidency.

The Hanbo(famous chaebol at that time) scandal and its bankruptcy in 1997 revealed not only the weakness of the chaebol-centered economy but also corruption between the chaebol and the political elite including Kim Young-Sam's son. Later, it was revealed that Kim Young-Sam himself had received 60 billion won in donations from Chung Tae-Soo of Hanbo in 1992. His image as a clean hands had been stained shamefully.

Kim Dae-Jung(1998-2002) was the first president in Korean history who was elected as an opposition candidate. Kim Dae-Jung made fighting corruption a top priority in his presidency like his predecessor, Kim Young-Sam. Kim Dae-Jung's reforms were focused on enhancing transparency and prevent corruption of the public administration. A comprehensive Anti-Corruption Act(ACA) was enacted in July 2001. ACA is the first symbol of his government's anti-corruption policies.

This ACA sets penalties for corrupt officials, including jail terms of up to 10 years, fines of up to 50 million won (US \$40,000) and a ban on employment by public or private companies lasting five years. An anti-corruption commission(Korea Independent Commission Against Corruption:KICAC) was established on the bases the ACA in 2002.

As an corruption watchdog, KICAC has led the nationwide anti-corruption as a comprehensive, systematic way. It establishes and coordinates anti-corruption policies, conducts preventive activities such as institutional improvement and education, detects corruption by receiving corruption reports and monitoring the compliance with the Code of Conduct for Public Officials, and evaluates anti-corruption practices of public-sector organizations. Major functions are as follows(KICAC,2004) ;

- **Policy Development & Evaluation** : KICAC comes up with a range of long-term measures to carry out an anti-corruption policy at a national level. KICAC conducts an integrity assessment every year for public sector organizations by surveying

those who experienced their civil services. It also evaluates how seriously public organizations make anti-corruption efforts.

- **Recommendation for Institutional Improvement** : Based on complaints and study findings, KICAC makes specific corruption prevention recommendations to assist government agencies and public-sector organizations to strengthen their policies and systems to reduce the likelihood of corrupt conduct reoccurring.
- **Handling of Corruption Reports** : General citizens and public officials can report alleged corrupt conduct to KICAC. After confirming details of the report, KICAC may refer the case to a relevant investigative agency or file an accusation with the Prosecution if it involves senior public officials. The investigative agency should notify KICAC of the outcomes of investigation, which should in turn be reported back to the complainant.
- **Protection & Reward for Informants** : To encourage citizens and public officials to make complaints and reports, KICAC put in place a comprehensive system which guarantees their safety and confidentiality. If a complainant assists a public sector organization to recover its lost assets or prevent financial losses, he or she may be rewarded up to 200 million Korean won.
- **Promoting Public Service Ethics & Raising Public Awareness** : To enhance ethics in public service, KICAC enacted the Code of Conduct for Public Officials in May 2003 as an ethical guideline for public officials. Based on this model code, some 320 central and local government agencies put their own codes of conduct in place. Their compliance with the code of conduct is monitored by KICAC.
- **Cooperation with International Community** : KICAC maintains close relations with international organizations in the fight against corruption. For example, it has worked with UN, TI, ADB, OECD and APEC to promote and implement such international conventions as the UN Convention against Corruption and the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

- **Cooperation with Civil Society** : KICAC tries to build up an anti-corruption network with civic groups to consolidate their anti-corruption efforts and lay the groundwork for cooperation between the government and civil society. In this context, it assists civil groups in operating local corruption report centers and working on the Korean Social Pact on Anti-Corruption and Transparency.

As with Kim Young-Sam, however, Kim Dae-Jung's sons were involved in corruption scandals. In January 2002, the prosecutor-general resigned following the arrest of his brother on suspicion of taking bribes. Hours later, President Kim made a public apology for the corruption in his administration.

Roh Moo-Hyun(2003-2007) obtained the party's nomination through caucuses and primaries with a relatively small campaign fund. He largely relied on small donations through the internet and grassroots mobilization for his campaign fund for the presidential election. Thus, He is free of political fund to contrast with his predecessors.

He had stressed and made many anti-corruption system. For example, he had tried to build an independent bureau for corruption investigation with accusation authority to check the Prosecutor's Office. At that time, many people, include Roh Moo-Hyun, had a distrust of Prosecutor's Office's investigation behaviors to many political corruptions. They had abused accusation authority every so often. But, Roh Moo-Hyun had failed to build this independent bureau by the resistance of a majority opposition party. So many anti-corruption system and tools were introduced under Roh Moo-Hyun government. In this paper, a few new system is explained simply.

Corruption Impact Assessment

The Corruption Impact Assessment is an analytical assessment system to remove corruption factors from regulations or laws. Fundamentally, it seeks to address corruption in a systematic context. The Assessment, which is expected to go into effect in 2005, zeros in on corruption factors in just about every regulation and law, ranging from statutes to administrative rules. The Assessment is based on a systematic model, which was designed to examine corruption factors in regulations or laws on 'supply,' 'demand' and 'procedure' sides. As shown in [Table 1], this model is made up of 6 fields and 13 sub-fields. To ensure objectivity and standardization, the

Assessment Form contains a checklist of points to look for corruption factors.

To examine legislation to be revised or enacted, the administrative agency concerned shall submit a 'corruption assessment report' to KICAC. Within 10 days from submitting the report, the agency shall consult closely with relevant organizations about the legislation. And within another 10 days, it shall give an advance notice of the revision or enactment of the legislation. In the meantime, KICAC and independent legal advisers shall pitch in to review the legislation with their focus on institutional improvement. Then KICAC informs the agency of its assessment result.

Table 1. Corruption Impact Assessment Model

Perspective	Field	Sub-field
Propriety of Discretion (Supply)	Clearness of Discretionary Regulations	Practicality and Definiteness of Discretionary Regulations
		Appropriateness of the Scope of Discretion
	Objectivity of Discretionary Power	Objectivity and Concreteness of Work Procedure
		Probability to Prove the Propriety of Discretionary Decisions
Easiness of Observance (Demand)	Practicality of Regulations	Appropriateness of Observance Burden
		Prevention of Privilege-Induced Corruption
		Propriety of Disciplinary Regulations
	Propriety of Face-to-face Contact	Prevention of Corruption in Face-to-face Contact
		Controllability of Casual Exchange
Transparency of Administrative Procedure (Procedure)	Access, Openness and Predictability	Access and Openness
		Predictability of the Results of Administrative Affairs
	Propriety of Procedure for Raising Objection	Easiness in Raising Objection
		Propriety of Procedure for Handling Objection

Code of Conduct for Public Officials

In accordance with the Article 8 of the ACA, Roh Moo-Hyun government had enacted the Code of Conduct for Public Officials(CCPO) in 2003 to lay down behavioral guidelines for public officials in their private and public life. These codes are very

specific and comprehensive.

Based on the CCPO, 324 central and local administrative agencies put their own codes of conduct in place, which reflect their individual situation. With the enforcement of the CCPO and the codes of conduct, Korea laid an ethical foundation on which to build a fair and transparent officialdom.

KICAC worked to support the ethical management of 431 government-linked institutions including government-financed institutions and state owned enterprises (SOE) and provide their 300,000 staff members with behavioral guidelines. It came up with three standard codes of conduct, under which each organization was advised to enact its own code of conduct by November 15, 2004.

Civil Society's Anti-Corruption Activities

Roh Moo-Hyun government had emphasized the good governance, that is the cooperation with NGOs to fight corruption. So there are many activities related to civil society. Many members of NGOs had participated in government advisory committee as a adviser. And many advisory committee, mixture of public officials and civil specialist(include professors), were build as an proper way to build good governance. But, many conservative papers and NGOs had criticized Roh Moo-Hyun government as the 'Republic of Committees'.

- **Network of Professional Contacts** : In order to strengthen the capacity of civil society and build up a network of professional contacts in the combat against corruption, KICAC put together a series of workshops and public debates. Major civic groups established corruption reporting centers of their own to receive complaints and reports from local residents or refer them to KICAC's Corruption Report Center.
- **Civic Organizations' Study** : In 2004, KICAC commissioned civic organizations to develop programs through which citizens can participate in anti-corruption drive. They did study on seven areas—education, environment, construction, police, taxation, sanitation and legal affairs—to analyze corruption practices and come up with ideas to eliminate them. A few ideas was applicated to local government.

- **Transparency Forum and Cooperation** : The Transparency Forum is a place where experts from academia, business community and civil society discuss corruption agendas and put forward anti-corruption proposals. Through a close cooperation with KICAC, the Forum has established itself as a knowledge community for corruption agenda. The Transparency Forum was held under the various titles, that is, “Globalization and anti-corruption efforts”, “Investigation of corruption cases involving senior public officials”, and “From governance to a social pact on transparency”.

Current Korea’s anti-corruption strategy could be described as composed of elements, namely establishment of nationwide anti-corruption mechanisms, improvement of legal and institutional frameworks, entrenchment of ethical culture, and stringent detection and punishment of corrupt conduct. Major anti-corruption measures of successive government in Korea are as follows in table 2.

Table2. Major anti-corruption measures of successive government in Korea

Government	Major Measures
Kim Young-Sam (1993-97)	<ul style="list-style-type: none"> • disclosure of assets by high-level public officials • the real-name financial transaction system • act on the disclosure of information
Kim Dae-Jung (1998-2002)	<ul style="list-style-type: none"> • Anti-Corruption Act(ACA) • Korea Independent Commission Against Corruption • Corruption Impact Assessment • the Code of Conduct for Public Officials • whistle-blower protection • act on hearing for ministry
Roh Moo-Hyun (2003-2007)	<ul style="list-style-type: none"> • National Integrity Committee(fomer KICAC) • mid and long-term road-map for anti-corruption • Integrated information system for anti-corruption • Blind Trust • amnesty committee for president • extension of object in hearing for ministry

V. Efforts of Civil Society and NGOs for anti-corruption in Korea

Anti-corruption NGOs are emerging in much of East Asia. Citizen groups participate actively in the fight against corruption. In particular, many anti-corruption policies, institutions, and acts were driven by civil society and NGOs. In December 2001, the NGO People's Solidarity for Participatory Democracy(PSPD), acting on behalf of minority shareholders, won a landmark lawsuit against Samsung Electronics on several counts, including the bribery of former president. Transparency International Korea(TI-K), an umbrella group of 24 NGOs, has been active in promoting integrity pacts. Defense Acquisition Program Administration(government org.) became the first government agency in South Korea to introduce integrity pacts in January 2002.

Korea had a dramatic democratic transition from 1987. It is the starting point of the Korean NGO's development. So democratic transition and the development of NGO are the same side of coin in Korea.

In the late 1980s, A national consensus for eliminating corruption was formed. Thus NGOs, such as the Peoples' Solidarity for Participatory Democracy (PSPD), Citizens' Coalition for Economic Justice (CCEJ), and Transparency International Korea, demanded anti-corruption legislation and an independent institution that would prevent corruption.

But the history of these NGO is very short. The ground for establishment and activities of NGO was provided by Kim Dae-Jung and Roh Moo-Hyun governments.

NGOs(Coalition of NGOs for National Assembly Election) launched a 'campaign for fair and clean elections' in 1991. It contributed to monitoring politicians and to increasing public awareness. They released a corrupt politicians list and started negative movement to defeat them. Seventy percent of those candidates on the black list were defeated in the National Assembly elections of April 2000 (You 2001).

In Korea, the most powerful government organization is Prosecutor's Office. But, this organization is criticized for abusing his accusing authorities to corrupt politicians for an age. They made a political decision to corruption case frequently.

Since 1996, NGOs(PSPD, CCEJ, etc) began calling for anti-corruption act for the establishment of independent agency for investigating corruption of higher public officials. PSPD had presented the act to the assembly for several times. After

discussions between citizens, the government, politicians, and academics, the National Assembly passed the Anti-Corruption Act in June 2001. Under this Act, the Korea Independent Commission Against Corruption (KICAC) was launched in January 2002. The Anti-Corruption Act and the Korea Independent Commission Against Corruption (KICAC) are the anti-corruption system initiated by NGO and civil society. The KICAC is the first comprehensive, systematic framework for fighting corruption in Korea. KICAC develops and coordinates anti-corruption measures applicable to the public sector; makes recommendations for institutional improvement; conducts an integrity survey; monitors compliance with the Code of Conduct for Public Officials; and operates a reward and protection system for whistle-blowers.

Since the establishment of KICAC, Korea government has made more important efforts to eradicate corruption. Moreover, the ethical behavior of public officials has improved with the introduction of transparency education, an integrity survey, and the Code of Conduct for Public Officials. As a result, petty corruption were decreased considerably, and the perception of integrity were also increased.

Korea is slowly but gradually reducing corruption, although it is too early to tell with certainty. Since the late of 1990s, the earlier period of democratization, democratization was used as a tool for preventing corruption.

Through comprehensive measures by the government initiatives and civil society's productive collaboration, the administrative corruption has been controlled significantly since 1997.

The K-PACT(Korean Pact on Anti-Corruption & Transparency) is the result of NGOs' suggestion. In 2005, some influential persons, include president, assembly speaker, owners of big enterprises, leaders of NGOs, from the four sectors- public, political, business sectors and civil society- signed the Korea Pact on Anti-Corruption and Transparency. The launching ceremony of K-PACT was held at the Baek Beom memorial(Baek Beom is the Korean hero for independence movement from colonial reign). The intentions and spirit can be found in the preamble of K-PACT. The preamble is as follows ;

Preamble of Korean Social Pact on Anti-Corruption and Transparency

... *Acknowledging* the nation has achieved remarkable progress in terms of industrialization, democratization, information utilization and globalization since the

establishment of the Republic of Korea government,

Concerned that chronic corruption in Korean society threatens sustainable development, as resources are neither distributed justly nor used most efficiently, while national credibility is degraded; national competitiveness is weakened and important mechanisms and values related to the Rule of Law are constantly undermined ...

Convinced that transparency is an important factor in determining national competitiveness in today's global economy and that efforts to prevent corruption and to raise the transparency of Korean society are necessary to achieve an advanced status,

Recognizing the importance of cooperative and voluntary efforts by society as a whole, to include the public, political, private and civilian sectors, to overcome chronic corruption and achieve a transparent society,

The K-PACT is disseminated to the diverse sectors. For example, industries vulnerable to corruption (such as construction, health-care, and SOEs) have joined and adopted their own K-PACT. In contrast to government-led anti-corruption initiatives, the K-PACT was the cooperative works between government, enterprise and NGOs. Thus, K-PACT has been recognized as an exemplary model of 'new governance.' K-PACT shows the possibility of good governance. But, K-PACT was abolished by current government in 2008.

Under the presidency of Kim Dae-Jung and Roh Moo-Hyun, a series of comprehensive anti-corruption measures were undertaken, with strong support from civil society groups. The power of public participation and the role of civil society and NGOs in pushing for comprehensive reforms were quite strong and effective hereafter in Korea.

VI. Conclusion

The main causes of corruption in Korea could be summarized as the result of dilapidated systems with insufficient risks and abundant gains for corruption, opaque administrative process, unethical socio-cultural customs and unclear institution and

system. Collusion between businessmen, politicians, and bureaucrats is regarded as an accepted practice. The government-driven economic development created too many regulations and their administrative procedures contain numerous ambiguous standards. And the mind set of public officials often tends to overlook the code of ethics amidst a blurring of official and personal distinctions(Park,2006:191). So, there is no single cure-all for the Korea's corruption. Above all, structural approach is needed to diminish corruption. For example, good governance(K-PACT) is needed. Fortunately, Korea has been ranked as a good governance. Korea placed 21st among 80 countries in the world and is characterized as having "good" governance. Efforts for anti-corruption in Korea are summarized partly.

- government's comprehensive and systematic anti-corruption plan
- establishment of Anti-Corruption Act and KICAC
- concentrating on prevention as well as punishment
- enforcement and evaluation system to the anti-corruption measures
- NGOs participation
- well-developed information & communications technology system

Korea's corruptions are very complex and structural problems. So the solutions needs mid and long-term approach. But surely a few reform agendas can be done at once.

As noted, Korea began to pay attention to the issue of corruption and actually made some efforts to reduce corruption in 1990s. But it is very encouraging that corruption prevention systems and foundations have been established to this extent in such a short period of time, and people expect to see many positive effects. And the effort of civil society and NGOs are very important in preventing corruption. It is impossible to express the anti-corruption policies except NGOs in Korea. How can we enhance the effectiveness of anti-corruption policies? Based on Korea's experiences, the five lessons are possible as follows ;

- First, national integrity system and mechanisms for monitoring and evaluating its implementation.
- Second, an effective national anti-corruption system by strict law enforcement and stringent punishment to corrupt practices

- Third, NGOs and popular participatio for the fight against corruption.
- Forth, improving corporate governance and enhance accounting transparency in corporate and business. an active role in monitoring and evaluating government affairs.
- Fifth, improving the individual ethics as well as social attitudes to corruption

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<Abstract>

Some Lessons from Korean Experience in Anti-Corruption
Policies and the Role of NGOs
: from 1990s to 2000s

Yun, Tae Beom

In Korea, the progress of economic development is the diffusion of corruption for a long time. Unfortunately, such Korean economic success has not come without problems. In the process of pursuing government-driven economic development policies in the past, corruption began to mount due to excessive regulation governing the issuance of permits, licenses, and the like. The state of corruption in Korea has not been static. It may be said to have improved or worsened at certain periods. But unfortunately, many people think that the corruption in Korea is very confirmed and hard nut to crack in the future.

Most incoming government had made the fight against corruption. But despite these initiatives, most government was embroiled in corruption scandals of its own. As a result, the Korean public became increasingly disillusioned with the government. The turning point in anti-corruption policy in Korea was the enactment of the Anti-Corruption Act(ACA) in 2001 under the Kim Dae-Jung government. ACA was initiated by NGO at the beginning in 1995. Korea Independent Commission on Anti-Corruption(KICAC) was established at the base on this act in 2001. ACA is the first symbol of his government's anti-corruption policies.

Roh Moo-Hyun(2003-2007) had stressed and made many anti-corruption system. Roh government had emphasized the good governance, that is the cooperation with NGOs to fight corruption. So there are many activities related to civil society. Many members of NGOs had participated in government advisory committee as a adviser. The K-PACT(Korean Pact on Anti-Corruption & Transparency) is the result of NGOs' suggestion. In 2005, some influential persons, include president, assembly speaker, owners of big enterprises, leaders of NGOs, from the four sectors- public, political, business sectors and civil society- signed the Korea Pact on Anti-Corruption and Transparency.

Korea's corruptions are very complex and structural problems. So the solutions needs mid and long-term approach. But surely a few reform agendas can be done at once. As noted, Korea began to pay attention to the issue of corruption and actually made some efforts to reduce corruption in 1990s. But it is very encouraging that corruption prevention systems and foundations have been established to this extent in such a short period of time, and people expect to see many positive effects. And the effort of civil society and NGOs are very important in preventing corruption. It is impossible to express the anti-corruption policies except NGOs in Korea.

Key words: Anti-Corruption Policies, NGO, KICAC, PSPD, Corruption