

# BUILDING NATIONAL INTEGRITY THROUGH CORRUPTION ERADICATION IN SOUTH KOREA

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## ABSTRACT

*Since South Korea gained a substantial degree of political and economic development in recent history, the South Korean government has tried to eradicate corruption by introducing institutional frameworks in addition to a number of new laws and institutions. As a matter of fact, the Transparency International's Corruption Perception Index score of South Korea is improving over time, but it still far behind other leading countries. The purpose of this article is to review the South Korean Government's efforts for curbing corruption. This paper first reviews the development of major anti-corruption infrastructure such as the anti-corruption legislation and the independent agency for anti-corruption in the South Korean government, followed by discussion of the development of major anti-corruption measures, the international evaluation on corruption, and the role of civil society for curbing corruption. After that, there are the policy implications and the conclusion.*

## INTRODUCTION

According to public-office-centered definitions of corruption, <sup>1</sup> corruption in government is defined as the abuse or misuse of public office or authority for private gains and benefits that occurs at the interface of the public and private sectors.<sup>2</sup> Whenever a public official has discretionary power over the distribution of benefits or costs to the private sector, incentives for bribery are created (Rose-Ackerman, 1978, 1997). Klitgaard (1988) asserts that illicit behavior flourishes when agents have monopoly power over clients, when agents have great discretion, and when accountability of agents to the principal is weak. Corruption poses serious challenges to development: it undermines democracy and good governance by subverting formal processes, it reduces accountability and representation in policymaking, it suspends the rule of law, it results in the unequal provision of services, and it erodes the institutional capacity of government as procedures are disregarded (Diniño, Kpundeh, and Leiken,

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<sup>1</sup> Arnold Heidenheimer (2001) provided three classifications of corruption: public-office-centered, market-centered, and public-interest-centered definitions.

<sup>2</sup> Transparency International and UNDP (1999) share this kind of definition. See Transparency International's homepage at [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2006/faq](http://www.transparency.org/policy_research/surveys_indices/cpi/2006/faq).

1998).

The public sector increasingly recognizes that good governance requires the highest standards of public integrity, openness, and transparency, as well as a sound criminal justice system. This can be illustrated by the pervasive effects these factors have on government performance, the use of public resources, the general morale in public services, the legitimacy of the state, and the rule of law. Launching programs to deal with corruption are a precondition for overall public sector reform, and progress in curbing corruption is considered evidence of will and commitment to good governance.

For decades, the South Korean government has stressed the significance of curbing corruption. The South Korean public had a particular antipathy toward political instability, which can be attributed to prevailing political corruption and serious political scandals in the past. The corrupt practices of politicians and high officials have generated an atmosphere of resentment, frustration, and distrust for many years. Previous authoritarian administrations, however, tended to consider anticorruption initiatives merely as a means to soothe public outrage over the unfairness of corrupt public service and public officials. Moreover, authoritarian regimes used anti-corruption initiatives as a means for removing key political opponents from the political arena.

When authoritarian regimes were over, however, the South Korean government was concerned with more than the political aspects of corruption. It perceived the collusion of bureaucrat and business as one of the most crucial obstacles to a free market economy and good governance. Such collusion contributed to South Korea's economic crisis in the past. Corruption undermines economic development by causing considerable distortion and inefficiency. Corruption increases the cost of business through the price of illicit payments themselves, the management cost of negotiating with officials, and the risk of breached agreements or detection (Dininio, Kpundeh, and Leiken, 1998).

Various anti-corruption initiatives had taken place by various administrations, but substantial changes appeared during early 1990s. During the Kim Young-sam Administration (1993-1998), the Real Name Financial Transactions System was executed by the Presidential Emergency Order for national finance and economy in 1993. It was a significant step toward financial transparency in banning the use of anonymous financial accounts. Later, the Act on Real Name Financial Transactions and Guarantee of Secrecy was enacted in 1997 in order to solve partial defects, such as

inconveniences in financial transactions following verification of real names and the anxieties about tax investigations under the Presidential Emergency Order. President Kim Young-sam also strengthened the role of the Board of Audit and Inspection (BAI) as a *de jure* anti-corruption agency<sup>3</sup> and established the Corruption Prevention Committee (CPC) as an advisory body of the BAI's chairman in the task of fighting corruption (Quah, 1999: 181). In addition, he seriously pursued regulatory reforms through activities of the Administrative Reform Committee, and such deregulation contributed to the reduction of corrupted practices in government.

However, much more salient transformations took place during the Kim Dae-jung Administration in modern South Korean history. President Kim requested the Office of the Prime Minister (OPM) to develop more systematic anti-corruption programs.<sup>4</sup> In 1999, the OPM announced comprehensive programs including the following five issues: (1) the establishment of a special committee on anti-corruption; (2) promulgation of a basic law on the prevention of corruption; (3) the development of a public awareness campaign; (4) the development of a campaign encouraging citizen participation in corruption detection; and (5) administrative reforms in corruption-prone areas. This plan brought a significant development on corruption eradication and the author labeled it here as the "Kim Dae-jung Plan of 1999" on anti-corruption. Furthermore, President Kim formed the Regulatory Reform Committee (RRC) based on the Basic Law on Administrative Regulations of 1998 in order to intensively review existing regulations and screen regulations to be introduced or deregulated.<sup>5</sup>

Current Administration (Roh Moo-hyun Administration: 2003-2008) revised the Public Office Election Act to minimize corrupted practices in the process of the public office election and renamed the Korea Independent Commission Against Corruption (KICAC) to the National Integrity Commission in order to encourage a full-scale national integrity instead of curbing narrowly-focused anti-corruption.<sup>6</sup> In accordance with the Article 8 of the Anti-Corruption Act, the Code of Conduct for Public Officials (CCPO) went into force on May 19, 2003 to lay down behavioral guidelines for public officials

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<sup>3</sup> For more information, visit the BAI's homepage at <http://english.bai.go.kr/>.

<sup>4</sup> In 1999, the Prime Minister was Kim Jong-pil and his office had a substantial degree of autonomy of power in comparison with other former Prime Ministers.

<sup>5</sup> For more details, visit the Regulatory Reform Committee (RRC)'s homepage at <http://www.rrc.go.kr>.

<sup>6</sup> KICAC's Korean name was changed as mentioned earlier. However, its English name still remains the same.

in their private and public life.<sup>7</sup> Furthermore, applications of information and communication technology (ICT) in public service delivery reduced opportunities of corrupted practices in government.<sup>8</sup> The E-Government Readiness Index of Korea was the 5th place among the UN member states in 2004 and 2005, following USA, Denmark, Sweden, and UK (UN/DESA, 2005).

South Korean government's anti-corruption efforts were somewhat political, symbolic, or limited in its nature before the 1990s. Since the 1990s, however, realistic and practical measures for corruption eradication have been developed. Such development might be correlated with political and economic developments in South Korea. Accordingly, it would be interesting to see how the South Korean government's anti-corruption measures have been developed and what measures are taking place; where and in what ways. It would be also interesting to see the evaluation of South Korean government's anti-corruption efforts from a professional international organization. Thus, this paper first reviews the development of major anti-corruption infrastructure such as the anti-corruption legislation and the independent agency for anti-corruption in the South Korean government, followed by discussion of the development of major anti-corruption measures, the international evaluation on corruption, and the role of civil society for curbing corruption. After that, policy implications and conclusion follow.

## **THE DEVELOPMENT OF MAJOR ANTI-CORRUPTION INFRASTRUCTURE: ANTI-CORRUPTION ACT AND THE INDEPENDENT AGENCY FOR ANTI-CORRUPTION**

In 1999, the Special Commission on Anti-Corruption (SCAC) was established by President Kim Dae-jung to promote anti-corruption measures. However, the SCAC was found to be ineffective in curbing corruption because it was just an advisory body of the President without substantial administrative backup machinery; and all members of the commission are non-standing members. Consequently, there was a growing demand in government and society to restructure a special body for combating corruption along with the anti-corruption legislation.

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<sup>7</sup> Based on the CCPO, 324 central and local administrative agencies put their own codes of conduct in place, which reflect their individual situation.

<sup>8</sup> For example, the Seoul Metropolitan Government (SMG) has developed a web-based system that allows citizens to monitor corruption-prone applications for permits and approvals. This Online Procedures Enhancement for civil applications (OPEN) system makes it easier to raise questions in the event that any irregularities are detected (<http://www.unpan.org/training-open.asp>). .

The Citizens' Coalition for Promulgating a Corruption Prevention Law (composed of 38 NGOs in South Korea) was established in early 2000 and it requested the National Assembly and major political parties to make a new law for corruption prevention. After that, both the then ruling, and opposition parties, prepared a bill on anti-corruption in late 2000 and then enacted the Anti-Corruption Act on July 24, 2001. The purpose of this Act is to serve to create the clean climate of the civil service and society by preventing and efficiently regulating the acts of corruption.<sup>9</sup> In 2001, the Money Laundering Prevention Act was also enacted. Furthermore, the Code of Conduct for Maintaining the Integrity of Public Officials (Presidential Decree Number 17906) was enacted on February 18, 2003 and it went into force May 19, 2003 at central and local administrative organs and autonomous education authorities for integration with existing regulations.<sup>10</sup> Thus it is fair to say that major basic pillars of the anti-corruption infrastructures have been established during the Kim Dae-jung Administration (1998-2003).<sup>11</sup>

In accordance with Article 10 of the Anti-Corruption Act enacted in 2001, the Korea Independent Commission Against Corruption (KICAC) was established on January 25th, 2002. During the establishment process, however, there was a serious struggle among key stakeholders such as the prosecutors and the police, although it was overruled by the President and public opinion. At onetime, the central government was considering creating the Bureau of Investigation of Public Officials' Corruption as a quasi-autonomous body in the Public Prosecutor's Office because the prosecutors strongly demanded to have it within their territory. In addition, the police also lobbied to have such a function within the National Policy Agency. Moreover, many lawyers among members of the National Assembly and lawyers of the legal policy community did not fully support the establishment of KICAC because of the different sectoral group interests. Accordingly, KICAC's functions have not been fully equipped as compared with Singapore and Hong Kong. This is a classic example of conflict of interests among key stakeholders.

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<sup>9</sup> Reporting corruption cases is one of the most effective ways to bring corruption under control. Under this recognition, the Anti-Corruption Act provides for a system of protection and rewards for whistleblowers and informants - and even their relatives. It bans disclosing their identity without their consent or putting them at any disadvantage.

<sup>10</sup> The new ethics code is different from its predecessors in its achievability and strong binding power.

<sup>11</sup> The Kim Administration initiated a bold reform right after the IMF bailout in 1997. The Act on Preventing Bribery of Foreign Public Officials in International Business Transactions was also enacted in 1999.

In comparison, South Korea is a latecomer in Asia in establishing a specialized independent anti-corruption agency: Singapore established the Corrupt Practices Investigation Bureau (CPIB) in 1952<sup>12</sup>; Malaysia organized the Anti-Corruption Agency (ACA) in 1967<sup>13</sup>; Hong Kong made the Independent Commission Against Corruption (ICAC) in 1974<sup>14</sup>; Thailand established the National Counter Corruption Commission (NCCC) in 1999<sup>15</sup>; and Indonesia organized the Corruption Eradication Commission (CEC) in 2003.<sup>16</sup> As a matter of fact, there are three different patterns of corruption control around the world: (1) anti-corruption laws without specific agency to implement these laws; (2) the combination of anti-corruption laws and several anti-corruption agencies; and (3) the impartial implementation of comprehensive anti-corruption laws by a specific anti-corruption agency (Quah, 2003: 16). Asian Countries mentioned above uses the third pattern of corruption control.<sup>17</sup>

KICAC is an independent governmental organization established under the President to perform the improvement of laws and institutions for the prevention of corruption and the formulation and implementation of anti-corruption policies.<sup>18</sup> KICAC Secretariat, staffed with 205 employees as of 2006,<sup>19</sup> is responsible for presenting anti-corruption policies to the board of the Commission and handling administrative affairs in accordance with the board's decision. It has four bureaus including inspection headquarters, legal affairs management, policy planning, and public relations. As of

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<sup>12</sup> [Http://www.cpiib.gov.sg](http://www.cpiib.gov.sg).

<sup>13</sup> [Http://www.bpr.gov.my](http://www.bpr.gov.my).

<sup>14</sup> ICAC has a strength of 1,314 staff as of 2006, with the majority serving on contracts. [Http://www.icac.org.hk](http://www.icac.org.hk).

<sup>15</sup> [Http://www.nccc.thaigov.net](http://www.nccc.thaigov.net).

<sup>16</sup> [Http://www.kpk.go.id](http://www.kpk.go.id).

<sup>17</sup> Outside the Asia-Pacific region, however, the Anti-corruption Bureau in Tanzania, for example, faced considerable public criticism particularly in the post Julius Nyerere years (TI, 1999: 87). Therefore, it is worthy to consider the fact that having an independent anti-corruption agency does not guarantee the success of corruption eradication because an independent anti-corruption agency model is unlikely to be right for every country (Johnston, 1999: 225).

<sup>18</sup> The board of the Commission consists of nine commissioners, three of whom are appointed by the President as standing members. The rest, six non-standing members, are appointed or designated by the President, three members on the recommendation of the National assembly and three by the Chief Justice of the Supreme Court. All commissioners serve a term of three years. For more details, visit KICAC's homepage at <http://www.kicac.go.kr>.

<sup>19</sup> Detailed information can be found at <http://www.kicac.go.kr>.

2006, its annual budget is approximately 19.6 billion won (equivalent to approximately US\$20 million). In comparison, ICAC in Hong Kong had a total staff of 1, 286 members and a budget of HK\$686.7 million (US\$88 million) in 2001; and Singapore's CPIB had a total staff of 80 members and a budget of S\$10.7 million (US\$6.3 million) in 2001 (Quah, 2004).<sup>20</sup>

In a nutshell, KICAC is a major national anti-corruption authority in South Korea, but some critics indicate that it lacks investigative powers (Quah, 2006).<sup>21</sup> Nonetheless, the presence of such an organization exclusively in charge of anti-corruption measures indicates the South Korean government's will and readiness to tackle corruption issues as the top priority of national development agendas. The role of a newly created agency is usually weak in the beginning of its establishment so it is expected that the function and the role of KICAC will be strengthened over time in the future.

### **THE DEVELOPMENT OF MAJOR ANTI-CORRUPTION MEASURES BY KICAC**

The launching of KICAC in 2002 was of considerable significance in that it is a national-level anti-corruption agency that plays a crucial role in the government's fight against corruption by implementing a broad range of measures to prevent corruption, provides checks and balances between authorities in power, and, for the first time in the nation's history, introduced the whistle-blower protection and reward system. KICAC is currently carrying out almost comprehensive policy measures for anti-corruption in both prevention and punishment dimensions. Among such programs, notable major anti-corruption measures are: (1) institutional improvement for corruption prevention; (2) handling corruption reports; (3) protecting and rewarding whistle-blowers; (4) assessment of anti-corruption activities; and (5) raising public awareness on the corruption issue through the code of conduct for public officials and anti-corruption training.

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<sup>20</sup> South Korea's per capita expenditure of US\$0.44 for anti-corruption is much lower than Hong Kong's US\$12.57 per capita expenditure as of 2001. For more information, visit the Asian Development Bank's homepage at <http://adb.org/Documents/Periodicals/GB/GovernanceBrief11.pdf>.

<sup>21</sup> KICAC has an inspection headquarters with inspection officers, but critics say that the authority of inspection officers is limited in comparison with other law enforcement agencies. As a matter of fact, the Prosecutor's Office and the National Policy Agency opposed the establishment of KICAC during the policy development process for establishing an independent anti-corruption agency.

## Institutional Improvement for Corruption Prevention

The South Korean central government made systematic measures for institutional improvement, comprised of three tasks (voluntary, special and common tasks).

First, the voluntary task specifies that each government agency should identify and remove corruption factors from its law and regulation. KICAC conducts an extensive examination of the laws and regulations in the public sector. Second, the special task identifies that each government agency should refocus its anti-corruption efforts on the areas that are prone to fraud and corruption. KICAC works to make sure that the specific areas (i.e., taxation, public projects and award of contracts, inspection, public corporations, transactions with foreign business, etc) receive policy priorities. Third, the common task, whose successful implementation will have a positive spill-over effect on society as a whole, is made up of several tasks: revise corruption-causing laws and regulations, enhance transparency in administrative procedures, encourage public involvement, foster a corruption-free environment, and ensure detection and punishment of corruptors.

### Handling of Corruption Reports

KICAC has Inspection Headquarters (IH) with several teams: the Inspection Planning Team, the Code of Conduct Team, and the Corruption Report Center Team with inspection officers. In particular, the Corruption Report Center analyzes and manages the reports of suspected corrupt conduct which are provided by personal visit, the internet, counseling, telephone, mail, and fax. As of late December 2004, it has obtained 6,014 corruption reports and dealt with 18,673 counseling cases in a number of different ways (KICAC, 2004: 46). KICAC received a total of 92 new cases of corruption in 2004, 89 of which were processed. KICAC referred 76 corruption reports among them to the Public Prosecutor's Office, the National Police Agency or the Board of Audit and Inspection, according to the type of suspected corrupt conduct (KICAC, 2004: 48). The role of KICAC's inspection is somewhat limited at this time, but it is expected to grow over time.

### Protection and Reward

The Anti-corruption Act specifies that the identity of informants should not be disclosed without their consent and that they should not be discriminated against in terms of their public positions as a result of reporting alleged corrupt behavior in good faith. KICAC

ensured that the Protection and Reward Division officials deal with a whistle-blower case with the help of the Corruption Report Center and the Inspection Officer. Since its establishment in 2002, KICAC have handled 10 cases which related to the security of public positions. In nine of those cases, it took protective steps by: transferring the informants to other offices, getting them duly reinstated, ensuring personnel exchange, imposing negligence fines, providing job placement service, or calling for disciplinary actions; and KICAC awarded informants 173 million won in total for their reports, which were decisive factors in recovering 2.73 billion won or so (KICAC, 2004: 65).

### Assessment of Anti-Corruption Activities

Corruption-causing factors need to be quantified to better evaluate anti-corruption efforts and their outcomes so that KICAC began conducting the “Integrity Assessment” on government agencies and public service organizations to encourage their involvement in anti-corruption efforts and to approach corruption issues scientifically. The “level of integrity” refers to the degree to which public officials perform their duties in a fair and transparent manner and without getting involved in fraud and corruption (KICAC, 2004: 7). According to the 2004 Integrity Assessment,<sup>22</sup> the integrity score averages 8.46 on a ten-point scale, up from 7.71 in 2003 and 6.43 in 2002 (KICAC, 2004: 77). The level of integrity has been on a steady increase because target organizations worked to implement anti-corruption policies voluntarily.

### Code of Conduct for Public Officials and Public Education

In accordance with the Article 8 of the Anti-Corruption Act, the Code of Conduct for Public Officials (CCPO) went into force in 2003 to lay down behavioral guidelines for public officials in their private and public life. Based on the CCPO, central and local administrative agencies put their own codes of conduct in place, which reflect their individual situation. Furthermore, KICAC developed anti-corruption training programs for public officials. Anti-corruption education for public officials include: anti-corruption expert course, training for public servants in charge of civil application and registration, training by non-government institutions, and government agency’s in-house training programs. On top of that, KICAC promoted its anti-corruption education,

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<sup>22</sup> Overall integrity is the arithmetical average of the integrity scores in each service area, with the sum of the weights of each assessment area being score 1 (KICAC, 2004: 72). Overall Integrity = Weight X (Perceived Integrity + Potential Integrity).

especially about handling of reports, information and complaints by publishing news briefs and placing ads on the internet, in subways, and in the publications of civil organizations and public corporations.

In a nutshell, typical functions of the independent anti-corruption agency in several Asian countries including Singapore and Hong Kong are investigation, prevention and training. However, KICAC lacks investigative authorities because of strong opposition of the Prosecutors' Office and the Police. Instead, KICAC collects corruption reports from citizens and requests investigations by the Prosecutors' Office and the Police upon the receipt of corruption reports from citizens. Furthermore, KICAC only deals with corruption in the public sector so that it does not handle corruption in the private sector, while independent anti-corruption agencies in Singapore and Hong Kong deal with corruption in the both public and private sectors.<sup>23</sup> In that regard, KICAC is not regarded as a super-strong anti-corruption agency.

### **INTERNATIONAL EVALUATION: CORRUPTION PERCEPTION INDEX (CPI) AND GLOBAL CORRUPTION BAROMETER (GCB)**

The South Korean Government established a basic anti-corruption infrastructure in recent years and developed various anti-corruption policies and programs. Accordingly, it would be interesting to see the evaluation from a professional international organization such as the Transparency International (TI). TI provides useful quantitative diagnostic tools regarding levels of transparency and corruption, both at global and local levels.<sup>24</sup>

#### **Corruption Perception Index (CPI)**

The annual TI Corruption Perceptions Index (CPI), first released in 1995, is the best known of TI's tools. It has been widely credited for putting TI and the issue of corruption on the international policy agenda. The TI CPI ranks countries in terms of the degree to which corruption is perceived to exist among public officials and politicians.<sup>25</sup>

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<sup>23</sup> KICAC has the Corporate Ethics Team in the Bureau of Public Relations and Cooperation.

<sup>24</sup> For more details, see the Transparency International's homepage at [http://www.transparency.org/policy\\_research/surveys\\_indices/about](http://www.transparency.org/policy_research/surveys_indices/about).

<sup>25</sup> Alan Doig et. Al (2006) warns that quantitative approaches have policy-relevant weaknesses when it comes to assessing causes, patterns and trends of corruption, as well as acknowledging that an over-

It is a composite index, a poll of polls, drawing on corruption-related data from expert and business surveys carried out by a variety of independent and reputable institutions. The TI CPI focuses on corruption in the public sector and defines corruption as “the abuse of public office for private gain.”<sup>26</sup>

The CPI 2006 ranks 163 countries in terms of perceived levels of corruption, as determined by expert assessments and opinion surveys. CPI Score relates to perceptions of the degree of corruption as seen by business people and country analysts, and ranges between 10 (highly clean) and 0 (highly corrupt). Leading top ten countries in terms of the TI CPI are as follows: (1) Finland, Iceland, and New Zealand received the same highest score (9.6), followed by Denmark (9.5), Singapore (9.4), Sweden (9.2), Switzerland (9.1), Norway (8.8), Australia (8.7), Netherlands (8.7), Austria (8.6), Luxembourg (8.6), and United Kingdom (8.6).<sup>27</sup> Countries in Northwestern Europe, Northern America, and Oceania received high CPI scores. In general, there might be a possible correlation between corruption and socioeconomic development, but Northwestern European countries have an exceptionally high score. It seems that ethical or cultural legacies brought a high CPI score in Northwestern European countries, but more in-depth further studies might be necessary to explain this phenomenon.

Among Asian countries, Singapore had the highest score (9.4), followed by Hong Kong (8.3), Japan (7.6), Taiwan (5.9), South Korea (5.1), and Malaysia (5.0), as shown in Table 1.<sup>28</sup> It seems that a super-strong anti-corruption agency model the so-called “the Singahong Model” works effectively in both Singapore and Hong Kong. Since Singapore’s CPIB was originally established by the British colonial government in 1952, Singapore’s anti-corruption policies have been effective.<sup>29</sup> Hong Kong’s CPI is also high and such score could as a result of the performance of Hong Kong’s ICAC.

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reliance on scoring or rankings might overlook the fact that democratization and development may be moving targets in terms of progress and direction.

<sup>26</sup> The surveys used in compiling the CPI ask questions that relate to the misuse of public power for private benefit, for example bribery of public officials, kickbacks in public procurement, embezzlement of public funds) or questions that probe the strength of anti-corruption policies, thereby encompassing both administrative and political corruption.  
[http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2006/faq#general1](http://www.transparency.org/policy_research/surveys_indices/cpi/2006/faq#general1).

<sup>27</sup> Ibid.

<sup>28</sup> Transparency International’s homepage for the Corruption Perception Index (CPI) at [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2006](http://www.transparency.org/policy_research/surveys_indices/cpi/2006).

<sup>29</sup> A similar story can be told in Hong Kong, which was under British rule from 1841 to 1997 (Quah, 2004).

South Korea's rank is much lower than Singapore and Hong Kong, but it is improving over time.

**Table 1. Rank and Score of the TI CPI 2006 in Selected Asian Countries (Number of Countries: 163).**

Country	CPI Rank	CPI Score*
Singapore	5	9.4
Hong Kong, PRC	15	8.3
Japan	17	7.6
Taiwan	34	5.9
South Korea	42	5.1
Malaysia	44	5.0
Thailand	63	3.6
China	70	3.3
India	70	3.3
Mongolia	99	2.8
Vietnam	111	2.6
Nepal	121	2.5
Philippines	121	2.5
Indonesia	130	2.4
Pakistan	142	2.2
Bangladesh	156	2.0
Myanmar	160	1.9

\* The score ranges from 0 (most corrupt) to 10 (least corrupt).

Source: Transparency International's homepage for the Corruption Perception Index (CPI) at [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2006](http://www.transparency.org/policy_research/surveys_indices/cpi/2006).

South Korea's CPI score is improving over time as shown in Table 2. South Korea's CPI score in 2000 was 4.0, but it was 5.1 in 2006. The rank is fluctuating due to increasing number of participating countries in the surveys. A country's score is a much more important indication of the perceived level of corruption in a country. A country's rank can change simply because new countries enter the index or others drop out.<sup>30</sup> The South Korean government is now aiming to increase its CPI score up to 7-8 points in the near future.

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<sup>30</sup> If comparisons with previous years are made, they should only be based on a country's score, not its rank, as outlined above. For more details, see TI's homepage at [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2006/faq](http://www.transparency.org/policy_research/surveys_indices/cpi/2006/faq).

**Table 2. Trends of CPI Score and Rank of South Korea, 1997-2006.**

Year	CPI Score	CPI Rank	Size of Sample (Number of Countries)
1997	4.29	34	52
1998	4.2	43	85
1999	3.8	50	99
2000	4.0	48	90
2001	4.2	42	91
2002	4.5	40	102
2003	4.3	50	133
2004	4.5	47	146
2005	5.0	40	159
2006	5.1	42	163

Source: Transparency International's homepage for the Corruption Perception Index (CPI) at [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi](http://www.transparency.org/policy_research/surveys_indices/cpi).

### Global Corruption Barometer (GCB)

Transparency International produces several other surveys and indices in addition to the CPI. Among them, the Global Corruption Barometer (GCB) is one of TI's key global tools for measuring corruption in assessing general public attitudes toward, and experience of, corruption around the world. It asks respondents whether they or anyone in their household has had contact during the past 12 months with seven familiar public sector agencies, including the police, health services, education and so forth, and whether they have had to pay bribes in their dealings with them.

The GCB 2006 reflects the findings of a survey of 59,661 people in 62 countries. The GCB 2006 also shows experience of bribery in selected Asian countries. The GCB 2006 asked the following question: "in the past 12 months have you or anyone living in your household paid a bribe in any form." In South Korea, bribing has been substantially reduced in recent years: only two percent of respondents said that they paid bribes, while over 10 percent of respondents in several countries (India, Pakistan, Philippines, and Indonesia) said that they paid bribes in the past year, as shown in Table 3.

**Table 3. Experience of Bribery in Selected Asian Countries: Bribe-Paying in the Past Year.**

Country	Yes (%)	No (%)
Singapore	1	99
South Korea	2	98
Taiwan	2	98
Japan	3	97
Malaysia	3	97
Hong Kong	6	94
Thailand	10	90
India	12	88
Pakistan	15	85
Philippines	16	84
Indonesia	18	82

Source: TI Global Corruption Barometer 2006.<sup>31</sup>

For international comparison taken together, responses from African, Latin American and newly independent states (NIS), countries indicate that frequent bribe-paying is the common social norm - with a few notable exceptions – as is indicated in Table 4. In Asia-Pacific and Southeast Europe, bribe-paying was moderate, while in North America and EU countries including other Western European nations bribes were seldom paid for services. Among Asian countries, Hong Kong’s case is interesting to see because it had a good score of CPI, but its GCB score was not good as shown in Table 4. The level of corruption is a function of the honesty and integrity of both public officials and private individuals; holding such factors constant, however, the size and incidence of bribes are determined by the overall level of benefits available, the discretionary power of officials, the riskiness of corrupt deals, and the relative bargaining power of briber and bribee (Rose-Ackerman, 1997: 38).

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<sup>31</sup> [http://www.transparency.org/policy\\_research/surveys\\_indices/gcb/2006](http://www.transparency.org/policy_research/surveys_indices/gcb/2006).

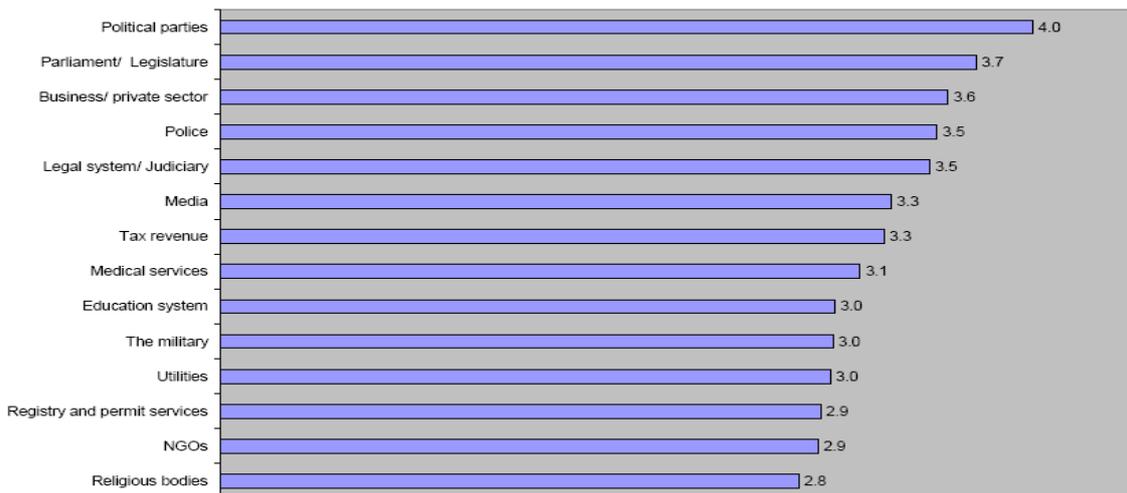
**Table 4. Countries Most Affected by Bribery.**

Percentage of respondents that have paid a bribe in the last 12 months	More than 40%	Albania, Cameroon, Gabon, Morocco
	16-40%	Bolivia, Congo-Brazzaville, Czech Republic, Dominican Republic, Greece, Indonesia, Kenya, Mexico, Moldova, Nigeria, Paraguay, Peru, Philippines, Romania, Senegal, Ukraine, Venezuela
	6 - 15%	Argentina, Bulgaria, Chile, Colombia, Croatia, Hong Kong, India, Kosovo, Luxembourg, Macedonia, Pakistan, Panama, Russia, Serbia, Thailand
	5% or less	Austria, Canada, Denmark, Fiji, Finland, France, Germany, Iceland, Israel, Japan, Malaysia, Netherlands, Norway, Poland, Portugal, Singapore, South Africa, South Korea, Spain, Sweden, Switzerland, Taiwan, Turkey, United Kingdom, USA

Source: TI Global Corruption Barometer 2006.<sup>32</sup>

The GCB also provides data showing the extent to which people believe corruption affects different public sectors and institutions in their country. This public perception of the levels of corruption is a vital indicator of how corrupt or clean the average citizen finds a number of key institutions. Such perceptions can influence the public’s dealings with these institutions, creating the expectation that graft might be necessary to get necessary services. The results of the GCB 2006 show that political parties and parliament/legislature are perceived to be most affected by corruption as shown in Table 5.

**Table 5. Sectors and Institutions Most Affected by Corruption.**



Source: TI Global Corruption Barometer 2006.<sup>33</sup>

<sup>32</sup> [http://www.transparency.org/policy\\_research/surveys\\_indices/gcb/2006](http://www.transparency.org/policy_research/surveys_indices/gcb/2006).

<sup>33</sup> [http://www.transparency.org/policy\\_research/surveys\\_indices/gcb/2006](http://www.transparency.org/policy_research/surveys_indices/gcb/2006).

In general, political parties were perceived as the most corrupt institutions in society around the world. According to both TI GCB 2005 and 2006, political parties were ranked as the institutions most affected by corruption, followed by parliament/legislature, as shown in Table 5. Thus citizens called their political party system into question and for innovation. Like many other countries, citizens in South Korea have serious doubts about the integrity of their political parties and legislature.

Generally speaking, the public office election is highly costly in terms of campaigning, advocating, and promoting a candidate's popularity to win the election. Accordingly, a prospective candidate is likely to receive illegal donations in order to cover campaign expenses. In the past, South Korea had severe problems of corrupt election practices over a long period. In 2004, however, a new step was taken to curb corrupt election practices in the process of the public office election by the revision of the Public Office Election Act. In particular, various articles related to the election campaign, finance, and accounting have been substantially revised to enhance more transparency and integrity.

For example, the revised Public Office Election Act states that a politician should not provide any money, goods, foods, books, tours, and transportation to constituencies. According to a newly added Article 261 of the Public Office Election Act revised in 2004, if a politician violates the law, he/she must pay "50 times of the original price incurred" to the National Election Commission. Furthermore, if anybody reports such illegal cases to the National Election Commission, he/she can get monetary rewards up to 500,000,000 won (approximately US\$532,000) from the National Election Commission and secrecy of the informant's identification is guaranteed.<sup>34</sup> Since then, corrupt practices in the process of the public office election have significantly declined.

Citizens in many developing countries signaled the police as a highly corrupt institution (Sherman, 1978). According to the GCB 2006, respondents in African and Eastern European countries indicated grave concerns about the integrity of the police. Furthermore, concerns about the law and order sector (police, legal system, and judiciary) are not limited to the police, but extend to the legal system and the judicial bodies.

In South Korea, many citizens indicated several vulnerable areas for corruption (KICAC, 2006). Among several public service areas, construction and building-related

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<sup>34</sup>For more details, visit the National Election Commission's homepage at <http://www.nec.go.kr/english>.

areas received the highest score on the citizens' perception survey on corrupt public service areas, followed by tax, correction and customs service including the prosecutor's office, defense and military manpower, education, policy, health and hygiene, environment, and procurement, as shown in Table 6.

**Table 6. Citizens' Perception on Corrupted Public Service Areas in South Korea.**

<b>Public Service Areas by Function</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>
Construction, Building, Housing, and Land Development	72.6	71.3	73.9
Tax	58.1	59.4	54.0
Prosecutor, Correction, and Customs Service	57.0	46.0	52.6
Defense and Military Manpower	54.6	51.9	52.3
Education	45.1	45.1	48.9
Police	51.3	54.9	48.0
Health and Hygiene	32.2	47.3	33.4
Environment	32.0	37.9	32.7
Procurement	27.4	36.1	26.0

Source: KICAC's homepage at <http://www.kicac.go.kr/>.

Corruption prone areas are major targets for administrative reform in South Korea because they are potential high impact agencies for the general public who feel the quality of public service everyday. Currently, the South Korean government is carrying out administrative reform in six major vulnerable (wet) areas: construction, housing, tax collecting, law enforcement, food-sanitation inspection, and environment regulation. The South Korean government now regards anti-corruption as one of the most important tasks that it has to resolve for successful administrative reform and national development.

## **THE ROLE OF CIVIL SOCIETY FOR CURBING CORRUPTION**

The government's anti-corruption convictions and an institutional framework by themselves can't thoroughly eradicate corruption. Only when there is continued assistance from the private sector, such as monitoring and control by civil society, and corporate reforms in governance and ethics, can public policies on anti-corruption work effectively.

In South Korea, the citizens' movement grew spontaneously from the late 1980s. By the 1990s, with the advancement of democracy and local autonomy, civil groups experienced rapid grow both in terms of size and quality. Some of these groups made

outstanding achievements indeed. Three major NGOs are briefly reviewed in the following section: Citizens' Coalition for Economic Justice; People's Solidarity for Participatory Democracy; and Transparency International-Korea.

The Citizens' Coalition for Economic Justice (CCEJ),<sup>35</sup> founded in 1989 was formed to realize the Real Name Financial Transactions System in 1993. The most notable activity of the CCEJ is the establishment of the "real name system" for all financial transactions and for the registration of property. Currently, the CCEJ has expanded its membership to 35 thousand and became one of the leading non-governmental organizations in South Korea.

The People's Solidarity for Participatory Democracy (PSPD), established in 1994, also developed a movement for *chaebol* (conglomerate) reform, political reform, and eradication of corruption and improper practices.<sup>36</sup> Since its establishment, the PSPD has been serving as a leading watchdog against the abuse of power. It has developed various activities to bring justice and democracy to many areas in Korean society. The Civil Actions for the 2000 General Election (the CAGE)<sup>37</sup> and the Minority Shareholders' Campaign might be said to be their most noticeable activities.

Transparency International Korea (TI Korea) was founded in 1999 through a coalition of civil organizations with the purpose, "To reform the awareness of people, to eliminate widespread corruption in the society, and to contribute to the righteous construction of society through anti-corruption movements."<sup>38</sup> Recently, the Korean Pact on Anti-Corruption and Transparency (K-PACT) was signed by representative figures from the four sectors of the society - public, private, political and civil society - in a pledge to create a corruption-free and transparent society. The K-PACT seeks to become a sustainable movement for transparency through participation and agreement between

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<sup>35</sup> The Citizens' Coalition for Economic Justice (CCEJ) was formed in response to the unjust structure of Korean economic life and it was founded in 1989 by some 500 people representing various walks of life: economics professors and other specialists, lawyers, housewives, students, young adults and business people. For more details, visit its homepage at <http://www.ccej.or.kr/English>.

<sup>36</sup> Founded in 1994 by more than 200 members, the People's Solidarity for Participatory Democracy (PSPD) is a civil organization dedicated to promoting justice and human rights in Korean society through the participation of the people. For more details, visit its homepage at <http://eng.peoplepower21.org>.

<sup>37</sup> Nearly 5 hundreds of NGOs made coalition for the rejection campaign in 2000. For more details, visit the PSPD's homepage at <http://info.peoplepower21.org/action/year.html#>.

<sup>38</sup> For more details, visit its homepage at <http://www.ti.or.kr/engindex.htm>.

the four sectors to overcome corruption and further our society.<sup>39</sup>

These civil groups not only drafted various and practical policy alternatives to resolve corruption and maladministration problems in South Korean society; they also acted as major players in enacting anti-corruption legislation, the Anti-Corruption Act and the Money Laundering Prevention Act. Thus, it is important to innovate, not only public governance, but also a broad scale of governance in South Korean society by nurturing civil society's activities in public affairs.

## **POLICY IMPLICATIONS AND CONCLUSIONS**

Government-led economic development in the last decade had proliferated various approval and authorization rules and regulations which increased opportunities for public corruption in South Korea. In particular, the growth-oriented economic policy in the past made it a custom that government awarded special privileges to certain companies which, in return for special favors, provided illegal political funds to the politicians who had influence in shaping government policy and operation (OPM, 1999). However, these are not the only causes for corruption. In fact, there are various kinds of causes for corruption. First, administrative and institutional causes are: unrealistic or unnecessary regulations, unclear definitions and operational standards in laws including rules and regulations, complicated and intricate administrative procedures; and low salaries and poor benefits for public officials. Second, social and cultural causes are: collusive connections in the iron triangle,<sup>40</sup> social structure which supports highhanded personal administration and privileges for former government officials, cultural environment encouraging unreasonable and inordinate treatment including cash gifts (commonly given at celebrations to express gratitude and commonly given at ceremonies to express congratulations and condolences). Third, psychological and attitudinal causes are: low level of integrity and ethics in public office, and prevalence of egotism, nepotism, regionalism, and academic cliques in society (OPM, 1999: 9). Thus the South Korean government must find a way to deal with each of these causes of corruption.

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<sup>39</sup> The K-PACT is based on TI's principle of coalition-building and a holistic approach and it is a proposal from civil society to form an anti-corruption system through alliances among the public, political and private sectors.

<sup>40</sup> "Iron triangle" is a term used by political scientists to describe the policy-making relationship between the legislature, the bureaucracy, and interest groups.

South Korean governments have tried to eradicate corruption by introducing institutional frameworks in addition to a number of new laws and regulations. Believing that corruption was one of the main causes of the foreign currency crisis in 1997, South Korean people also strongly demanded that the government exert all possible efforts to eliminate corruption in both public and private sectors (OPM, 1999: 11).<sup>41</sup> Consequently, President Kim Dae-jung expressed a strong will in combating and eradicating corruption, and pursued reforms in rules and regulations, and set up an infrastructure for anti-corruption efforts by establishing the Anti-Corruption Act in 2001 and an independent corruption organization (KICAC) in 2002. President Rho Moo-hyun also promoted administrative and institutional reforms and initiated public awareness programs for anti-corruption, and invested resources more extensively for the improvement of conditions for public officials.

Moreover, the current South Korean government is strengthening international ties and cooperation with international organizations (such as OECD, IBRD, UN, and TI) as well as other foreign countries for the purpose for curbing corruption. In fact, these international organizations provide various kinds of tools and policy ideas for anti-corruption. If a country is interested in anti-corruption, it can borrow useful ideas from major international organizations without 'reinventing wheels' for corruption prevention. Therefore, a critical matter for corruption eradication is to have a strong political will to realistically adopt, and seriously implement, anti-corruption policies. In that regard, it seems that, in recent years, the South Korean government has been more serious in adopting and implementing major anti-corruption policy tools from toolboxes of various international organizations than previous governments.

However, the government anti-corruption efforts have been largely limited to investigation and punishment of alleged individual offenders. In other words, preventive measures have been weak. Government should place more emphasis on prevention rather than on reactive measures in combating corruption and prioritize on feasibility and effectiveness of anti-corruption programs. Particularly, more specific reform plans must be developed and implemented against corruption in vulnerable areas. In order to do so, the role of KICAC's investigative powers in particular, should be enhanced in the near future along with adequate staff and funding. As a matter of fact, the Singahong

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<sup>41</sup> The World Bank provided financial support (US\$345,000) for the initiation of the South Korean government's efforts against corruption in 1998 (OPM, 1999: 7). It made a notable influence in the development of anti-corruption policies in South Korea.

model (super-strong independent agency model of Singapore and Hong Kong) was successful in Singapore and Hong Kong. It has not only rigorous investigative methods but also strong programs of prevention and public education based on high levels of political and public support. KICAC has both prevention and public education functions, but it currently lacks investigative authority.<sup>42</sup>

Since the 1990s, basic anti-corruption infrastructure and practical anti-corruption measures have been installed in government. Thus, it is fair to say that the South Korean government now laid a more or less realistic ethical foundation on which to build a fair and transparent officialdom. As mentioned earlier, South Korea's CPI score is improving over time: South Korea's CPI score in 2000 was 4.0, but it was 5.1 in 2006. According to the GCB 2006, however, political life was emerged as the most affected by corruption in South Korea.<sup>43</sup> More than 70 percent of respondents living in South Korea said that corruption affects political life to a large extent, while 31-50 percent of respondents in Japan and Singapore think that their political lives are affected to a large extent.<sup>44</sup> Accordingly, political dispute, along with corruption in South Korea, is one of the daunting tasks the South Korean government should deal with for further advancement in the near future. Therefore, political leaders should commit themselves in promoting transparency, accountability, integrity, and democratic governance in societies around the world. The political sector is the area most distrusted by South Korean citizens with a high degree of political cynicism. The political sector is one of major target areas for further reforms in South Korea.

Moreover, the battle for national integrity must be waged in all parts of society including government, as well as the private sector and nongovernmental organizations (NGOs). Nowadays, NGOs are a core component of civil society and have a duty in holding governments accountable and transparent. In many cases NGOs have been fighting corruption longer than the government or businesses. As the government creates strategies for combating corruption, reformers must seek to incorporate the

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<sup>42</sup> Outside the Asia-Pacific region, however, the Anti-corruption Bureau in Tanzania, for example, faced considerable public criticism particularly in the post Julius Nyerere years (TI, 1999: 87). Therefore, it is worthy to consider the fact that having an independent anti-corruption agency does not guarantee the success of corruption eradication because an independent anti-corruption agency model is unlikely to be right for every country (Johnston, 1999: 225).

<sup>43</sup> The GCB (TI, 2006) has also asked respondents to assess to what extent corruption affects different spheres of life, including personal and family life, the business environment and political life on a scale of 1 (not at all) to 4 (to a large extent).

<sup>44</sup> Ibid.

views and experiences of NGOs from the beginning. NGOs help governments design legislation and programs to implement strategies and make government into a more open, transparent and participatory governance, creating an environment in which fraud and corruption cannot thrive.

Transparent governance implies openness of the governance system through clear processes and procedures, with easy access for citizens to public information. A high level of transparency stimulates ethical awareness in public service through information sharing, which ultimately ensures the accountability of the performance of individuals and organizations handling resources and/or holding public office (Kim et al., 2005). The word transparency carries with it a powerful array of moral and political associations: honesty, guilelessness and openness (Best, 2005). Transparency requires that decisions and their enforcement are done in a manner that follows rules and regulations. Transparency and its fruit, administrative health, is the *sine-qua-non* of good governance and national integrity. The ultimate goal of national integrity is to make corruption into a high risk and low return undertaking. Building national integrity through corruption eradication in South Korea is a top priority to make a country more competitive and trustworthy in the world.

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