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***Defining the Nonprofit Sector:  
South Korea***

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## Preface

This is one in a series of working papers produced under the Johns Hopkins Comparative Nonprofit Sector Project (CNP), a collaborative effort by scholars around the world to understand the scope, structure, and role of the nonprofit sector using a common framework and approach. Begun in 1989 in 13 countries, the Project continues to expand, currently encompassing about 40 countries.

The working papers provide a vehicle for the initial dissemination of the work of the Project to an international audience of scholars, practitioners and policy analysts interested in the social and economic role played by nonprofit organizations in different countries, and in the comparative analysis of these important, but often neglected, institutions.

Working papers are intermediary products, and they are released in the interest of timely distribution of Project results to stimulate scholarly discussion and inform policy debates. A full list of these papers is provided inside the back cover.

The production of these working papers owes much to the devoted efforts of our project staff. The present paper benefited greatly from the editorial work of Regina List, the project manager; Mimi Bilzor, communications associate; and Marcy Shackelford, administrative secretary. On behalf of the project's core staff, I also want to express our deep gratitude to our project colleagues around the world, to the International Advisory Committee that is helping to guide our work, and to the many sponsors of the project listed at the end of this paper.

The views and opinions expressed in these papers are those of the authors and do not necessarily represent the views or opinions of the institutions with which they are affiliated, The Johns Hopkins University, its Institute for Policy Studies, the Center for Civil Society Studies, or any of their officers or supporters.

We are delighted to be able to make the early results of this project available in this form and welcome comments and inquiries either about this paper or the project as a whole.

Lester M. Salamon  
Project Director



# *Defining the Nonprofit Sector: South Korea*

By Inchoon Kim and Changsoon Hwang<sup>1</sup>

## **Introduction**

This paper offers a conceptual analysis of the nonprofit sector in South Korea in the context of the major characteristics of South Korean society. South Korea's nonprofit sector has been invisible in the country's institutional landscape mainly due to the deep-rooted tradition of state-centered society. Thus, any statistics on the sector as a whole do not exist. Despite this, several components of the nonprofit sector, such as religious organizations, membership organizations, private educational institutions, and welfare organizations, have grown since the early part of the 20<sup>th</sup> century. These developments were joined by labor movements and the rise of civil society organizations in the mid-1980s. The South Korean nonprofit sector has been shaped and has developed as a comparable entity to the state and business sector.

South Korean society has evolved dramatically since the 19<sup>th</sup> century. To cope with the new challenges posed by the Western powers in the 19<sup>th</sup> century, Korea had to adopt an open-door policy in order to achieve a new standard of civilization. Although the Korean government made belated efforts to pursue open-door policies, it could not successfully survive in the new East Asian international order of the early 20<sup>th</sup> century. The end of Japanese colonial rule (1909-1945) and the building of the Republic of Korea in 1948 brought about a liberal democratic political system and modern social life.

Since then an abundance of political groups, voluntary associations, and social movements have been founded, though this situation has experienced disjunctive moments, such as the Korean War of 1950-53, the military coups of 1961 and 1980, and authoritarian rule. These associations and movements are closely related to the role and characteristics of the South Korean state. Therefore, definitions and concepts concerning the institutions and associations located in the area between the state and business reflect a distinct Korean history and social formations. Such conceptualizations are closely tied to the ways that societies have developed to define and provide public goods and social services and to resolve social and political conflicts.

In South Korea, the area between the state and business has not been commonly understood as a single institutional sector. Traditional Confucian culture and successive authoritarian regimes have retarded development of an autonomous and independent nonprofit sector in South Korea. However, the terms "civil society" or "social sector" have been used frequently to refer to this area, and recently the term "nonprofit sector" has become popular among researchers. Likewise, the nonprofit sector is not seen as one entity in everyday language or in legal, social, economic, or political discourse. Several general terms are used to

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refer to organizations located between the state and business: NPOs (*beyoungri danche*), NGOs (*mingan danche*), civil society organizations (*simin danche*), civic movement organizations (*simin woondong danche*), and public interest corporations (*gongick bubin*).

Different legal, tax, social science and journalistic usages produce a complex terminology. Each term focuses on a particular subset of nonprofit organizations. However, significant overlaps exist among the organizations included and excluded. Yet there are also important differences that reflect specific historical developments and how they, in turn, shaped the nonprofit sector. In other words, each term implies specific meanings and background. We will sketch these historical developments and describe how they have influenced both the nonprofit sector itself and the ways the sector is conceptualized and defined.

In the following we intend to examine these factors in the way they relate to the nonprofit sector in South Korea. It is imperative to clarify and analyze these factors considering that numerous nonprofit organizations have recently emerged and that their influence is growing ever stronger.

## The Emergence of the Nonprofit Sector

It is not easy to outline the boundaries of the nonprofit sector in South Korea, since historically there has been no obvious distinction between the state and civil society. The familiar conceptual ambiguities that surround the subject of civil society have generated a scholarly debate on whether or not South Korea can be said to have a civil society. While civil society in the sense of a non-state arena is well developed in South Korea, civil society in the sense of associational groups is not. Before 1945, the nonprofit sector was dependent on the state and as a result it built no indigenous capacity. Kinship-based and centralized agrarian social systems did not develop into a civil society with diversity and dynamics. Therefore, kinship or village-based voluntary organizations dominated over any emergence of an independent civil society. Even though the rural gentry class had formed their own autonomous social boundaries, ordinary people could not form any kind of “civil” organizations, with the exception of self-help organizations. Furthermore, dramatic and often tragic events in modern Korean history left little room for the development of an autonomous nonprofit sector.

After liberation from Japanese rule in 1945, a large number of social and political groups formed in a changing Korean society. They were very politicized, from far right to far left. Many service-oriented religious groups and charity or enlightening institutions were also founded during this period. Korea has been increasingly influenced by nongovernmental civil organizations since liberation in 1945.

The Korean experience of the nonprofit sector in the post-Liberation period can be roughly divided into three stages.<sup>2</sup> The first stage encompasses the period before the early 1960s when the primary goal of the state was to maintain national security. Most nonprofit

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<sup>2</sup> Hye-Kyung Lee, “NGOs in South Korea” in Tadashi Yamamoto (ed.) *Emerging Civil Society in the Asia-Pacific Community 1995*.

organizations in those days were service-oriented, providing welfare services or implementing development projects for the poor, and were mostly supported, if not established, by foreign aid. In this period Korean society was still agrarian, and community and blood-based associations were popular. The realm of civil society in an agrarian society was in one's neighbors, communities and religious activities.

Nevertheless, many political groups and social movements appeared in the changing Korean society, expanding the social sphere dramatically. They were ideologically diverse and successful in mobilizing people. Shortly after the liberation there were strong labor and peasant movements that resisted military rule by the United States and the right. After the Korean War of 1950-53, the South Korean state became repressive and undemocratic; South Korean civil society subsequently had to endure a turbulent period. Consequently, the revolutionary movement broke out in April of 1960 when students and intellectuals revolted against the undemocratic state.

The second stage began with the authoritarian developmental state. It lasted from the early 1960s until 1987 when the authoritarian regime fell under the Great Democratic Movement. Rapid growth of the economy resulted in the differentiation of society and the development of a middle class. In the meantime, there was a rapid growth of civil organizations. Activities of civil organizations in this period can be classified into three categories:

- **Advocacy-oriented activities.** These activities mostly involved dissident intellectuals and students who demanded a reduction in the state's discretionary power. This movement aimed for the promotion of social justice, democracy, and human rights on behalf of the workers, peasants, and other alienated people in society. Underground student activities and political opposition groups such as organizations of Youth Association for Democratization Movement (*Minchungryun*) established in 1983 and Association for Progress of Democratization (*Minchuhyup*) established in 1984 are included in this type. These activities had been severely oppressed by the state.
- **Education and service-oriented organizations.** Organizations such as the Asan Foundation (1977) and Samsung Welfare Foundation (1989). These organizations had a nonpolitical character and played a significant role in providing public goods and social services.
- **Quasi-governmental organizations.** These organizations functioned as governmental agencies. The Saemaul Movement exemplifies this type. These pro-government organizations played a significant role in mobilizing people for national development or in publicizing government's policies.

In this period independent civil activities in South Korea could develop only within a limited political space. Nevertheless, from the early 1980s popular support for various civic groups such as women's groups, consumer advocacy groups, and environmental activities grew with the emergence of a middle class. Rapid industrialization and urbanization, differentiation of class structure, and the growth of the middleclass represent the preconditions for the awareness of the problems of the authoritarian regimes. Discrepancies began to prevail in almost every

aspect of society: between city and country, between classes, between regions, and between sexes. Corruption was widespread in the government and among political elites. There were already popular organizations and substantial funding available when the democratic transition in 1985-87 occurred. Such famous advocacy civil organizations as Lawyers for a Democratic Society, the People's Solidarity for Participatory Democracy (PSPD), and the Citizen's Coalition of Economic Justice (CCEJ) grew out of this environment. During this period diverse elements in South Korean civil society rapidly mobilized into a militant pro-democracy force, and waged intense struggles against the authoritarian regime.

The third stage of the South Korean nonprofit experience began with the abrupt end of the authoritarian regime in June 1987. However, the rise of people's movements had already begun to play an important role in the mid-1980s. The dramatic rise of citizens' and labor movements and nongovernmental organizations during the late 1980s and early 1990s was clearly due to the rapid democratization beginning in the mid-1980s. New at this stage of evolution of the South Korean civil society was the emergence of increasingly effective and sophisticated civic groups led by younger generations. They emphasized progressive advocacy functions including efforts to broaden public debate and participation in the formulation of public policy, safeguard or expand the domain of human rights, and safeguard public resources such as the environment from the pressures of economic growth. The immediate post-democratization period between the late 1980s and the early 1990s has added important new players since the traditional leader groups, such as student organizations and underground groups, were gradually replaced by groups of new civil organizations.

Many scholars say that the decade of the 1990s in South Korea was "the age of civil society." This indicates several distinct evolutions within the sector. First, the South Korean nonprofit sector has grown into a visible and independent entity in relation to the state and business. The South Korean nonprofit sector has been understood as an institutionalized and self-generating reality capable of pressing bureaucrats, politicians, and big business. Second, the South Korean nonprofit sector has been internally differentiated significantly; this differentiation contributes to the development of the South Korean nonprofit sector itself and to social and political pluralism. Finally, academic as well as journalistic interest in the nonprofit sector has been growing. Strong public awareness and support are also important developments.

## Definitions and Classification

There are several major terms used to refer to the organizations that are nonprofit or tax-exempt voluntary organizations in South Korea. These terms include: NPOs (*beyoungri danche*), NGOs (*mingan danche*), civil society organizations (*simin danche*), civic movement organizations (*simin woondong danche*), and public interest corporations (*gongick bubin*). They are not clearly defined and are frequently used interchangeably. The terms "NGOs" and "civil society organizations" (CSOs) are the most popular in the field of academia as well as in journalism. The term "public interest corporations" is commonly used only in a legal context. Although the major form of nonprofit organization is the civil association, the sector also includes foundations and corporations. The NPO term as used in the United States has not been

recognized well in South Korea until recently since the terms NGOs and CSOs have gained much popularity among researchers and journalists.

## 1. MAJOR TERMS FOR NONPROFIT ORGANIZATIONS

**NPOs (*beyoungri danche*).** The term NPOs (*beyoungri danche*) is the most inclusive term that refers to all organizations that are neither governmental nor for-profit organizations. *Beyoungri* means nonprofit and *danche* means organizations in the Korean language. *Beyoungri danche* includes all NGOs, nonprofit hospitals, and educational institutions. Most culture and arts organizations (such as museums, theaters, folk art, cultural centers, cultural and artistic clubs, and orchestras), foundations, nonprofit nursing homes, research institutions, religious institutions, professional associations and interest groups are also constituents of NPOs (*beyoungri danche*).

For a long time the South Korean people have regarded educational and research institutions as public organizations since there is a separate private school corporation law. For an extended period, government intervention relating to educational institutions was severe. Incorporated hospitals are regarded as nonprofit organizations under the spirit of the Medical Law and other special laws governing incorporation of medical institutions. A more important factor in this division was that medical fees were very expensive until the national health insurance system was extended to all people in 1987. Fortunately, society-wide democratization and empowerment of civil society itself since the mid-1980s have contributed to the growing autonomy of nonprofit organizations.

Now, the sector of nonprofit organizations is a distinctive entity, and the term NPOs (*beyoungri danche*) is used frequently in South Korean society to denote all nongovernmental and nonprofit organizations and associations.

**NGOs (*mingan danche*).** The other major term used to describe nonprofit organizations in South Korea is NGOs (*mingan danche*). *Mingan* means civilian and *danche* means organizations or associations in the Korean language and, therefore, NGOs (*mingan danche*) are civilian organizations. In fact, NGOs is the most popular and general term to depict many kinds of private or voluntary organizations in South Korea. NGOs actually cover almost all kinds of nongovernmental and nonprofit activities including the environment, women's issues, social services, art and culture, membership-serving organizations, religion and international cooperation. Simply, NGOs (*mingan danche*) denote all NPOs except educational institutions and nonprofit medical institutions.

Therefore, in South Korea *mingan danche* means NGOs in a broad sense of NGOs since the term NGOs refers to all forms of associations that are nonprofit, nongovernmental, and voluntary. NGOs (*mingan danche*) covers civic groups, community organizations, social service providing institutions, environmental groups, culture and art institutions, education and research organizations, religious foundations and institutions, labor unions and activities, business and professional associations, and international NGOs. Among these components civic groups, social service providers, and cultural organizations are the three biggest categories,

accounting for 60 percent of all NGOs. The term NGOs is the most similar to the concept of nonprofit organizations in the United States. South Korean NGOs usually do not include schools/universities and health/hospitals that are major nonprofit organizations in the U.S.

In South Korea a large number of NGOs are not registered. The number of unregistered nonprofit organizations is unclear. We can simply estimate by comparing the result of recent survey data on South Korean NGOs with the registered figure of nonprofit organizations. Recent survey data estimate the number of all nonprofit organizations including both registered and unregistered at about 60,000. 11,050 registered organizations account for about 18 percent of all NGOs in South Korea. Furthermore, the survey shows that about 54 percent of the rather active 4,000 NGOs are not registered. A high occurrence of unregistered status is a distinctive feature of South Korean NGOs. It seems that unregistered NGOs are centered around advocacy and civil organizations and registered NGOs are centered around service-providing organizations.

**Civil society organizations (*simin danche*).** Civil society organizations (*simin danche*) refer mostly to NGOs, but usually do not include foundations, business and professional associations, social services, and art and culture organizations. Civil society organizations (*simin danche*) denote the more public-interest oriented NGOs. In South Korea, people assume that civil society organizations are exemplary NGOs since they are private, public-good oriented, and voluntarily managed.

In South Korea most foundations were established by the government or big business and often lack the voluntary feature. In South Korean society there are many business and professional associations, i.e. interest groups that seek to further their own interests. In this sense, many South Korean people do not believe that labor unions, foundations, or professional associations are civil society organizations. This perception can be easily understood.

In South Korea, exemplary civil society organizations are civic advocacy groups (PSPD, CCEJ), consumer organizations (Citizen's Alliance for Consumer Protection of Korea), legal services (Lawyers for a Democratic Society), community service associations, environmental organizations (the Korean Federation for Environmental Movement, KFEM), and civil rights organizations (Sarangbang for Human Rights Movement). It is apparent that there has been a dramatic rise in the number of civil society organizations since 1987. The Civil sector has gradually evolved from social welfare and religious institutions to the emergence of citizen-oriented nonprofit organizations. Particularly under the democratic government in the years after 1992, the term "civil society organization" (CSO) has become a social and political reality. Even though there has always been a large number of social service providing institutions and professional associations, these institutions and associations have not played an important role in promoting democratic mobilization.

Civil society organizations are new actors in South Korean society especially after the economic crisis of 1997. Sometimes they influence the behavior of the state and business. The reason the role of civil society organizations is highlighted in the reform process is that political parties cannot serve as a leading force of the reform. In South Korea, it is much easier for civic engagement and citizens' participation in politics to contact civil society organizations than

political parties. Under these circumstances, civil society organizations assume the role of monitoring the government and the law-making process. Cases in which civil society organizations express their views on pending policy issues became more frequent and their influence in the policy making process more powerful.

Furthermore, the pressure they exert on the government and parties to adapt their policy alternatives intensified. Major civil society organizations have equipped themselves with research institutes and policy commissions to strengthen their policy-presenting capacity. Groups of civil society organizations have been emerging in South Korean society since democratization started in earnest in 1987. Before the mid-1980s no noticeable appearance of civil society occurred because of the repressive authoritarian state.

**Civil movement organizations (*simin woondong danche*).** Civil movement organizations (*simin woondong danche*) refer simply to civic groups or advocacy organizations that are advocating democracy, citizens' rights, justice and quality of life concerns. *Woondong* means activism in the South Korean language and, therefore, civil movement organizations are, in a sense, radical reformist groups pursuing institutional and ideological changes. The most distinctive characteristics of civil movement organizations (*simin woondong danche*) are reform-oriented and public-mobilizing civil society organizations (*simin danche*).

These organizations are very active and influential in South Korean society. Advocacy organizations, civil rights organizations, and workers and peasants organizations are the key components of civil movement organizations. People's Solidarity for Participatory Democracy, established in 1994, and Citizen's Coalition for Economic Justice, established in 1989, are the most famous civil movement organizations in South Korea.

In South Korean society, civic advocacy groups are very important and they occupy the main components of civil society, even though they are just a small part of civil society organizations.

**Public interest corporations (*gongick bubin*).** In South Korea public interest corporations (*gongick bubin*) usually refer to legally established nonprofit organizations. In South Korea public interest corporations generally mean registered NGOs. So, the term of public interest corporations is a legal term rather than an academic or journalistic one. The most distinguishing characteristic of public interest corporations is that they are registered. Public interest corporations can also be divided into two categories based on their purposes: public-benefit organizations and nonprofit organizations whose orientation is member-serving. Public interest corporations may also be divided into incorporated foundations and incorporated associations, depending on the basis of their establishment. While most incorporated foundations belong to the public benefit category, incorporated associations can belong to either category of public interest corporations.

The three dominant types of public interest corporations are educational institutions, foundations providing research grant or scholarships, and social welfare institutions. Religion, art and culture, and medical corporations are three other popular types of public interest categories. In South Korea many foundations have been established by big business. Usually,

corporate foundations have their own fund, but service-providing institutions are dependent on government support. Professional associations and social clubs are also popular nonprofit corporations.

The formation of public interest corporations is governed mostly by Article 32 of the Civil Code: “An association or foundation relating to science, religion, charity, art, or social intercourse or otherwise relating to enterprises not engaged for profit or gain may be made a legal person subject to the permission of the relevant ministries.” Article 33 of the Civil Code also establishes the importance of registration: “A judicial person shall come into existence by making registration for formation at the location of the principal office of the legal person.” Also, the formation of public interest corporations is governed by the Act Concerning Establishment and Operation of Nonprofit Corporation.

Public interest corporations are relatively well organized and active since they possess legal status. The Civil Code in general, and the Nonprofit Act and accompanying Decree in particular, provide the specific procedures and requirements for formal establishment of a nonprofit corporation as a legal entity.

**Nonprofit civil organizations (*beyoungri mingan danche*).** Another legal term is *beyoungri mingan danche* (nonprofit civil organizations), which was created by the Law to Promote Nonprofit Civil Organizations enacted in December, 1999. The purpose of this Law is to promote the sound development of nonprofit civil organizations, to enlarge the foundation for citizens' participation in the form of volunteer and other activities to benefit society, and thereby to contribute to the development of South Korean civil society through expanding public activities for nonprofit civil organizations. Key contents of the Law are:

- 1) The recommendation that the state as well as local governments do their best to help nonprofit organizations participate in public activities;
- 2) Nonprofit organizations that look for benefits from this new law must be registered within the relevant ministry or local government, incorporated or not. Relevant ministers and local authorities must permit establishment and registration when a nonprofit organization presents qualifications and submits all necessary documents;
- 3) The Minister of Internal Affairs and local authorities are recommended to secure autonomy of nonprofit activities and they are recommended to assist nonprofit organizations that are participating in public projects with administrative as well as financial resources;
- 4) The state as well as the local governments are asked to provide national and public utilities for nonprofit organizations to use freely or only with a minimal fee;
- 5) The Minister of Internal Affairs and local authorities are advised to select public projects relevant for nonprofit organizations and provide subsidies mainly for operating expenditures. Ministers and local authorities can allocate public works that will be

better run by nonprofit organizations, and Ministers and local authorities have to provide full expenditures for public works under the presidential decree;

- 6) The Minister of Internal Affairs and local authorities are recommended to survey social demands of public works that will be conducted by nonprofit organizations annually. The Minister of Internal Affairs and local authorities are also recommended to open types of subsidized public activities to nonprofit organizations annually;
- 7) The Minister of Internal Affairs and local authorities are recommended to apply the open competition rule when they decide upon individual projects and the amount of subsidies. The public works selection committee will be organized to do this job and the committee members must have approval of the relevant local government assembly;
- 8) Provision of tax-exempt status and tax incentives for nonprofit organizations;
- 9) Penalties will be heavily enforced when nonprofit organizations have used false facts to receive subsidies.

**Table 1**  
**Terms and Definitions**

<b>Terms</b>	<b>Definitions</b>
Civil movement organizations ( <i>simin woondong danche</i> )	Reform-oriented, citizen-participating civil society organizations ( <i>simin danche</i> )
Civil society organizations ( <i>simin danche</i> )	Public-benefit oriented, narrow sense of NGOs ( <i>mingan danche</i> );  All NGOs except foundations, business and professional associations, trade unions, social services, art and culture and organizations
NGOs ( <i>mingan danche</i> )	All NPOs except educational institutions and nonprofit medical institutions
NPOs ( <i>beyoungri danche</i> )	All nonprofit organizations
Public interest corporations ( <i>gongick bubin</i> )	Legal term for incorporated, public interest organizations
Nonprofit civil organizations ( <i>beyoungri mingan danche</i> )	Legal term for NGOs, whether they are incorporated or not

## 2. MAIN TYPES OF NONPROFIT ORGANIZATIONS

**Associations.** In South Korea associations are the most popular type of nonprofit organizations. Most have appeared in the last fifteen years. The legal basis for associations is formed by the Constitution and the Civil Code. The constitutional right to freely associate and assemble is guaranteed in Article 21 of the Constitution: "All citizens shall enjoy freedom of speech and the press and freedom of assembly and association." Democratization beginning in 1987 led to the rapid establishment of civil associations in South Korea. The number of civil associations founded between 1987 and 1996 rose by 74.2 percent, coinciding with the

democratization of South Korea. In the areas of youth, environment, and citizens, the founding of civil associations since 1987 increased by 89.1, 88.9, and 87.4 percent respectively.<sup>3</sup>

Associations can be classified on several grounds. An important classification is based on legal status and legal capacity. According to this division, the main types are registered and non-registered associations. There may be two kinds of associations based on their founding purposes, public interest associations and member-serving associations. Finally, there can be dozens of associations according to their focus, such as the environment, womens' rights, political activities, and the labor movement.

Associations that intend to be registered can obtain this status by applying through the registration procedure to the relevant ministries. Only a registered association has legal capacity.

We may say that in general most NGOs are associations and most civil society organizations are civil associations.

**Foundations.** In South Korea the foundation is another main type of nonprofit organization even though the number of foundations is not large compared to that of associations. Foundations fall under the category of public interest corporations and have sizable funds. According to recent survey data, foundations account for just seven percent of 4,000 active NGOs. However, foundations are usually so well organized and funded that in certain fields they play a significant role.

The areas in which foundations are most active include: scholarships or educational funds, support or payment of research expenses, art, and charity. In South Korea the government and big businesses have established many foundations, but recently more foundations have been established by individuals. Foundations established by business are called corporate foundations and foundations established by government are called special foundations.

**Corporations under special laws.** There are many corporations besides incorporated associations. They are corporations under special laws, such as *hakyo bubin* (private school corporations), *sahoi bokgi bubin* (social welfare corporations), *Jongyo bubin* (religious corporations), *euryo bubin* (medical corporations), and *tuiksu bubin* (special public corporations). Private school corporations and social welfare corporations are exemplary corporations under the special laws. Their role in providing educational and social welfare services has been significant in South Korea. These corporations are nonprofit organizations. Special public corporations that have been established by the government are on the borderline between private and public.

### 3. CONCEPT OF CIVIL SOCIETY

We define civil society as an arena independent of the state and business, an arena that is in principle accessible to all citizens, and an arena of free civic engagement and dialogue.

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<sup>3</sup> Citizens' Time. *Director of South Korean NGOs, Seoul, South Korea, 1997.*

Empirically, civil society is understood in terms of the activities of civil associations. Usually we call civil society a “third sector” or a “civil sector.” In South Korea, civil society is understood as a public space in which civil society organizations are working. The major component of civil society are civic groups or civil society organizations that are organized neither by the self-interest of the market nor by the coercive power of the state.

There has been an element of conceptual confusion regarding civil society in South Korea. The familiar conceptual ambiguities that surround the subject of civil society are, in the South Korean context, rendered even more difficult. These ambiguities have generated a scholarly debate on whether or not South Korea can be said to have a civil society and, if so, its defining characteristics.

Many scholars argue that the importance of civil society in South Korea lies in the fact that while the transition to democracy has occurred, consolidation of democracy remains an unrealized project to date. Civil groups have developed ideals of shared citizenship and possibilities for democratic leverage. In this sense, civil society is the kind of public space where public issues are handled significantly by civil organizations and democratic practices are exercised. The concept of civil society is very positive and real.

On the contrary, other scholars think that there is no civil society in South Korea and that civil society, if we have it in any sense, is an imagined reality and this imagined civil society represents the interests of privileged middle classes. According to this argument, civil society is the Western and universal model and, therefore, the search for the replication of a Western model of civil society is necessary as South Korea does not have this universalist model of civil society.

Recently, however, most South Korean scholars seem to agree that every country can have its own version of a civil society in its own differing ways, and therefore South Korea also has a civil society. But there are some disagreements among South Korean scholars about the origin, evolution, boundary and scope of South Korean civil society. In fact, it is not easy to outline the area of civil society in South Korea since historically there has been no obvious distinction between the state and civil society. In the past, South Korean civil society was very much dependent on the state and had little indigenous capacity as a result. In this sense there is no true civil society in South Korea.

True civil society began to grow in the mid-1980s in South Korea. A burst of citizens' energy came with the democratization period from 1987 to 1997. Environmental groups, powerful labor movement and civil organizations such as Citizen's Coalition for Economic Justice, human right groups, and women's groups, among others were key actors. Civil society in South Korea has received great attention during the last ten years. During this period two different kinds of social groups competed with each other, the more radical civil society groups and moderate citizens' movement groups. Radical civil society organizations, such as the South Korea Trade Union Confederation, the South Korea Teachers' Union, the South Korea Peasant Movement Coalition, and the South Korean Coalition of College Student Governments, put forward a broader and more substantive interpretation of democracy and advocated an autonomous economy, a democratic constitution, and national reunification. Moderate citizens'

movement groups, such as the Citizens' Coalition for Economic Justice, the South Korea Federation for Environmental Movement, and others generated publicity and popularity for their campaigns for economic justice, environmentalism, fair elections, consumers' rights, and gender equality. Emphasizing that they would lead a new generation of social movements, the moderate groups rejected the class-based and confrontational strategies of the past in favor of a nonviolent movement style and specific policy proposals.

During the Roh Tae Woo government of 1988-93, radical groups that confronted the state dominated the political landscape of South Korea, securing hegemony in civil society. But moderate groups began to increase their influence quickly during the initial years of the Kim Young Sam government that lasted from 1993 to 1998. As the influence of these groups increased, there was a period in which the relationship between civil society and the state was cooperative. The popularity of the civil organizations during this period reflects the demand to limit government power, to democratize the state, and to increase citizen participation in major policy debates. The proliferation of these groups have strengthened civil society and altered the power relationship between the state and the civil society. With the impressive growth of civil organizations, especially in citizens' movement groups, South Korean civil society has finally emerged as a legitimate partner in national governance.

During the decade of democratic transition, 1987-97, South Korean civil society can be divided into the legitimization period of 1987-92 and the powerful period of 1993-97. Through the strong labor movement, the great democratic movement, and the participation of the middle class, South Korean civil society organizations succeeded in gaining legitimacy during the former period. Practices of advocacy groups often embodied the normative dimension of civil society more effectively than did other components of civil society. Under the Kim Young Sam regime of 1993-97, South Korean civil society organizations were powerful. There was a substantial change in state-civil society relations when the government was willing to accommodate and adopt opinions of civil society organizations.

With the new government of 1998, we expect a more developed relationship between the state and civil society. First, the state as well as civil society must be democratic. As M. Walzer states, only a democratic state can create a democratic civil society and only a democratic civil society can sustain a democratic state. Second, civil society has to play a role in checking potential excesses of the state. The state, in turn, has to provide the institutional framework within which civil society can prosper and flourish.

In South Korea, the concept of civil society is rather firmly understood. It is strongly developed and expected to be a new actor in reforming South Korean society. Thus, it may be argued that civil society is well developed in South Korea in the sense of groups of associations.

#### **4. MAJOR SUBDIVISIONS OF THE NONPROFIT SECTOR**

Conventionally, there are five subdivisions of the nonprofit sector in South Korea: civic groups, service-providing institutions, religious organizations, affective-linkage group, and foundations. Recent surveys and research projects classify the South Korean nonprofit sector more analytically and concretely.

We may classify the South Korean nonprofit sector more analytically by its functions and major activities. Functionally, the activities of nonprofit organizations are public-benefiting or member-benefiting. Public-benefiting activities of nonprofit organizations may be grouped into two kinds: advocacy and service-providing. Advocacy means activities advocating democracy, citizens' rights, justice and quality of life concerns, such as environmental protection, enhancing human rights, and women's rights, among others. Service-providing activities indicate that nonprofit organizations produce and distribute various public goods, such as education, medical services, social welfare, and cultural heritages.

**Table 2**  
**Major Subdivisions by Functions**

Divisions		Major organizations
Non-member based	Advocacy	Environmental groups, human rights, social justice, citizens' rights
	Service-providing	Nonprofit hospitals, educational institutions, museums, social service institutions
Member-oriented		Religious organizations, labor unions, professional associations, affective-linkage groups

One peculiar subdivision of the South Korean nonprofit sector is affective-linkage groups, which are primary associations based on clans, hometowns, and schooling. They are private, self-governing, well-organized, non-profit-distributing, and in a sense are non-compulsory, therefore they may be considered voluntary. However, membership in some of these associations may be limited by eligibility requirements (e.g. people must belong to certain groups). These groups will test the CNP structural operational definitions. Logically, all South Korean people should belong to one of these associations, but many people do not participate in these associations. Some clan and alumni associations are very influential in South Korean society, especially in inner circles. These peculiar affective-linkage groups are functionally member serving nonprofit organizations.

There are several new types of NPOs in South Korea. We think that it is desirable to include religious organizations and political parties in the nonprofit sector. In South Korea religious organizations have been playing an important role in providing charities and social services. The size and scope of religious organizations are relatively big compared to other fields of civil society such as the environment and health. Political parties are also an important component of the nonprofit sector in South Korean society. Political parties can be included alongside advocacy groups.

**Table 3**  
**Major Subdivisions by Major Activities**

<b>Divisions</b>	<b>Major organizations</b>
Art and culture	Museums, galleries, orchestras
Medical and health	General hospitals
Education and research	Private schools and universities
Social services	Nursing homes
Religions organizations	
Advocacy groups	Environmental groups, human rights groups, women's' groups
Professional/interest organizations	Labor unions, business associations
Affective-linkage groups	Alumni groups

## Defining the Nonprofit Sector

In South Korea it seems that most NGOs have five crucial characteristics of the structural-operational definition of nonprofit organizations used by the Johns Hopkins Comparative Nonprofit Sector Project (Salamon, et al., 1999). This means that most NGOs (*mingan danche*) are organized, private, self-governing, non-profit-distributing, and voluntary. Some NGOs exhibit these five characteristics more clearly than others.

There are some NGOs that do not fit well into this definition. In South Korea there are many incorporated foundations that are established by the government under special laws. They are on the borderline between the private and the public. These specially incorporated foundations are prevalent in the fields of research and education, culture and art, and international exchange and cooperation. These specially incorporated foundations are not completely private. In other words, they are not institutionally separate from government. They are in fact, semi-governmental organizations, since their operating fund comes from the government and, in some cases, government officials sit on their boards. But the more important problem is that some of these specially incorporated foundations are semi-governmental institutions in basic structure. These foundations have little meaningful voluntary participation, but more foundations are becoming self-governing. Therefore, it seems that some specially incorporated foundations could be included in the nonprofit sector in South Korea but other ones could not.

**Table 4**  
**South Korean Nonprofit Sector: Main Types of Nonprofit Organizations and Definition**

Civil movement organizations ( <i>simin woondong danche</i> )	<ul style="list-style-type: none"> <li>· private</li> <li>· self-governing</li> <li>· non profit-distributing</li> <li>· voluntary</li> </ul>
Civil society organizations ( <i>simin danche</i> ): civil movement organizations and civic organizations	<ul style="list-style-type: none"> <li>· private</li> <li>· self-governing</li> <li>· non profit-distributing</li> <li>· voluntary</li> </ul>
Foundations/ Trade unions Business and professional associations Social services/ Art and culture	<ul style="list-style-type: none"> <li>· private</li> <li>· self-governing</li> <li>· non profit-distributing</li> <li>· voluntary</li> </ul>
Educational institutions/ Nonprofit medical institutions	<ul style="list-style-type: none"> <li>· private</li> <li>· self-governing</li> <li>· non profit-distributing</li> <li>· not all voluntary</li> </ul>
Specially incorporated foundations	<ul style="list-style-type: none"> <li>· not all private</li> <li>· not all self-governing</li> <li>· non profit-distributing</li> <li>· not voluntary</li> </ul>

The distinction between the public and private sectors has become blurred ever since forms of public-private partnerships and cooperative arrangements emerged in the field of social services. The principle of subsidies has contributed to the increasing complexity of the public-private borderline, as have the numerous corporations created by the government to take on service tasks. Therefore, it may be useful to extend the notion of “private” to include self-governing organizations established by special laws.

The issue of self-governance poses problems whenever the private-public character of a nonprofit organization is unclear. In South Korea, the issue of self-governance is closely related with the influence or intervention of the government. Even though nonprofit organizations are established or supported by the government, they are nonprofit organizations when they are self-governing.

The parts of the South Korean nonprofit sector close to the principle of self-governance include associations and corporations based on Civil Law, the Act concerning establishment and operation of nonprofit corporations, and many special laws. These vary in the extent to which they are independent from the government. Usually, the parts of the South Korean nonprofit sector include organizations that are operational arms of some central or local government, as well as chambers of commerce and industry, several radio and television stations, and institutions of higher education.

The great virtue of the structural-operational definition as applied to the South Korean situation is that it pulls together the several overlapping subunits that national concepts treat separately. Legal definitions have limited utility in describing the full scope of the South

Korean nonprofit sector. Moreover, the common understanding of the South Korean nonprofit sector does not follow the legal structure. As we discussed above there are several terms referring to nonprofit organizations. These terms denote somewhat different entities of the nonprofit sector. Therefore, the structural-operational definition ties together various organizations regulated by different bodies of law and denoted by different terms commonly attributed to different sets of institutions.

The criterion “organized” applies to South Korea since the definition includes unincorporated associations or informal groups that are not fully captured by legal definitions. A recently enacted law, the Law to Promote Nonprofit Civil Organizations enacted in December 1999, includes nonprofit organizations that are not incorporated. Nonprofit organizations are basically not profit seeking. But some of them may undertake commercial activities that are not directly related to their charitable purpose. These activities of nonprofit organizations are subject to taxation.

Finally, the “voluntary” criterion of the definition of nonprofit organizations is the most problematic issue in South Korea since the tradition of voluntarism has been very weak, and citizen participation is still low. Information on volunteering is incomplete. In South Korea membership of affective-linkage groups is quasi-automatic for certain schooling, hometowns, and clans. Thus, in some cases, voluntary would primarily imply the connotation of non-compulsory.

## **The State, South Korean Society, and the Nonprofit Sector**

Historically, the institutional features of the nonprofit sector in South Korea resulted from conflicts between the state and its political challengers such as the anti-government student and labor movements. Service-providing institutions and member-oriented associations are also major components of the South Korean nonprofit sector, and they have contributed the features of the nonprofit sector in South Korea as well. In South Korea, NGOs (*mingan danche*) and, particularly civil society organizations (*simin danche*) have contributed extensively to the South Korean nonprofit sector and have significantly altered the relationship between the state and the nonprofit sector.

As many South Korean scholars have pointed out, the importance of civil society organizations in South Korea lies in the fact that while the transition to democracy has occurred, consolidation of democracy remains an unrealized project to date. Civil groups have developed ideals of shared citizenship and possibilities for democratic leverage. In the last decade, there has been a remarkable acceleration of civil society articulations that criticized existing structures and practices of governance. Civic groups that pursue public interests have proliferated—not only groups advocating rights of the formerly marginalized, but also groups speaking for broader causes such as environmentalism and other understandings of what is good for society as a whole.

The growth of civil society organizations is itself proof that the kind of public space that the government has been either unwilling or unable to handle is rapidly expanding. Public issues, as environment and helping North Koreans, are handled predominantly by NGOs. Governance fosters state-society interactions as a mode of coordination between multiple social agents, such as government, private firms, and civil society organizations in order to render policy-making more effective. In fact, the economic crisis of 1997-98 in South Korea has accelerated the situation for change of governance. The viability of the established governance order, the authoritarian developmental state, has already been subjected to fundamental scrutiny since its usefulness has been squarely and repeatedly questioned. The government monopoly of the public cause has indeed been challenged on an unprecedented scale. People's opposition to the government's ideas of what constitutes the national and public interest shows that the established hierarchy with the state at the top and civil society at the bottom is crumbling. In a society with a strong tradition of the state superiority, the rise of civil society is very surprising. Even in the area of inter-South Korean relations that has been strictly dominated by the government, many nonprofit organizations play a significant role, such as connecting separate families, providing food aid, and helping North Korean refugees.

The Kim Dae Jung government is fully aware of the importance of civil society organizations. Civil society organizations in South Korea have been acting independently of government, collaborating with it at certain times and opposing it at others. The present situation is very important for both civil society organizations and the government because it may shape the new relationship that will emerge in the future. The government not only responds to civil society demands but also tries to assist civil society by offering opportunities, resources, and incentives for civic groups.

Changing attitudes among the South Korean people toward the role of the government and their expectations toward civil society function as a driving force for the transformation of the governance system. What the civic groups are actually emphasizing is that ordinary citizens themselves are the true source of power and the core of the civic movement, not specialist groups or a few dedicated activists. The ability of the civic movement to mature and function as a "third power," after political and economic power, to check the excesses of government and big business will depend largely upon the people's willingness to participate in the effort.

The growth of civil society organizations in South Korea reflects their increasing role and capacity. Growing awareness of the need for popular participation in governance, combined with disenchantment with the performance of the government and recognition of its limited capabilities, has contributed to the growth of civil society. Socio-economic factors, such as economic development and differentiation of society, have also contributed to the growth of South Korean civil society. Civic organizations have attained impressive legitimacy in South Korean society during the last decade.

However, the role of other actors should be emphasized, such as the media, trade unions, service-providers, and professional organizations that have been involved in the development of civil society. Service-providing institutions and professional/membership organizations have existed for a long time. What is particular in the South Korean civil society is that labor

movement and advocacy activities have simultaneously exploded around 1987. They have changed the characteristics and role of South Korean civil society profoundly. The single most powerful actor in South Korean civil society may be organized labor. Usually, labor groups and civil society organizations compete with each other but they coalesce together on some issues. What deserves greater attention is the tremendous influence that civil society organizations can exert in the policy-making process. Even though South Korean government still holds the power to handle matters at its own discretion, civil organizations and labor groups affect government policy-making greatly. And the government as well as the corporate business conglomerates are very sensitive to the activities and demands of civil organizations and labor groups.

These civil society organizations have been very successful in seizing opportunities when pertinent issues arise and gaining publicity for their policy stands. South Korean political circles are also keenly aware of the rising tide of these civic organizations. It seems that bureaucrats and *chaebols* (big business) still remain suspicious of civil organizations, but they could not ignore the influence and strength of civil and labor groups. Civic groups and labor unions are now important powerful players in the governance of South Korean society. As was indicated before, there are now at least five major actors who will shape the governance system of South Korea in the future. Old actors include political elite and bureaucrats and big business while new actors include organized labor and civil society organizations. Of course, there are other groups who are potentially influential such as the press and academics. The press and media are certainly very influential in South Korean society but they may reflect opinions of the major actors mentioned above. Academics have indirect influence in public debates but they are not organized as a separate entity. It still remains to be seen how these five major actors will develop power relations in the coming years and whether the South Korean society can develop an effective governance system where major decisions can be made in relative harmony and timely reforms can be implemented in the face of pressures of globalization.

Notwithstanding the hurdles and pitfalls that will in a sense come naturally with the new status of CSOs, the effective and healthy nonprofit sector is an essential ingredient in building a new governance system in South Korea. As was mentioned above, the degree of corruption and inefficiency in the government is very serious, and the entrenched interests in big business are hindering their rebirth as more transparent and competitive enterprises. In addition, the collusion between bureaucrats and big business is firmly rooted in everyday life. These two sectors need constant prodding by an effective third sector.

Ideally, the government and business sector should no longer stand above the civil sector; each has its own functions and complements with each other. The problems that cannot be adequately handled by the government or should not be handled alone by the government come under the governance of the three actors. The vision of a renewed governance model of South Korea must involve the full involvement of civil society and a strong and balanced partnership between the state, business, and the nonprofit sector. The three sectors should not be separate and hierarchical any more. At present, the South Korean civil sector is powerful enough to be an equal partner in governance and some indications of this partnership are noticeable. In this sense, governance is identified with negotiation rather than imposition, and

participation rather than hierarchy. The power of civic groups is based on their efforts for democracy. Well-developed civil society is a prerequisite to expanding and consolidating democracy in South Korea.

It is difficult to make any definitive statements about a new governance system at this moment. But it is evident that current circumstances require a new model of governance, and civil society organizations are among the most powerful promoters of this new model of governance. Civic groups advocating democracy, justice, and quality-of-life concerns have become a dominant voice in South Korean society in the last decade. These civic groups directly raise issues relevant to governance and democracy. In any new governance system that might emerge in the next decades, civil society organizations will play a more significant role than they have in the past.

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