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## RESEARCH ARTICLE

### A Promenade on the Ethics and Ethical Decision Making: Should *Chae* be Botched from the Korean Public?

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#### Abstract

The studies of ethics had long been under-dealt although it is the kind of primary in sustaining a civility. It is hardly deniable that the concept of efficiency and productivity has hailed on the mindedness and interest of academic community. The narrative of ethics or social justice would be ridiculed as the kind of Greek juggle on philosophy or put to be on neglect for its lacking or default on the modern disciplinary frame in the academics. A cure, however, seems not to be from a juggernaut of modern capitalistic civilization and its supportive paradigm of understanding so that alternative way for any more realistic solution can be made exploitative from the ethics or similar tools of motivation. Now we talk about *noblesse oblige* or benevolent capitalism as one important dose for the new paradigm of social promise or reformed capitalism. The ethics studies have increasingly made its way as focused in the discipline of business and public administration. Typically, it is profiled in combination of leadership studies, and the civility tends to accept this narrative, beyond the liberal competition and fairness school, as one of important element when we consider the concept of social justice. The modern professionals, for example, bar members, medical doctors, and many of licensees for their business operation, also clone to carry their responsibility under a specific ethical code. This would be the kind of safety code from the abusive or madly profit-driven capitalism. More importantly, I believe that a sheer understanding of ethics and social justice would be assets and equipment for the ruling class in the contemporary society. In this context, the paper would survey an ethical theory or decision making model, history of Korea as well as a recent episode involving the chief prosecutor of South Korea. Korean leadership, typically for the powerful cores or inner circle *princelings*, can be revisited in purview of ethics studies, such as Cooper's design and ethical decision making model.

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#### CONFLICT AND ETHICS

The public administrators are responsible to address the issues and agenda, and may, in some cases, need to make a difficult decision ethically viewed as divergent in ways of dealings. Most notably, they may be required to decide or act in tension concerning the conflict of authority, interest and role. How the two concepts are connected and interact among another? It often matters in the circumstances where the issue, task, course of dealings, agenda, and their role performance come to impose a difficult avenue of ethical consideration beyond the routine course of making a decision.

There can we identify the class of conflict which corresponds with the three elements, say, authority, personal interest, and work role (Cooper, T., 2012). A conflict of authority occurs when the ethical dilemma relates with the law, line hierarchy of organization or work structure, and other formal or informal work requirements in terms of control, cooperation or collaboration (2012). A conflict of interest often arises that the organizational course of performance, its goals or missions overlap the sphere of personal interest directly or indirectly, obviously or impliedly, as well as in the spectrum on purity and fidelity from the collective frame of organization. It does not necessarily require a loss or harm to the organization, but merely an improper or disloyal connection between the organization and interested administrator within a definition. The personal interest may not be the administrator's himself, but encompasses that of his spouse or close siblings in general. A drafting of ethical code depends on the nature of organization and public policy as seen in the case of New York code on the professional ethics of bar members. In that enactment, the conflict of interest was narrowly tailored to have a limited ambit about the financial aspect when it defines an impermissible scope of violating the conflict of interest requirement. A conflict of role would be found more flexibly, and pertains to some of professional dimension on the desirabilities, efficiency of administrative performance, as well as the organizational or social utility of agents or administrators (2012). The concept is less rigid in comparison with the conflict of authority, but dynamic and creative in pursuit for a better performance, which, however, interplays to comport with the laws and line hierarchy. The concept of role, therefore, substantiates the formal or perfunctory nature of authority, and intrinsically relates with the administrative responsibility. While both of authority and role incur an issue of administrative responsibility, the former more directly brings the problem of objective responsibility. The latter would extend to the dimension of subjective responsibility while the basics of role also interplay with an objective responsibility.

### **ETHICAL REFLECTIONS ON THE DESIGN APPROACH**

The topic, in nature, entails a difficult dimension in the course of professional service as a public administrator, and often reshores into the ethical dilemma or the conundrum of how to find a fit to resolve it (Hicks, D., 2013). According to Cooper, the design approach would serve a convenience and his or her ways to address the job duties about an ethical issue faced during the course of performance (Cooper, T., 2012). The paradigm, then, needs to be incorporated into his or her daily practice to chart and monitor his performance and standard. The use of this ethical model brings a benefit. This would serve finding a legitimacy of his or her authority and role, and particularly be useful when he was questioned about his exercise of authority and role. This means that the design approach could be a useful tool to address any predicament from the claim on subject responsibility. He or she also would be smooth with an autonomous performance of learned behavior sequence, and remove an ad hoc trouble on the respective case (2012).

In his view, there are two types of ethical decision model, say, descriptive and prescriptive (2012). The descriptive model shows the ethical decision as the world is while the prescriptive one introduces the ethical decision as the world we would like it to be. His ethical decision model is prescriptive and framed into stages and factors. The first would require our perception about the ethical problem posed as a challenge. Then the administrators begin to describe the problems and define the ethical issues in forms to be explored and finally anticipated to resolve. He or she explores a scope of alternatives to be chosen, and will be required to explore a projection of probable consequences and its analysis. In the next, he stepped into the phase of selecting an alternative, a best fit as confirmed through the process. Finally, he or she imagines the picture that would be realized by implementation of his or her decision, say, state of resolution (2012).

The model would be an amalgam of device to enable a leverage of ethical analysis into the express design which would be a dynamic process, rational and principled, but also on human feelings and character (Laureate Education, Inc., 2008). The design approach could increase the attitude of administrators, i.e., reexamination, respect for the principles, distinction between values and principles. It also would cultivate the public administrators to think in a principled fashion. The ethical dilemma in its most extent brings an agony leading that the ethical autonomy is reduced to zero, that character is eroded, and that integrity is undermined (Cooper, T., 2012). From this hardship, the design approach can shape some of stable process within the inner mind of administrators which facilitates the nature of ethical analysis, i.e., primordial, spontaneous, complex, logical, principled, and relatively comprehensive justification (2012).

### **ETHICAL DILEMMA AND CONFLICT OF AUTHORITY**

Across three concepts, we may find a Korean illustration about the course of military coup in Dec., 12<sup>th</sup>, 1979. The incident may be known to US citizens if Korea is one of key allies and its rising prestige as a world class nation. General *Chun*, a Korean of mid-fifties, had served as a chief of investigatory authority to probe an assassination and cruel killings of presidential aids in the attempt to terminate the *Cheng-hee Park's* lengthy reign on a militaristic ground. *Jae-kyu Kim*, a chief of National Intelligence Service and conspiracy leader of the plot to assassinate, alleged his legitimacy of killings given the democratic ethos and popular quest to restore the democratic rule, as shown in the Bu-ma marches and confrontation charted around 1979. Mr. *Kim* was actually executed, and was rejected of his claim in the judicial process. General *Chun*, a chief of Military Intelligence Service, was appointed as a charge of investigation by *Seung-wha Chung*, General in Chief of Korean Army. General *Chun* is required to directly report to the command and order from General *Chung* as a matter of law and line authority. General *Chun* had been a key actor of informal fraternity group, what was called *Hanahoei*, which is powerful and potent under the shield of *Park's* support. General *Chung's* background was different, who is not a graduate of Korean Military Academy, but was educated in a general base of military training. *Hanahoei* is a firm club in the promise to share a same destiny, personal welfare, promotion opportunities and career success, and of course, a loyalty to the *Park's* administration. The two months from Oct. 1979 through December of that year apparently looked of peace and progressive transition toward the aspired democratic form of government. Three *Kims*, promising candidates for the next presidency enjoyed a public attention, and the nation gradually had matured into a campaign mood and political flourishing. That appears certain in due course that Koreans would sooner witness a democratic government long aspired and in the moment of demise of militaristic regime. *Chun's* role is obvious in the eyes of public to investigate *Kim* and his conspirators or accomplice, while General *Chung* would govern temporarily in responding to the national emergency (Laureate Education Inc., 2008). A transition to the regular regime seemed ensured in 1980. Abruptly, however, an unauthorized fire battle awakened Koreans in Dec. 12<sup>th</sup>, 1979, which broke out in the course of arresting activities of General *Chung* by General *Chun*. He later obtained an approval of that arrest by the acting head of state, *Kyu-ha Choi*, but through the demonstration of his informal power with his fraternity members. Some of implicit coercion can be noted in such one night revolutionary course of action. *Chun's* cause and rationale, later seriously questioned and debated in the courtroom and by many political analysts, were alleged to lie in the investigatory needs about a suspicious behavior of General *Chung*, at the night of assassination. General *Chung* was called to report by *Kim*, and attended a dinner in the near guest room of *Blue House* close to the place of assassination. *Chun's* version is that his presence had been necessary to support the coup of *Kim* and might imply a conspiracy connection with *Kim*. He, therefore, had no way to attempt an arrest of his direct supervisor without the approval of president, which had been required as a matter of law (2008). A prior approval might fail the plan to arrest, but may bring a counteraction from the General in Chief. This scenario would be worse and *Chun's* claim was that a possible culprit to harm the national head might continue by sacrificing him. In the period, there was an alleged plan to transfer General *Chun* and his informal fraternity group to some of marginalized position. As said, they had been strongly associated to serve their spirit and prosperity in their military career. This atmosphere to counter the *Hanahoei* probably threatened their personal expectations that they would turn to react in defending their private interest and in the chance to forge their suspicion about a General *Chung's* quandary on the said night (2008). What motives actually would be more imposing is still dubious, but might well be combined to make the decision to arrest. That night a number of innocent lives were sacrificed, and the divisions or special combat unit were mobilized at the command order appropriated to serve their unauthorized course of military operation in arresting General *Chung*. At the time of arrest on Dec, 12, 1979, he spent his time off duty in his public house located at *Hannam-dong* guarded by the armed military police. This guard line was broken by the attack of his appropriated unit, and other forces were drawn to occupy the command center of Korean Army.

This story reveals the context of critical dilemma in terms of ethics and code of conduct on the public administrators (Thiroux, J. P. & Krasemann, K.W, 2011). General *Chun* was responsible to investigate, gather the evidence, and transfer his findings to the prosecution authority of Korean Army. His competence and authority were prescribed expressly by the law and work flows in system and practice. He would also need to report to his supervisor, General *Chung* and eventually to the acting president. He certainly faced an ethical dilemma how to decide and what course of action he should have to undertake. His deliberation perhaps would go into any deeper analysis the administrators normally would not process. The design approach and ethical decision model might seriously work around the perception of ethical problems, defining an ethical issue, exploring the scope of alternatives, and finally a selection of alternative and state of resolution (Cooper., T., 2012). His ambition as a loyal and faithful cardinal of Korean Army, and human feelings from a *Park's* benevolence might move him ethically as a factor. A retreat from any radical action would undermine his and his peer's military career and personal welfare. His personal conviction to restore the justice and unearth the truths of that night might come highly to risk a military confrontation between the

same armies, and eventually his and his peers' lives (Hicks, D., 2013). His status, however, stood in the conflict of authority which transgressed the law and expected course of action (Cooper, T., 2012). A formality of line authority was clearly violated, but the role analysis may, in some degree, come to favor his courage and blatant initiative to arrest. A conscience, loyalty, passion, and affinity may support his decision. One source confirmed that he called President *Park* as a father in the informal gathering, and both had been ethically tied. In any case, a US Ambassador as well as the commander of the 8<sup>th</sup> division for Korean ambit at that time, got infuriated about his usurpation of authority. The Korean government also finally condemned his decision and course of actions as a military coup in the criminal proceeding. The context of subjective responsibility was, in heat and passion, contended and debated seriously in the courtroom around 1994. An argument to legitimize their personal ground to defend their ways of making a decision and course of action was eventually rejected by the court. General *Chun* and his peer General *Noh* served as a president in 1980's and through early of 1990's, but their glory just stopped there. As we learn, the final destination within this nature of public commission may go more proper if to respect the constitution and laws since any ultimate findings of a fit might sway. The conflict of interest also comes into a play if he or his peers embraced some of personal pursuit for the career success and welfare.

## THE ETHICAL DECISION MAKING AND MR. CHAE

### Introduction

One of present controversy in Korea reveals that a chief of national prosecution offices (KPO) had resigned in response to his alleged wedlock child (Chosun Daily, 2013). He has been one of respected senior prosecutor trusted by a group of young manpower in KPO. Mr. *Chae*, now a popularity from the flak of majority party, *Saenuri*, and on some of split views from the public opinion, should wait for a completion of internal process on investigation and supervision. His resignation was remitted and the *Blue House* endorsed a supervisory command delivered by the head of Ministry of Justice (KMOJ), Mr. *Hwang*. *Dong-wook Chae*, a week ago, announced his resignation in the press and public media right after the minister *Hwang*, formally a higher authority in ranks and files, decided to process an internal investigation concerning the alleged *Chae's* ethical failure. The story actually has stirred over the month involving one madam, called *Lim*, who runs a prestigious salon for the socialization and fraternity among the high technocrats and wealthier class of Korea. KPO had been reputed as one of prime justice-promoting organizations since the dismantlement of militaristic nature of government around the early of 1990. They had once been rated by the media as a top public institution attracting the public credibility and trusteeship. They had deeply been engaged to eliminate the evils and harms within the power groups and wealthier class in Korea. One young prosecutor mumbled, "I have been proud of my organization because the injustice and public ailment therefrom were remedied on my own hand..This incident actually frustrated the organizational members." Other man corroborated with his comment, "KPO may not be perfect if the political power intervenes. It, however, has been on public faith that it, at no exaggeration, worked effectively to correct the 'past' political power."

### Situation, Factors, and Administrative Responsibility

The context actually is complicated to encompass a scope of elements expressly and impliedly working (Laureate Education, Inc., 2008). The plain aspect of incident is an ethical misdemeanor allegedly perpetrated by the Chief of Prosecution Office (CPO), perhaps decades of improper relationship with the said madam and wedlock boy child. The practice of embroiled persons, in my personal experience, is not unusual to hold the kind of pattern behaviors that the prosecution officers have a tie and social coupling with a local pub or salon as the base for their informal contact and off time pleasure. If in worse, some of corruptive shade may exist ranging from the unpaid events of extravagant feast or gatherings and through a sexual brokerage prearranged by the interested private attorney, local potent or businessmen. Their interest may be unlawfully or unethically promoted against the proper administration of justice and professional rule of conduct required of public prosecutors. In the worst, some of prosecution officers may have a connection with the local gangsters to gather information, to subsidize a financial support, or to be engaged in more intimacy to a specific locale or potentials of crime network. Other factors in this kind of ethical issue are in need of consideration which is important to understand Mr. *Chae's* objective and subjective responsibilities as well as the context of Cooper's paradigm (Cooper, T., 2012).

First, *Chae* was not the only officer to resign during his statutory term of two years, but twelfth in roll from a total of 18 since 1988. The statutory term was introduced to ensure an independence of KPO, a quasi-judicial institution, against the abuse or dereliction from the political power (Maccallum, G.C., 1993). Hence, the president or ministry

of justice should be restricted in dismissing a CPO at their will, but only statutory causes could justify it, which would be typical, of course and for example, a competence and health required to carry their duty, a level of crimes as provided by the law, and other basics. The bureaucratic line of authority was enshrined as a matter of public administration, but their intervention into any sensitive criminal cases of political nature was intended to be statutorily safeguarded by that very entitlement of mandatory terms. That was welcomed as one of wise institution by public in 1988, which also was grounded on the public trust about the separation of powers principle. Hence, *Chae*, like other predecessors, thought himself as a bulwark to defend an organizational identity or integrity and would like to maintain his good impression as a leader of KPO and as a courageous or impartial public prosecutor.

Second, the presidential election, last year, was tainted in the first half year of Lady President Park from the onslaught of unlawful meddling into the election process. She was a candidate from *Saenuri*, a ruling party, and the major opposition party, Democrats, seriously contended that the National Intelligence Service (NIS) intervened unlawfully and manipulated impermissibly the public opinion through their grapevines. Of course, it is not only an ethical requirement, but also a legal issue that the NIS and their officers should remain neutral and independent from the public election (Laureate Education, Inc., 2008). The Democrats, still rallying in the public street by installing a camp for the months' stay of *Han-gil Kim*, a head of that party, had initiated conducting a congressional hearing about some of NIS' issues. This initiative was actively pursued in the agreement of both parties, but had effected practically nothing with some of face-hidden witnesses, and insipidity of inaction and non-cooperation. Their filibuster or cause to passivism might be good on some legal justification, say, the national security or other public reason as specified in the statute, but the opposition party would be discontented with their defensive or non-engagement attitude. In this chain of power struggle, the prosecution offices decided to indict *Se-hoon Won*, a head of NIS, invoking its legal ground from a sensitive criminal statute, i.e., violation of the public election laws. This implies, as a matter of tone and attitude, that the prosecution office will go their way as insulated from a political discretion, and that they would be faithful to their job responsibility.

*Chae*, thus, undoubtedly suffered from an ethical dilemma across many competing values and moralities (Cooper, T., 2012). As the issue is highly cardinal for the national integration as a matter of politics, he may waive a strict enforcement of law and apply some of acumen to avoid a counterpressure from its direct application of law. As the issue involves a petit offense as a matter of law, this option would surge very strongly in the course of ethical deliberation on his subject responsibility. The challenge to the legitimacy of president would bring a serious consequence while the application of laws matter at lesser extent about some amount of fines or its equivalent. He may hover around other alternatives, which include an invocation of other available criminal provisions, or some of inter-branch measure on the collaboration and cooperation. For example, the education and learning session about non-engagement principle in political matters and bureaucratic ethics could be used to circumscribe an usurpation of NIS and *Blue House* political elites (Hicks, D., 2013). He or other concerned group cherishing the rule of law within the KPO may initiate a legislative workforce to restructure the inter-branch control and more effective system to operate ethically and lawfully as well as for a sheer preserve of bureaucracy independent from any swaying political influence. A scope of alternatives come to play, and could offer the ground of justification as a CPO in terms of subjective responsibility. This inner process is necessary and might later be called upon to respond to the congressional hearing or investigative context of process (Cooper, T., 2012). On the other hand, there are a range of factors involved in terms of objective responsibility and ethics as a CPO. Is the law applied correctly and could be sustained by the court? This is purely a technical issue of law, and centers at the heart of this organization's cause to exist. What is the legislator's intent to secure his term of two years in a statutory way? Are we entirely barred from any political discretion to keep neutral between the politically contending parties? Then what extent of concession or compromise could the line of authority from the president, justice minister and through a CPO in ranks require? How do the public laws on governmental employees, organizing and enabling statute of administration, the Act on KPO, and others interplay to guide his decision and course of conduct to handle this difficult ethical issue, i.e., more discretion v. strict enforcement of law.

Third, the factors would become intertwined that may produce an amalgam of professional administrators which a lay person may not be easy of, but leveled to be likely a neutral mechanic through the course of his decision and leadership action (2012). He rose to the top of KPO, but was reserved from the last administration led by President, *M.B Lee*. He was not chosen by the Lady President, but his nomination was endorsed with the support and acclaim about his trustworthy career profile. He had been publicly introduced as a respected figure within the organization that the young generation of prosecutors admires as a paragon of their professionalism. The event has developed in a pattern for one sense, and unexpectedly in other sense. While a backdrop is not certain, but on the basis of public

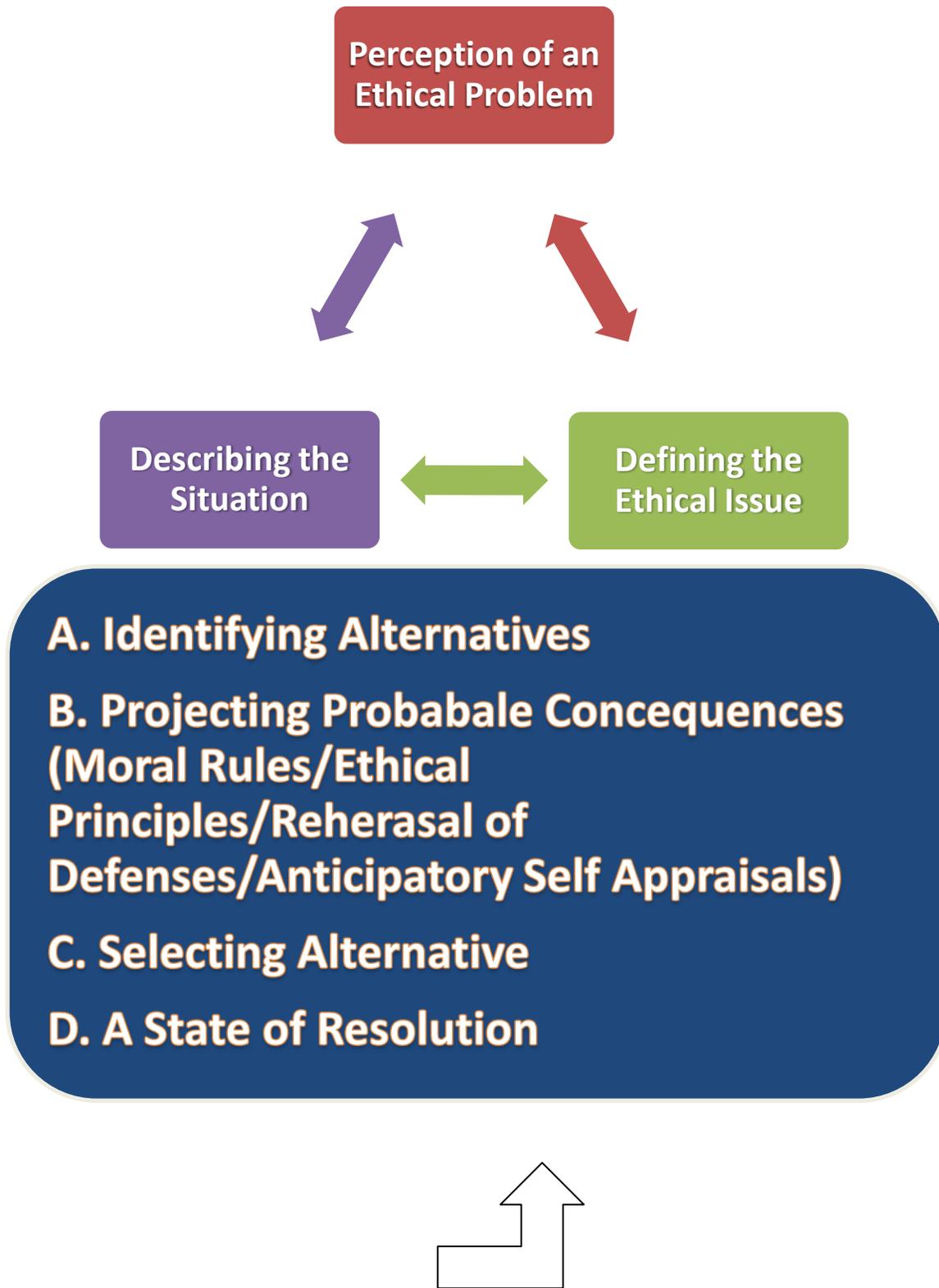
conjecture, a political group at the center and NIS may leak his private matters on the public media. Now he has turned to be a kind of scapegoat about his wedlock child and the quality of controversy involves an ethically faltering dimension from the normal compassion and traditional morality of Koreans (Laureate Education, Inc., 2008). He is a promising public employee who has been responsible to administer the national justice. The profession is viewed as a sanctity and generally of high level of ethics and moral standard despite being not compatible with that of clergy or priest. He is also considered mightier in power with other citizens that his impious and nasty behavior could well undermine his public impression and imagery of organization, say, KPO. He was unethical and the point exacerbated about some of influence and corruption from his mightier status. As a matter of course in the business of public media, reporters and editors are exalted to divulge this allegation based on the rumor in some cases and independent research on other cases. It suffices definitely to provoke the curiosity of public and the course seems certain to condemn the *Chae's* case. He was pushed back to the corner and may be groggy to become naught with nothing left (Hicks, D., 2013). He may highly wish to keep his good image on career and work profile, and likely detests the possibility to remain a gutless brass for his organization. The specters of Korea may approach subjecting him to the kind of ordeal how you confront this dilemma. Inside his mind and on the standard of ethical code, his promenade in agony and exploration through the jumble of complicacies span extensively on the point of alternatives and consequences or prospects from his decision and course of conduct as in Cooper's generalization (Cooper, T., 2012).

The problem is serious in nature if to question and deprave fundamentally the basis of his morality and ethics as a public administrator. His alternatives, henceforth, may shrink to the simple option of whether or not he would resign and pomp his courage or a neutral and impartial carriage of job responsibility in his personal honor. On this front, he would not be best, however, if he simply decides to resign. That is principally because he has already responded by discrediting an accusation of wedlock child. Other important reason is that he would do better to maintain his current status and defend the statutory term. His instant reaction to resign would grow a more suspicion and distrust of public about the KPO. His many predecessors, had to quit during his term, and this may lead him to sustain his position as the modality of organizational heads. He actually dropped this option, and began to defend his case through the media coverage. He later vowed to file the civil action on the claims of invasion of privacy or defamation. The press media counteracted to pressure by mentioning a gene test and other medical ways to prove his purity. In this progress, a moment of critical measure was rendered by his direct higher authority, justice minister *Hwang* that the department of justice will respond by processing the internal audit and investigation on the integrity and ethics of employees. His measure is grounded on the pertinent public laws about a supervision and command, but historically undocumented to initiate since the quasi-judicial role, i.e., criminal investigation and prosecution, has to be institutionally separated for the policy reason of KPO independence. KPO is generally responsible for the KMOJ, but a final say on the outcome of specific criminal case should institutionally be a prerogative of KPO so as not to be meddled by the minister. His measure, in any way, was legitimate as a supervisory action, but might be acknowledged in other perception, which would be from young prosecutors about its impact as a pressure. They counteracted to investigate the minister *Hwang*, but the president and minister repeatedly confirmed that the matter is just the class of public employee's ethics and sanctity required by the law (2012). Their intention is never to tame or control the independent authority of KPO, which should be on the conscience and law. This phase to any final process eventually led *Chae* to announce his resignation, but the president refused to accept it until the internal process of audit and investigation completed.

### **SOME SOLUTION ON *THE CHAE'S* CASE**

This case shows a typical pattern of ethical dilemma involving a proper function among the intergovernmental organizations, independence of justice administration, and political influence. The Cooper's ethical decision-making model stages in steps and feedback, which enables an extended scope of review and assessment for the respective ethical issue (Cooper, T., 2012). The idea involves a design approach, and the administrators, as C. Whitbeck proposed, can figure out what to do to deal with the ethical dilemma, as distinct from a normal attitude of merely making a judgment (2012). In application of the Cooper's framework, we may have some of summaries on his respective element.

**Figure.** *Ethical Decision Making Model (Coopers)*



**Table.** *Application to the Chae’s Dilemma*

<i>Perception of an Ethical Problem</i>
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(a) rich odor of ethical corruption and infidelity on the basic social morality (improper relationship with a madam and wedlock child) (b) political instability from the former administration, Noh and congressional hearing on the NIS, legitimacy controversy about the last presidential election and the NIS's unethical support and alleged plot to intervene (c) criminal case and KPO's unbent decision (d) suspicious leakage of private information and public controversy (e) announcement to respond with the civil action, KMOJ's reaction to process the internal audit and investigation, resignation and pending context to continue by not accepting it (f) typical public issue of Korean judiciary and quasi-judiciary for its independence and proper administration of justice, *De Ja Vue* of many Chae's predecessors to quit intermittently.

### ***Defining the Ethical Issue***

(a) Is it ethical and the ways of responsible administrator that Chae decided to apply the election laws in the indictment of NIS head, Won? How would it be working if he applied other available provision for the perhaps bigger cause of political stability? (b) Did he act properly and ethically that he stayed to maintain his office once the allegation stirred the public and raised a public distrust? (c) Is it proper and ethical to instantly respond with the public announcement of KMOJ to process the internal audit and investigation?

### ***Identifying Alternatives & Projecting Probable Consequences***

On the first issue, we may consider several alternatives-indicting as the law dictates, applying an acumen and political sense by avoiding an application of election laws. On the second issue, (a) it may be better to resign instantly if the suspicion has a strong ground and for its severity in the breach of ethical code; (b) he did well to stay since it is a kind of plot and must be subjugated by the public consensus about the traditional ways of leakage and public menace; (c) he did well to stay since his predecessors often happened to resign consecutively, which undermined the legislative purpose of statutory term and seriously tainted a public impression of KPO (Maccallum, G.C., 1993); (d) he did well to stay since his career and profile are high and merit to preserve from his followers. On the third issue, (a) he did well to announce his resignation instantly because KPO has to be insulated from the authority of KMOJ; (b) he did well to announce his resignation instantly because weeks of media coverage are enough to forge an awareness of the nature of controversy and KMOJ's involvement made it firm about the public sensibility of political influence; (c) he did well to resign instantly since the public damage and debase had grossly aggravated from weeks of media coverage on this depraved unethical incident; (d) he should have continued on his job responsibility since he should respect the measure of higher authority and until his measure was completed; (e) he should have continued on his job responsibility since he initially avowed he did not have an improper relationship and the child is not his wedlock baby.

### ***Selecting an Alternative & A State of Resolution***

I consider his decision and course of action about the controversy and ethical dilemma would get better off provided if he instructed the public prosecutor in charge to act on the principles and law, but to defer a criminal prosecution on the statutory basis and also on the exculpatory clause because Won had been one of top bureaucrats, and contributed much to the national interest, and because the offense was committed not by direct engagement in the alleged crime, but merely in the context of improper or lagged supervision (1993). In this line of thought, he also may consider a political instability if continued on the election laws.

The conduct to counter a grapevine nature of disclosure and stay on his office seem proper given the context had been chronicled in the Korean society. This option could also be supported if it is fairly probable for the NIS or political core to intervene. If he plainly gets off his sacred job duty by resignation, it means that Koreans have no final resort to ensure their national justice and KPO's cause to exist was highly damaged.

He should have stayed even if the KMOJ announced the process about an internal control. His instant reaction to announce a resignation evoked the public feel against his credibility and trust on his previous statement of innocence. He may see it demanded or as a first priority to bar any exterior pressure or influence of KMOJ against the KPO, but the decision to stay is considered as not contradicts the statutory mandate,

provided that the KMOJ took a process merely to respond with the public turmoil arising from this surprising issue (1993). An organizational supervision about the integrity and ethics of public employees may be seen in a different light from the preservation of independent authority concerning the quasi-judicial function. Then the final outcome could be resolved by a gene test or findings of judiciary. The problem would arise from any continued media coverage, which cost a misleading and unnecessary consumption of public energy and time as a gossip or extended damage to the KPO's reputation and honor of public prosecutors. Ways to eliminate this problem might be strived, for example, a faithful inducement to limit its coverage on public reason or others, and it could effect although not completely settled. That would be a proper expense to yield the best outcome in this serious circumstance. Then we have some improvements from the traditionally undesirable practices, a quandary of intermittent discontinuance of the KPO's head, an unfounded allegation against the public figure, cult or myth on the KPO's role, and public distrust or disinterest from any of manipulative or defrauded event. The alternative may restore an institutional interplay on the basis of law and statutes, public trust, and could enhance the right to know and serve in ways more than others.

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