

QIKJS-Part.VI.C

Qualitative Inquiry of Korean Judicial System

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As said, the disciplinary scheme on the professions had diverged into a separate act and authority according to the house rule. While prosecutors and judges are subject to the ethics law of national public offices, the disciplinary proceedings will be taken on the basis of respective acts for prosecutors and judges. The lawyers would be consulted by their own act and ethics code. The KBO, therefore, can only deny their application for bar admission when they retire, and provides the result of their grading for judges and prosecutors. Interestingly, the feudal ethics would arise to matter with the posts of bench such as demeaning manner or verbal unkindness and embarrassment. That would be comparable with other types of ethical issue on the prosecution officers, such as wedlock baby or high profile of profiteering. 2015 results had revealed from one source,

“Daejeon local

The kind of moderate hybrid of progress in the KJS with the politics and professional paradigm seem to explain this intact cultural group very much, especially since the post-1987 or 1990’s turn understood within the PET. They tend to comingle with the principle of democracy and public activism with their professional cause. The MINBYUN, DAA in English, is a representative public organization within the realm of Bar, and contributed much to advancement of national democracy and professional rightness. It consists of more than 900 lawyers as of March 2014, which is not gross in consideration of whole attorneys in Korea, but small in share implicating the advocacy group of lawyers as a membership. It has a scope of special committees numbered at 11, showing the role and responsibility of professions in the society, i.e., political liberty or democracy and social justice (2014c; 2015a,c). In the preamble, it pronounced,

“Lawyers for a Democratic Society is an NGO with special consultative status to the United Nations Economic and Social Council (UNESCO) and strives to further the development of democracy in Korea through litigation, research, and investigation. To this end, MINBYUN is also dedicated to protect basic human rights and attain social justice.”

For example, it manages the labor committee and women’s right committee, and environmental committee, economy and welfare committee, which are any notable modern area of policy concern for political liberty and social justice. The

emancipation and negative or positive liberty of individuals are truly the ideals that the politicians and lawyers envisage (2014a,b; 2015b,d). The organization also vindicates our hypothesis that the national particulars are important on the PPKJS. Given the political interactivity with the US, it would be meant plausible that MINBYUN deals with the legal or even diplomatic issue of US military presence in Korea by providing the special committee named “US Military Issues Committee.” While the two Koreas are any thread of our nation, it has a due reason and practical implications that they deal with the reunification issue of two Koreas in the same title of committee. The media committee corroborates the increasing importance within the nations of liberal democracy while the correction of past wrongs committee had a rich story to restore the historical injustice from imperialism and authoritarian government upon the founding of Republic. The international solidarity committee supports our idea that the professions are intertwined with the international community, and the lawyers tend to be more internationalized in terms of the economic or socio-cultural awareness and reality. Its branch office spreads nationwide at major cities, such as Dae-gu and Gwang-ju. The table shows the names, status and activities of each committee.

Table

Names	Status	Activities
1. Labor Committee	<ul style="list-style-type: none"> ● As old as organization itself ● Largest with total of eighty-five members ● Weekly regional meetings and quarterly plenary meetings ● Advocates on behalf of and protect the rights of laborers 	<ul style="list-style-type: none"> ● Holds regular seminars with research presentations on the key labor issues ● Cooperates with labor unions ● Annual international solidarity meetings with Osaka Lawyers Union for Labor (Japan) ● Provides a legal assistance for labor law suits ● Regularly publishes a series called Labor Law Explained by Lawyers and Review on Labor Precedents
2. US Military Issues Committee	<ul style="list-style-type: none"> ● Established in early 2001 	<ul style="list-style-type: none"> ● Studies domestic law on the Status of

	<ul style="list-style-type: none"> ● Consists of twenty members ● In response with the increasing public interest of recent tragic mishaps 	<p>Forces Agreement (SOFA)</p> <ul style="list-style-type: none"> ● Cooperates with the related organization to prevent and minimize the detrimental effects that the US military presence may have on the Korean people ● The Oil spoil on a US base in 2001, problems regarding military vehicles without number plates, 2002 armored vehicle accident, relocation of US military base, defense expense share, environmental pollution
3. Media Committee	<ul style="list-style-type: none"> ● Coalition with the Publication Ethics Committee, the Broadcasting Committee, Sports and Tourism, and Viewer Commentary Committee ● Committed to develop and advance new, alternative policies to strengthen the media role in promoting democracy in Korea 	<ul style="list-style-type: none"> ● Cooperates to promote a media legislation reform movement ● Effort to increase newspaper transparency ● Rejected the Act on Types and Criteria for Unfair Trade Practices in the Newspaper Industry and the Act on the Freedom of Newspaper ● Applauds the Public Information Act
4. Women's Rights Committee	<ul style="list-style-type: none"> ● Formed in 1999 and 	<ul style="list-style-type: none"> ● Advocates for the protection

	<p>Consists of 49 members</p> <ul style="list-style-type: none"> ● Chosen as an exemplary committee in 2004/divided into six teams on specialization 	<p>of women's rights</p> <ul style="list-style-type: none"> ● Six agendas : Family law, prostitution and sex trafficking, violence against women, poverty and female labor, publication and planning, membership management
5. Reunification Committee	<ul style="list-style-type: none"> ● Eighteen member ● Meets on a monthly basis and studies related laws 	<ul style="list-style-type: none"> ● Premised that the reunification is the most critical issue ● Played a significant role in completing inter-Korean Exchange and Cooperation Act and inter-Korean Cooperation Pact ● Deal with the Problems of National Security Act
6. Environment Committee	<ul style="list-style-type: none"> ● Advocates for the environmental preservation 	<ul style="list-style-type: none"> ● Publishes a sourcebook of environmental lawsuit cases and manages a leading resource center for environmental litigation ● Oversaw a class action on the cases, titled "International Gimpo airport" and "Saemanguem Tidal Flat Reclamation" ● 2005 radioactive waste disposal facility in Busan/2007 Taesan coast oil

		spillage /2010 air pollution in Seoul
7. Correction of Past Wrongs Committee	<ul style="list-style-type: none"> ● Studies human rights violation that occurred as a result of the government's abuse of power, coordinates and manages lawsuits to this effect, and exposes the abuse of judicial power 	<ul style="list-style-type: none"> ● Involved in the reforms of act on correction of past wrong doings ● Reorganization of the government committee involved in this field ● Publishes a lawsuit sourcebook of human rights violations under the Japanese rule
8. Judiciary Committee	<ul style="list-style-type: none"> ● Monitors the actions of the Presidential Commission on Judicial Reform and acts as a mouthpiece for MINBYUN's positions on judicial reform programs 	<ul style="list-style-type: none"> ● Involved with the Law school system jury system, principle of a public trial and Supreme court practice and procedure ● Cooperates with the KNA secretariat during the confirmation hearing of Chief Prosecutor Officer ● Jurisdictions between the KPO and police ● Voices on various policy issue on KJS : unitary legal professionalism, current operation of law school system, disproportional authority among the police, prosecutors and courts, reform on due role

		between MOJ and KPO
9. Public Welfare & Economy Committee	<ul style="list-style-type: none"> ● Created in 2005. ● Aims to alleviate socio-economic polarization in Korean society 	<ul style="list-style-type: none"> ● Focuses on housing, consumer protection, middle class debt, and small and mid-size enterprise ● Monthly meetings consisting of one-hour lectures or readings and discussions
10. Education Committee	<ul style="list-style-type: none"> ● Promotes the right to education, advocates for individual freedom for students, and aims to protect the rights of teachers 	<ul style="list-style-type: none"> ● Filed a lawsuit on the controversy on the government monopoly on the contemporary Korean history textbooks for the middle and high schools ● Involved to Eradicate the corrupt private education and to amend the Private School Law
11. International Solidarity Committee	<ul style="list-style-type: none"> ● Granted a special consultative status with the UNESCO ● Adopts UN human rights monitoring mechanisms to report local human rights violations and enhances the effectiveness of the implementation of international Covenants applying to human rights 	<ul style="list-style-type: none"> ● Drafts reports on the human rights conditions in ROK ● Dispatches a delegation to present them in written and oral statements during the sessions of treaty-based bodies that Korea joined. ● In 2008, candlelight vigils held in response with the FTAs with US

		<ul style="list-style-type: none">● Cooperates with the International Criminal Court (ICC) and other local or international organizations.
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