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<td><strong>Author(s)</strong></td>
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The Media Watchdogs In South Korea

By

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The Media Watchdogs in South Korea

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### Media Monitoring Institutions in the Republic of Korea

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<td>radio, TV</td>
<td>X</td>
<td></td>
</tr>
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<td>video, cinema, records (+ performing arts)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program Review Committee (Cable Communications Commission)</td>
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<td>X</td>
<td></td>
</tr>
<tr>
<td>Press Arbitration Commission</td>
<td>newspapers, radio, TV, cable TV</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

1) Subject to prior screenings are advertisements, films, imported programs except for news and sports programs. The rest of program genre are examined afterward.

2) News programs are reviewed after transmission.
1. Introduction

The Republic of Korea (South Korea) occupies the southern half of the Korean peninsula that covers 220,277 square kilometers. The Korean language belongs to the Altaic subfamily of the Uralic and Altaic family of languages. As a written language, Koreans use Hangul, composed of 24 alphabets, which were invented by King Sejong in 1446. While it is entirely possible to write only in Hangul, the Chinese characters are used optionally in writing.

Korea was divided into south (Republic of Korea) and north (Democratic Peoples Republic of Korea) right after the country was liberated in 1945 from the 36-year-long occupation by Japan. Before Japan’s annexation of the country in 1910, Korea had been a unified country for five centuries under the Yi Dynasty. After the Korean War ended in 1953, the Korean peninsula had been turned into a forefront for the bitter Cold War confrontation between the superpowers.

South Korea adopts a presidential system and has a written constitution. Under the current sixth Republic, the president serves a single term of five years. The Korean parliament, National Assembly, is a unicameral body whose members serve for four years. Despite the separation of power among the executive, legislative, and judicial branch, the executive branch exercises a stronger power than do the other two. The present ruling Democratic Freedom Party is a coalition party among the former ruling Democratic Justice Party and two opposition parties. The opposition is provided by the Democratic Party.

The political history of South Korea in the last three decades is interspersed with turbulent events. Since General Park Chung Hee seized power by coup in 1961, the country had been subjected to a generation of dictatorial rule by the military regime. During this period, however, South Korea had been rapidly transformed from an agrarian society to an industrial state. Yet, such a rapid industrialization had to be made at the expense of political development. In the social climate in which maximization of efficiency was extolled, civil disobedience was outlawed and human rights had been grossly violated in the name of national development. It is indeed no wonder that for the last three decades Korea has been frequently depicted as a land of two contradictory images, those of an economic success and brutal political repression.

Nevertheless, the perseverance of the freedom-fighting forces was finally rewarded in 1987, when the heir apparent Roh Tae Woo capitulated to the fierce popular resistance and announced his plan to reinstate the direct election of president by popular votes. Up to that time since 1973, president had been elected by a nominal representative body, which guaranteed the selection of a candidate chosen by the ruling party. Yet Roh’s so-called June 29 Declaration, though devised by him as a political stratagem to stay in power, triggered a process of long-awaited democratization. And thus for the next five years, the whole country was engulfed by a tidal wave of demands for more rights and better wages.
In the 1992 presidential election in which only civilian candidates contested, Kim Young Sam was elected. Kim became the first civilian president elected since the military took power in 1961, thus ending the three-decade-long dictatorial rule. The Kim Administration has undertaken wide-ranging reforms, purging once-sacrosanct military, as a result of which its political power has been drastically reduced. Because of his bold acts, President Kim enjoys a wide support from the people, although his initial zeal for reforms seems to be abating in his second year in office.

The history of the Korean press has been no less turbulent. During the First Republic under President Syng Man Rhee (1948-1960), the Korean newspapers performed relatively well as a watchdog of the government, whereas radio broadcasting run by the government failed to carry out its surveillance function. Yet the arrival of military regime in 1961 put an end to whatever freedom then enjoyed by the Korean press in the previous decade. Under the military regime, the freedom of the press rapidly deteriorated. The development-oriented young turks tended to regard the press more as partner for nation building than an adversary of the power. During the Park and Chun regimes, the degree of press freedom was so low that the government bureaus in charge of overseeing the press went so far as to dictate to news editors which story could be printed and which could not. Those who dared to disobey had to prepare themselves for torture in a dark cell.

Yet, even under harsh press control by the military government, some brave journalists did speak up for the press freedom. Having cleared the way for permanent rule by coercively amending the Constitution in 1972, General Park ruled the country by emergency decrees which superseded the Constitution. On October 1974, the journalists in the Dong-A Ilbo, one of the most prestigious daily in the country, proclaimed in protest of the arrest of their colleagues their determination to defend the free press and staged a sit-in for their release. In response, the government pressured advertisers not to buy space from the newspaper to block its financial pipeline. Yet when the readers heard that the newspaper suffered from a financial pinch, they began to buy one to several lines of advertising space in the newspaper to express their support. The pages filled with tiny personal ads applauding the courage of the Dong-A reporters were an eloquent display of readers' support for the journalists who rose up against the dictatorship.

Unfortunately, such courageous actions by journalists did not carry over into the 80s. In the winter of 1979, two months after President Park was assassinated, General Chun seized power by a coup and ruthlessly crushed people's yearning for a return to a civilian rule. Instead, he merged by force, as part of what he called "social reforms," three private radio stations and one television station into the government-run Korean Broadcasting System (KBS), making broadcasting completely a public operation. Such a drastic policy sent a clear message to the journalists what his press policy would be like during his tenure. However, Chun also knew carrots had to be mixed with stick. Thus with a huge increase in salary and enlarged fringe benefits he could cajole most of them into silence. As a result, throughout the Chun's rule, the press was mostly acquiescent and when the anti-government movement was gaining momentum in the late 80s, most journalists remained silent and did not join the democratic forces. It was not until after the Chun
government gave in to the popular resistance in 1987 when the press began to speak up for its own freedom. For its failure, an umbrella organization of the press unions apologized in a message to the nation for their lack of courage under the Chun government (see later).

After the Minjuhwa (democratization) process began in 1987, the various forms of press control used in the previous regimes disappeared. As a result, the Korean press now enjoys an unprecedented degree of press freedom. The number of daily newspapers increased from 28 in 1987 to 114 in 1993 and the number of pages in the dailies expanded from 12 to 32-40. In the meantime, the publication of weekly magazines multiplied almost nine times since 1987 (see later). Yet an irony in this age of democracy is that the Korean press now wields such a power that its problem is not so much a lack of its freedom as an absence of institutions that could check the abuse of its power. Even the popular Kim government, which eliminated overnight the strongmen in the military, is timid in addressing to the press. It is against this background that the citizens' movement is fast emerging as one of the most vigorous watchdog of the mass media. More will be said later of this citizen activist groups.

II. Nature of the Watchdog Mechanisms
A. Institutional Watchdogs
1. Watchdogs for Newspapers

1) Newspaper Ethics Committee

As a self-ruling organization, the Newspaper Ethics Committee (NEC) checks the ethical dimension in the contents of newspapers and wire services. The NEC, formed in 1961, is the oldest living media watchdog in Korea. However, despite its long history as an autonomous watchdog, the NEC is frequently criticized for its lackluster performance as a guardian of newspaper ethics. The bylaw allows the NEC to require its members to "correct, cancel, or make apologies" for any news story deemed unethical. And against the aberrant newspapers the NEC can recommend disciplinary measures, which include suspension and expulsion of the person concerned from the organization. However, the sanctions NEC takes normally do not go beyond the level of cautions or warnings. Thus, during the entire 1964-1992 period NEC screened 4,758 cases of news stories and had issued 1,787 cautions and 1,876 warnings, whereas NEC ordered only ten corrections, one cancellation, and four apologies! Such figures demonstrate that NEC is by and large a perfunctory mechanism without many teeth.

2) The Press Arbitration Commission

Part of what the self-regulating Press Ethics Committee should do for itself is done instead by the Press Arbitration Commission (PAC). Unlike autonomous PEC, the PAC is a statutory body created in 1981 by the predecessor of the current Periodical Act. The law mandates the PAC, first, to arbitrate disputes involving inaccurate news reports and,
first authority is to help readers exercise a right of reply against the media by intervening between the two parties. When a reader’s claim is justified upon deliberation by the PAC, the media organization found responsible must print immediately what was wrong with the news story free of charge.

The PAC procedure is apparently helping ordinary reader or viewer without legal resources register his or her complaint to the media. Table 1 shows the number of complaints audience had taken to the PAC during 1981-1993. The figures show that the number of applications sharply increased since 1989, while the percentages of corrected stories fluctuate around fifty percent. The sharp upturn from the late 80s apparently has to do with the expanded number of pages in newspapers and audience’s increased self-confidence in speaking to the media.

Table 1. Number of Applications filed to PAC for Correction of Mistaken News Stories and Percentage Corrected During 1981-1993

<table>
<thead>
<tr>
<th>Year</th>
<th>'81</th>
<th>'82</th>
<th>'83</th>
<th>'84</th>
<th>'85</th>
<th>'86</th>
<th>'87</th>
<th>'88</th>
<th>'89</th>
<th>'90</th>
<th>'91</th>
<th>'92</th>
<th>'93</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Applications</td>
<td>44</td>
<td>50</td>
<td>71</td>
<td>54</td>
<td>59</td>
<td>49</td>
<td>47</td>
<td>55</td>
<td>121</td>
<td>159</td>
<td>220</td>
<td>381</td>
<td>423</td>
<td>1,733</td>
</tr>
<tr>
<td>% Corrected</td>
<td>36</td>
<td>56</td>
<td>49</td>
<td>44</td>
<td>44</td>
<td>55</td>
<td>36</td>
<td>62</td>
<td>49</td>
<td>57</td>
<td>47</td>
<td>52</td>
<td>54</td>
<td>51</td>
</tr>
</tbody>
</table>

Source: Press Arbitration Quarterly (Spring, 1994), p. 94.

Table 2 shows the total number of complaints filed to the PAC across medium types for the same period. Statistics clearly indicate that the dominant proportion of the petitions were filed against newspapers (66.2%), with radio and television trailing far behind. Meanwhile, the most frequent reasons for grievances stated in the same thirteen-year period concerned libel and infringements on privacy, which accounted for more than three quarters (77.4%) of the total. The story type contested most often in the newspaper and wire service in 1993 was the straight news item (76%), which in turn accounted for 64% of the reasons filed against radio and television. The types of applicants were headed by individual readers or viewers (66.7%), followed by private enterprise (18.2%) and civic organizations (7.8%).

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4
Table 2. Number of Applications to PAC for Correction of Mistaken News Stories by Medium Types During 1981-1993

<table>
<thead>
<tr>
<th></th>
<th>Dailies</th>
<th>Wire</th>
<th>Broadcast</th>
<th>Weekly</th>
<th>Monthly</th>
<th>Weekly</th>
<th>Monthly</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newsp.</td>
<td>1,147</td>
<td>33</td>
<td>179</td>
<td>184</td>
<td>7</td>
<td>72</td>
<td>108</td>
<td>3</td>
<td>1,733</td>
</tr>
</tbody>
</table>

In addition to arbitration of disputes, PAC is empowered by the Periodical Act is to "deliberate infringement cases by the contents carried in the periodicals" (Article 18:8). What this phrase means is that PAC can review the contents of the print media on its own, even in the absence of petitions from readers and, when necessary, can "recommend a correction to the publisher" (Article 18:8). PAC specified what kinds of news stories would constitute infringement cases, but the standards for deliberation are written in so a broad and abstract language that it is hard to find news stories that would not violate the code of ethics. Regarding the "correction" that PAC recommends to the accused medium, the Periodical Act does not elaborate what form such correction would specifically take, but in practice it is known to have no more effect than to call media's attention to the matter raised.

While the PAC's request for correctional actions may improve the quality of journalism, PAC's such role seems incongruous with its arbitration function. For this reason, some scholars argue that the PAC authority of examining contents amounts to a de facto censorship of the print media and the PAC's practice contravenes the Constitutional guarantee of the freedom of the press. They further propose that PAC's task of actively searching for unethical news stories should be turned over to the self-regulating Press Ethics Committee.

The Press Arbitration Commission is divided into 14 jurisdictions across the country. Each office is seated by five commissioners named by the Minister of Public Information. The two fifths of the members should be judges and are recommended by Head of the Judicial Administration. Members serve for a term of three years and may be appointed for more than once. PAC is financed by a public fund called Public Interest Fund that is raised in the form of agency fees from broadcast advertisers.

According to the current procedure, the audience have three ways at their disposal in correcting the mistaken news stories: i) to make a demand directly on the medium responsible, ii) through the mediation of PAC, iii) to seek court's injunction for
correction. However, the procedures are arranged such that before going to the court, applicants must first seek PAC's mediation, and only when PAC's arbitration fails, then they can take their case to the court. In 1993, 20 cases (4.7% of the applications) were brought to the court after the arbitration failed. The person who wishes to use PAC's mediation should make the request within thirty days after the contested content was made public. And if the demand is found warranted, the publisher should print the correction within nine days after the request was made.

It would be fair to say that the Press Arbitration Commission is a legacy of the authoritarian reign of the 80's. Especially, the PAC's second role, which is active inspection of the media content, reflects the authoritarianism prevailed in the previous decades. This function does not squares with the spirit of the times. However, its record of arbitration demonstrates that its mediation has made a right of reply more accessible for the ordinary people who do not have resources or knowledge for legal action.

3) Reader's Page in Newspapers

Readers' feedback pages in daily newspapers expanded a great deal from the late 80's on and these pages serve as the space where the reader can voice their opinion and dissension. While many of the messages sent are readers' opinion on the news stories, they frequently question the way the news stories were written. The expansion was made possible by the increased number of pages printed (currently 32 pages) and, perhaps more important, greater freedom of expression acquired as a result of democratization.

As an improvement to this measure, since 1993 many daily papers have created the ombudsman office and installed direct telephone, fax, and electronic mail whereby the readers can point out the inaccuracies in the news stories or send their criticism and comments. The Chosun Ilbo, best-selling morning paper that introduced this system in 1993, had received 6,748 cases in the first year of its operation, or 19 cases per day on average. Of these, 43 percent were concerned with the alleged inaccurate reports and 38 percent with critical comments. In response, the newspaper conceded and printed an average of 4.4 cases of inaccuracies, and carried 3.7 cases of readers' criticism of the news stories.8

These pages clearly help to subject the newspapers to a scrutiny of the readers. However, such service does not deserve the title of ombudsman, in that it is not yet developed, as in Sweden and the United States, to the extent that an independent person represents and mediates the interest of the press and the readers on equal terms. Whether the service will develop into another effective watchdog of the media depends on whether it can acquire independence in its operation and transcend the self-interest of the media organization that created the office.
2. Watchdogs for Periodicals

The Periodical Ethics Committee is a self-regulatory monitor of books, magazines, comic books. The Committee has its own monitoring staff and has three examination subcommittees that pass judgments on the materials prepared by the staff. Each subcommittee is seated by independent juries chosen from the academic community, the press, and civic organizations.

Since the Periodical Act was liberalized in 1987, the number of periodicals vastly increased. The number of weekly magazines increased from 226 to 2,236 in 1993 (889%) and monthly magazines from 1,298 to 3,146 (142%). Yet at the same time many new periodicals go out of business fast. In 1993, 1,437 new periodicals appeared but 564 of them shortly closed their shops, which means that, on average, four periodicals appeared and 1.5 periodicals ceased publishing per day.

As in the case of self-governing Press Ethics Committee, the bulk of disciplinary actions taken by the organization were cautions and warnings. In 1992, the Committee decided to request the cancellation of 152 articles, which had mostly to do with the advertisements for international dial-a-porn and fortune-telling service. Yet all of the actions taken by the Committee are advisory in nature, so that there are not subject to any punitive actions internally enforced. The Committee can also recommend punishment for the code-violating publishers to the government authorities concerned. The dominant reasons for disciplinary actions was obscenity, followed by violence (Table 4). These materials were mostly found in the mass entertainment magazines and comic and women’s magazines.

Table 3. Frequencies of Disciplinary Actions taken by Periodical Ethics Committee during 1990-1993

<table>
<thead>
<tr>
<th>Caution</th>
<th>Warning</th>
<th>Printing</th>
<th>Sanction</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Banned</td>
<td>Recommend</td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td>134</td>
<td>250</td>
<td>0</td>
<td>33</td>
</tr>
<tr>
<td>1991</td>
<td>138</td>
<td>209</td>
<td>33</td>
<td>32</td>
</tr>
<tr>
<td>1992</td>
<td>92</td>
<td>114</td>
<td>154</td>
<td>27</td>
</tr>
<tr>
<td>1993</td>
<td>71</td>
<td>95</td>
<td>0</td>
<td>2</td>
</tr>
</tbody>
</table>

Table 4. Reasons for Disciplinary Actions taken by Periodical Ethics Committee 1990-1993

<table>
<thead>
<tr>
<th>Year</th>
<th>Obscenity</th>
<th>Violence</th>
<th>Obscene Ads etc.</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>388</td>
<td>1</td>
<td>22</td>
<td>6</td>
<td>417</td>
</tr>
<tr>
<td>1991</td>
<td>306</td>
<td>7</td>
<td>97</td>
<td>2</td>
<td>412</td>
</tr>
<tr>
<td>1992</td>
<td>164</td>
<td>13</td>
<td>209</td>
<td>1</td>
<td>387</td>
</tr>
<tr>
<td>1993</td>
<td>90</td>
<td>15</td>
<td>63</td>
<td>0</td>
<td>168</td>
</tr>
</tbody>
</table>


3. Watchdogs for Broadcasters

1) Korean Broadcasting Commission

The Korean Broadcasting Commission (KBC) is an independent regulatory body created in 1980 to oversee both public and commercial terrestrial broadcasters in Korea. As a regulator, it performs important watchdog functions as part of its mandate. According to the Broadcasting Law, the KBC is empowered to function as guardian of the public interest in the following three ways. First, it recommends to the President the board members of two public broadcasters: the Korean Broadcasting Corporation (KBS) and the Broadcasting Culture Development Foundation, the largest shareholder of the Munhwa Broadcasting Corporation (MBC). Second, it operates a mechanism charged with the settlement of audience’s complaints against broadcasters. Third, prior and posterior examination of contents of programs (Article 27).

a) Program Review Committee

The KBC Program Review Committee thoroughly monitors and determines whether the contents of programs aired meet the public interest requirements. The Committee itself comprises five separate subcommittees, which deal with the contents of news and cultural programs, entertainment, movies, advertising, and languages. Of these, the full contents of the movies and advertisements are examined by each subcommittee prior to being televised. The remaining three genres of program are reviewed after being aired.

The members of the Program Review Committee are appointed by the chairman of the Broadcasting Commission, subject to the approval of the Commission members. The subcommittees consist of seven to nine members, whose term of service runs for one year. The Subcommittee members are expected to have expertise or experience in the area they...
serve. The subcommittee members meet once or twice a week. To assist their deliberations, the staff of a bureau in the Commission thoroughly monitor the radio and television programs and submit the results of their initial screenings to the subcommittee meetings for their judgment.

The legal basis for program reviewing is provided in the Broadcasting Law, which regulates terrestrial broadcasting in Korea. According to Article 17(2), the Committee is empowered to examine the broadcast contents "in order to determine whether the broadcast contents maintain impartiality and publicness as well as whether broadcasters observe public obligation in the matters of public interest." For reviewing purpose, the Broadcast Commission draws up the code of standards and practices and updates it regularly.

With regard to the broadcast programs that violate the code, the Broadcasting Law provides three kinds of correctional and disciplinary measures: i) broadcaster's apology to the audience, ii) due revision, explanation or cancellation of the broadcast contents in question, iii) disciplinary measures against the persons responsible range from caution to suspension not in excess of a year (Article 21:1).

Upon receiving a verdict from the KBC, the broadcast station concerned must broadcast without delay the full text of the ruling given by the respective subcommittees and report to the KBC the result of its compliance within seven days. However, before the KBC decides such punitive measures, it should give the party concerned a chance to state his or her position on the matter under dispute. (Article 21:2,3).

The KBC releases, through its monthly bulletin, the results of subcommittee rulings. The monthly report includes summary tabulation and brief descriptions of the cases disciplined. The KBC press releases attract good attention in the print media, especially when media celebrity or popular programs are rebuked for the breach of code of standards. In 1993, the KBC issued 247 warnings, 306 cautions, and took 19 disciplinary measures against news/culture and entertainment programs. 313 cases involved television programs and 270 cases the radio. Such figures amount to a 24.6% increase of the 491 cases cited in 1992. The most common reason for sanctions against news/culture programs was infringement on individual rights and libel (62%), followed by subtle indirect advertising (11%).

For television movies, one of the two program categories subject to prior screening, a total of 3,587 cases were examined in 1993. Of these, 36 cases were rejected while 531 cases were approved conditionally. For advertisements, out of 30,970 cases screened, 920 submissions were turned down and 7,964 cases obtained conditional clearance. The most frequent reason for rejected advertisements was false and deceptive expression (34%), followed by expressions judged to be detrimental to childhood development (25%).

The KBC's program review is done far more effectively than that by the print counterparts, perhaps because it is what it can do best in the absence of policy-making.
authority. For this reason, the KBC is often regarded as a deliberative body more than a powerful regulator of terrestrial broadcasting. Yet, the effects of KBC’s program review is diluted by the lack of a policy linking the penalty record of broadcasters to their license renewal. As was shown, the bulk of disciplinary measures taken are cautions and warnings and these and other less severe measures tend to be received by the broadcasters not so seriously unless the person concerned is banned from appearing on the television screen. For this reason, the Committee for Developing Public Broadcasting, an ad hoc study group recently commissioned by the KBC, recommended that, to make broadcasters more accountable for their practice, the record of performance of broadcasters during the license period be fully taken into account in the renewal of their licenses. Presently, the right to grant and renew broadcast license is held by the Minister of Information and no public deliberating procedure such as public hearing is provided.

b) The Viewer Complaints Committee

The Broadcasting Law also stipulates that KBC deal with the complaints made by viewers concerning broadcast programs (Article 17:1:6). By this provision, the Viewer Complaints Committee listens to viewers’ complaints about program contents. Whereas the Press Arbitration Commission deals with infringements resulted from inaccurate news story involving a particular complainant, viewers can take to the Complaints Committee whatever they think is wrong with the programs they saw whether it concerns fairness or obscenity. The Committee is empowered to take the same level of disciplinary measures as that granted to the Program Review Committee. To assist viewers to file their complaints in written form, the KBC allows the complainants to inspect the taped record of broadcast programs. From December 1993, the KBC opened an on-line service for registration of complaints.

In 1993, the Complaints Committee settled 147 cases of 173 complaints filed. The audience’s complaints serve as extra eyes beyond the routine check by the Program Review Committee. For instance, recently a viewer filed a complaint about a television advertising of a van automobile that illegally passed the foregoing car by driving into the opposite lane to prove its engine power. The ad was later banned. Viewers can file complaint within two to four weeks after the program in question was broadcast. The Committee should notify the complainant of its decision within 30 days.

With less than three years in effect, the KBC’s audience complaints processing mechanism is still in its early stage of evolution. As in the cases of other watchdog organizations, its success will depend on how to make the broadcasters attentive to viewers’ criticism and complaints. Nevertheless, the procedure marks a step forward in making broadcasting more accountable to the viewers.

2) The Audience Committee within Broadcast Stations

The Broadcasting Law stipulates that all broadcasting stations establish an Audience Committee to get a regular feedback from viewers (Article 30). The Committee
members present the results of their personal observations and opinions to the head of broadcasting station and, if necessary, can request a correction on the program that they believe violates public interest or decency. The head of broadcasting organization is expected to comply with the demand from the Committee unless he finds legitimate reasons for doing otherwise. The Audience Committee members are appointed by the head of broadcasting station. The Committee consists of ten to fifteen members and meets more than once a month. The head of broadcast stations should report the result of Committee deliberations and his subsequent responses to the KBC on a monthly and annual basis.

While the Audience Committee serves as a channel through which the audience can convey their opinions to the broadcasters, it is essentially an advisory body and as such lacks a legally binding force. Also, it has been pointed out that the station head’s right to select the Committee members often makes the Committee discussion less than probing. For this reason, the recent report of the Committee for Developing Public Broadcasting recommended that the members of the committee be appointed by the governing board instead of by head of broadcast stations.

3) Self-Monitoring Office within Broadcast Stations

The Broadcasting Law also provides that each broadcasting station set up a bureau that self-monitors the contents of programs except for the news program before being broadcast (Article 30, 2). Since the law does not provide any further procedure beyond this requirement, each station has its own method of enforcing this provision. Typically, a separate bureau, located under the direct control of the chief executive officer, is charged with internal monitoring. The bureau examines the scripts of programs other than the news programs and, when necessary, requests their revision. In the case of public KBS, the bureau instructed in 1992 to rewrite 250 scripts (2%) out of 12,430 scripts it read in advance, while it took 574 disciplinary measures out of 54,334 cases reviewed after the programs were broadcast. The bureau also relies on external monitors to field the audience response on a regular basis.

While the work of the in-house monitoring body helps to improve the quality of broadcast programs, many doubt the rigor and effectiveness of its job. Especially when politically sensitive material is included in the program, it frequently fails to voice its independent judgment. Its weakness as an internal watchdog also has to do with the its relatively low location in the bureaucratic hierarchy vis-a-vis production departments. The program screening bureau is generally perceived among employees to be less important post and is generally known as a place for the demoted or those awaiting retirement. A less comprehensive but effective internal checking is provided by labor unions. More will be said about this important mechanism later.
4. Watchdogs for Cinema, Videos, Records

Cinemas, videos, and records are all subject to prior screening by the Commission for Ethics in Public Performance (CEPP), which also oversees performing arts such as staged drama and song. CEPP is a statutory body created by Public Performance Act in 1976. The Public Performance Act empowers CEPP to examine the contents of these media and to cancel or modify their contents. CEPP is financed by the Public Interest Fund and screening fees collected from applicants.

CEPP is composed of 17 commissioners and some of them chair six different specialized subcommittees that screen the contents of the submitted materials, i.e., cinemas, records and songs, videos, performance-related advertisements such as posters, new visual media such as CD-ROM. Each subcommittee consists of a commissioner who presides as chairman and four to twelve expert reviewers. The Commissioners are appointed by the Minister of Culture and Sports for a term of three years and the appointees in turn select the chairman from among themselves, subject to an approval of the Minister. The subcommittee reviewers are appointed by the chairman of the Commission for a period of one year. The reviewing task is supported by the staff in six corresponding bureaus in the secretariat.

To describe CEPP procedure for cinema (see Figure 1), the person wishing to import a film has to obtain first a recommendation of the Minister of Culture and Sports. To get the Minister’s recommendation, the importer must submit the original print (sample print) of the film for examination by the CEPP, which upon review issues a permit for import. The applicant takes this permit to the Ministry of Culture and Sports to obtain the Minister’s recommendation for import. Once the original film print is imported, the distributor must submit the print again to the CEPP for a closer examination of contents. Then the Cinema Subcommittee of CEPP examines and rates the film in four grades. The verdict is of three kinds: pass, fail, and conditional pass with revision. If the applicant finds CEPP’s decision unfair, the applicant can request a re-examination. CEPP procedure takes a week. Subcommittee reviewers normally meet three times a week and adjudicate on the basis of the CEPP review guidelines by a two-thirds vote of the members present. The procedures for videos and new visual media (CD-ROM etc.) are virtually the same as that for cinema.

The legality of CEPP’s pre-screening of videos and records was recently challenged by a singer who was prosecuted for having sold his audio tapes without CEPP’s examination. The court which reviewed this case ruled that the law concerned, the Act Related to Records and Videos, contradicts the Constitutional provision that guarantees the freedom of the press, publication, learning and arts (Article 6:2) and violates the spirit of the Constitution that prohibits prior censorship or approval of the press and publication (Article 21:2). The judge in charge further requested the Constitutional Court to rule on the constitutionality of this law. Although this particular case concerns only the law regulating records and videos, the Constitutional Court’s forthcoming ruling on this issue will have a far-reaching impact on the CEPP’s authority for the pre-examination of the media contents.
Figure 1. Flowchart of CEPP's Content Examination Procedure for Imported Cinemas

1) Application for Import ⇔ CEPP's Review & Decision ⇔ Issuance of CEPP Permit (sample print) clearance certificate

⇒⇒ ⇒ Import of original film ⇒ Ministry's Recommendation

⇒⇒

2) Application for Content ⇔ CEPP's Review & Decision ⇔ Issuance of CEPP Examination Completion Certificate
(Audience Rating + Revision etc.)

Note: Import Permit procedure (1) is not required for domestic cinema.
Table 5. Results of CEPP's Content Examination of Cinematic Films in 1993

1. Passed with Revision:

<table>
<thead>
<tr>
<th>Type of Revision and Frequencies</th>
<th>Number of Films</th>
<th>Visual Deletion</th>
<th>Visual Reduction</th>
<th>Caption Deletion</th>
<th>Dialogue Deletion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Obscenity:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic</td>
<td>35</td>
<td>19</td>
<td>92</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Foreign</td>
<td>119</td>
<td>87</td>
<td>216</td>
<td>23</td>
<td>0</td>
</tr>
<tr>
<td>Violence:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Foreign</td>
<td>46</td>
<td>26</td>
<td>102</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Decadence:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Foreign</td>
<td>2</td>
<td>7</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Others:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Foreign</td>
<td>4</td>
<td>0</td>
<td>1</td>
<td>8</td>
<td>0</td>
</tr>
</tbody>
</table>

2. Passed without Revision

<table>
<thead>
<tr>
<th>Revision</th>
<th>Number of Films</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic</td>
<td>26</td>
</tr>
<tr>
<td>Foreign</td>
<td>174</td>
</tr>
</tbody>
</table>

Source: CEPP

B. Non-institutional Watchdogs

Whether media monitoring is carried out by self-regulating bodies or independent agencies they are the activities of established institutions. Yet less systematic but more vigorous media watching is taking place outside such an institutional framework. The
activities are led by media labor unions and the citizen activist groups. The energetic activities of these two groups, which gained firm ground in the last several years, are perhaps the most significant development in the media surveillance in Korea today.

1. Media Labor Unions

Since the late 80s, labor unions organized within daily newspapers and broadcast stations have emerged as one of the two most effective media watchers in Korea. Presently, 55 unions are set up in 143 newspaper and broadcast organizations throughout the country. The media unions in Korea are not craft unions. Instead, typical of other labor unions in the country, only one overarching union exists within a given media organization. Thus the Korean media labor unions are not yet functionally divided along the specialties of workers. Nonetheless, the media workers have developed separate interest groups along their functional specialties. For example, news reporters, radio and television producers, cameramen, and broadcast technicians have their own professional associations. However, these bodies are the organizations of media employees who share the same craft and aim to promote their general interests other than collective bargaining vis-a-vis the management, which is done by labor unions. In 1988, individual media unions formed the Korean Federation of Press Unions (KFPUs) as their umbrella organization.

The first media labor union in Korea dates from 1945 but this early movement did not survive the anti-labor policy during the Cold War years of 1950's. The second wave of labor movement rose in the 1960's but was isolated to the skilled workers such as typesetters. Journalists did not join this movement and the goal of manual workers was largely confined to improving working conditions and wages. During the 1970s, however, when journalists took over the initiative, the primary agenda was shifted to an fight for the freedom of the press, which was on the verge of extinction under the autocratic Park regime. In March 1975, when the whole country was ruled by a series of emergency decrees, the journalists of the Dong-A Ilbo, one of the most prestigious daily newspapers, went on a strike. The strike, which was preceded by a series of manifestos for the press freedom they proclaimed since 1971, was swiftly met by a brutal retaliation by the government. On the early morning of March 17, 1975, some 200 hoodlums hired by the management raided the news room and ejected 163 reporters, producers and their sympathizing coworkers by force. Meanwhile, one day before the Dong-A journalists went into a strike, the junior newsmen in the neighboring Chosun Ilbo, a long-time rival of the Dong-A Ilbo, began to sit in and boycotted news writing. Thirty-three journalists were later fired by the company.23 These fired journalists of the two dailies later formed separate organizations to continue to fight against the Park regime and the management that betrayed their employees.

Yet, unfortunately, these courageous actions by the Dong-A and Chosun journalists were not echoed by their colleagues in the other media, perhaps in the face of naked threat from the government. The silence prevailed during later 70s further deepened when the Chun government employed a carrot and stick policy toward the press after he seized power 1980. Since then, the Korean media had virtually stopped functioning as a watchdog for some seven more years. The media workers had a chance to speak up for the press...
freedom and the restoration of democracy in 1987, when the Chun government capitulated to the massive citizen resistance demanding a reinstatement of direct presidential election by popular votes. Yet the press was largely reticent and did not stand by the democratic coalition forces at this critical juncture, much to the disappointment of their readers. The failure of the media workers to do their share later left many journalists to soul-searching.

The election of ex-general Roh as president in 1987 and the less stringent rule he adopted unleashed people's long-suppressed desire for more freedom and better life. In the midst of nationwide labor turmoil, the media workers began to organize their own labor unions. The Hankook Ilbo, a major daily newspaper in Seoul, organized the first press union in the nation in the fall of 1987. A year later, 41 individual media unions joined themselves to create its umbrella organization, KFPU. In an open letter presented to the nation, KFPU frankly admitted its failure to carry on the struggle for the press freedom and apologized to the nation for their silence and frequent collusion with the dictators, and proclaimed that they would be born again.24

Once organized, press unions began to serve as a potent watchdog against the media. The revitalized press unions after 1987 concentrated their efforts on promoting fairness in news reporting that had been grossly distorted by the government authorities and collaborators within the media, who were the management and self-promoting senior newsmen. Hence, the self-interest of union members such as salary raise was given a low priority. Such positioning by the unions proved to be wise and they could elicit huge support from the audience, who had long resented the distortion of television news in the 80s.

Today, watchdog activities of the press unions include the followings. First, many individual unions have succeeded in devising a formula whereby the managing director of the news room is chosen. In the past, its selection was a prerogative of the management. Yet after the Busan Ilbo managed to secure a right to nominate three candidates for the managing director, other media quickly followed suit. Thus, many news organizations now have varied electoral methods whereby they can voice their preference, before or after the candidate is chosen.25 The union's say in the nominating process or confidence vote is an effective mechanism through which they can block the appointment of a political figure, who lacks qualification or a will to fend off pressure from the management as well as from outside. The unions' such cohesive action also sent to the government a clear message that undue influence in the nominating presidents of the KBS and MBC, two gigantic public broadcasters in the country, would be no longer accepted a matter of course as in the past. In 1990, to thwart the government's attempt to plant an anti-labor president, the KBS union staged a month-long rally which highly publicized the issue to the general public. The event has helped to make the practice of media manipulation by the government, hitherto not known well to the ordinary people, a national issue.

A second way of keeping vigil over the media manipulation and unfair reporting, press unions have devised mechanisms whereby the union and the management can examine together the alleged cases of unfair news reporting. For example, the Fair Broadcasting
Committee in public-service KBS recently demanded an explanation of the reduced chroma-keyed picture of the leader of the opposition party, which was juxtaposed on the television screen with that of President Kim Young Sam in a recent television news report. After the committee made an issue of this case, an unprecedented joint investigation team found out that a person from news editing department asked a graphic designer to reduce the picture of the opposition leader so that the picture of the President Kim could look larger. Although the investigation was unable to determine whether such an absurd request was masterminded by a high-ranking official, the management and the KBS union agreed to take a disciplinary action against the persons involved.26

A third means by which the press unions carry out their watchdog role is through publishing activities and holding open forums on timely subjects. Currently, the KFPU and individual unions, as well as professional associations for reporters and producers publish their organs on weekly to monthly basis, and these publications carry trade news and critical analyses of the media contents. Together, these various publications serve as effective outlets for publicizing controversial issues surrounding the media to their members and the interested readers outside the media. For the latter category of readers, these organizations solicit subscriptions to their publications as honorary members. Holding public forums on the current topics related to the media serves as another useful method to bring important media issues to the attention of the readers both in and out of the media.

Over the last six years or so, press unions have been very effective in resisting external pressure on the press, notably from the power center. Yet there is a sign of languishing. While the union’s watchful eyes for unfair reporting continue to be on the vigil in large media organizations such as KBS and MBC, there is an indication that they have lost some of the dynamism exhibited earlier. Ironically, part of the reason may have to do with the improved press freedom under the civilian government of Kim Young Sam. Under a more democratic government, press unions are losing one of its powerful causes to fight for. This is not to mean that the press policy of the Kim government is devoid of authoritarian character of the previous government. Nevertheless, with the coercive regime gone, the vigorous activities of press unions in the late and the early 90s have slackened somewhat and seem to have entered a stage of entrenchment. Many unions today have difficulty selecting their own officers. Furthermore, once their common enemy defeated, the interests among the union members often diverge and sometimes even conflict one another.27

The demise of a common enemy and the mighty power of the media also put strain in the erstwhile solidarity forged between the press and the audience. The growing tendency in the unions to focus their attention on improving wage increases and fringe benefits makes the audience think twice about the dual nature of the unions. The increasing cases of infringements on privacy, libel, inaccurate reporting, sensationalism, coercive tactics for subscription promotion, inefficiency in the public broadcasting institutions, arrogance of employees are some of the real or potential factors that may dilute the popular support that press unions have once enjoyed.
On balance, though, it may be said that press unions, especially after 1987, have contributed a great deal in making the media more accountable to the people. But in the changed political and media context, media unions have a delicate task of balancing their self-interest and their self-imposed mission to serve as guardian of the public interest.

2. The Citizens' Movement

While the press unions check the media from inside, the citizen activist groups vigilantly watch the media from outside. The citizens' movement in the 80s rose in reaction to a virtual seizure of the broadcast media by the government. Particularly, people resented a grossly distorted radio and television news, which had been the target for media manipulation. Yet well before the citizens' movement gained ground in the mid-80s, people showed their anger over the inability of the press to speak up against the repression. During the 70s, when the country was ruled under the emergency decrees, college students and religious leaders frequently censured the media for their silence. Nevertheless the manifestation of the citizen resentment in the 70's lacked the organization and continuity that characterized the audience movement in the mid-80s.

Under the Chun government, media manipulation became rampant. Especially, meddling with the broadcast media were far more serious than with the print media. In the midst of growing cynicism and anger among people, the Catholic peasants in the Cholla province began in 1984 to boycott the payment of television viewing fee, which funded the public-service KBS television. This bold initiative was soon picked up by the anti-government forces and the Protestant activists. In 1985, the movement got an extra momentum when a female fee collector disclosed the corrupted practices in fee collection process and later was assaulted. The incident prompted women's organizations into action. And when the news media reported about the affair, it caught nationwide attention and immense popular support poured in. The boycott provided another rallying point for the opposition movement that was gathering momentum in the latter half of the 80s.

Encouraged by the popular support, the citizens' media surveillance activities have become more organized and diversified after that. The audience movement, as it is known in Korea, is providing a leadership in media education, media monitoring, and media criticism.

Of the three, monitoring the media contents has been the oldest and most prominent activity. In retrospect, the salience of media monitoring was natural in that it started as an attempt to unmask the distorted television news in the 80s. The most active and best organized effort in this area is provided, among others, by the Seoul YMCA. It has its own separate monitors, who closely watch television programs and send the results of their analysis to the broadcast stations concerned, media reporters in the news media, and the institutionalized media watchdog such as the Korean Broadcasting Commission. Special events such as election become natural targets for vigilance by these monitors. During the presidential and parliamentary elections in 1993, news analysis conducted by the Seoul
YMCA in cooperation with a citizen coalition group had made the television newsmakers more attentive than before to the fairness in news coverage. Besides television monitoring, the Seoul YMCA operates a separate organization called Gunbeyon (the Citizen Group for a Healthy Video Culture), which has provided the equivalent service in the area of video and cinema since 1989.29

Media monitoring activities have been helped by short monitor training courses offered by various citizen activist organizations. For example, the Seoul YMCA, since it first organized a monitor club in 1985, has offered monitor training courses once or twice a year and turned out almost a thousand trainees in its nine-year-old history.30 Typically, media education or media awareness program offers a short course on how to watch and 'read' various television genres such as news, advertising, drama, as well as lectures on current issues regarding the media. The Seoul YMCA also send out their media trainers to churches, schools, and civic organizations on their requests.

These audience activist organizations actively seek the outlets to publicize the results of their media watch in newspapers and media-related publications. In recognition of growing importance of the broadcast media, most daily newspapers have now a separate media section, which carry media review columns written by their own staff and guest writers. For its part, television has recently started its own version of self-criticizing programs where it listens to the audience feedback and discuss the various issues brought up. These columns and programs help make the media consumers more conscious of the need to read and watch the media more actively and critically.

Today, citizen action groups provide one of the most vigorous leadership in media watching activities. However, despite their impressive vitality and clout shown so far, there is room for development. For instance, their activities have been thus far confined largely to the metropolitan Seoul area. Although their location in Seoul has been a contributing factor to their success, their scope of activities need to extend beyond Seoul. Second, the activists mainly consist of women, and the beneficiary of their programs are typically housewives from the middle class. While there are signs that other demographic groups are attracted, participation of more diverse groups of people are essential if their activities are to succeed as a broad social movement. Third, the financial basis of their operation is weak. Most of the staff work either on voluntary basis or for a low pay. While it is debatable whether the citizens groups should be funded by public funds, many organizations seem to want a financial assistance.

Conclusion

Thanks to the democratization of the Korean society under way, the mass media in South Korea now enjoy an unprecedented degree of freedom and power. Yet they are also a power without responsibilities. Yet at the same time, the media are now thrown into a world of cutthroat competition, not only among themselves but also with imports and spilled-over signals. In the mean time, a call for deregulation of communication policy get louder from inside and outside the country. Entrepreneurs are jockeying for windfalls promised by rapid commercialization of the media.
Put under such circumstances, media monitoring mechanisms in South Korea are challenged by many sources. First, various statutory watchdog mechanisms are challenged by the media industry to relax their stringent regulation and review standards. The media industry argues that the prescreening of the media contents should be either abolished or replaced by posterior examination. The pressure for deregulation also comes from outside. The United States recently demanded that prior examination of television commercials be replaced by that with a story board.

Second, the argument that many of the statutory mechanism should be turned over to self-regulating bodies will gain more ground as the pressure for deregulation builds. The present media monitoring system definitely retains the legacy of authoritarian period so that its rules and practices tend to restrict the program makers rather than foster their creativity. The necessity of more autonomy in the media sector is justified by the need to improve the quality and diversity of the product in the age of global competition.

Third, the relaxation of the media screening standards in the statutory bodies requires as a precondition that media workers have a strong sense of professional responsibility. At the same time, the procedures for self-monitoring by the media should be toughened so that the process may not be used as an excuse for their negligence.

Fourth, the staff of the self-governing organizations need to be strengthened at least to the level of that in the statutory institutions so that they can carry out the mandate given more effectively.

Fifth, media monitoring system must be streamlined so that overlapping functions and bureaucracy could be reduced. The wisdom of operating separating mechanisms for terrestrial broadcasting and cable television is questionable.
3. The full name of the law is 'Act relating to Registration, etc of Periodicals'.
6. Since 1981, broadcasting advertising is monopolized by a public body called Korea Broadcasting Advertising Corporation(KOBACO). As a super agency intervening between advertising agencies and broadcasters, KOBACO collects a flat rate of 20 percent of all advertisement cost as agency fee and pays 7 to 11 percent of the same advertisement cost to advertising agencies. KOBACO gives the remainder to the Public Interest Fund after deducting its own operating expenses. For 1993, KOBACO allotted 59,303,000,000 Won (about 72 million dollars) to Public Interest Fund, 49% of which was given to broadcasting-related public organizations and industry associations, 18% to media-related bodies such as the Press Ethics Committee and 33% to various public organizations for cultural development (Advertising Information, March 1994, p. 8.).
11. Ibid.
12. Unlike the FCC in the United States, the KBC lacks the power for policy making on matters of broadcasting, which is more often exercised by the Ministry of Information. Although KBC recommends the board members of the two public broadcasters mentioned, the President and the Minister of Information have more say in the selection process.
14. Formally, a broadcast license is granted by the Minister of Post and Telecommunication, but the de facto power for license renewal and other important areas in broadcasting regulation is held by the Minister of Information.
16. Ibid., p. 7.
18. Cinema Act requires that all cinemas, domestic and imported, be screened by CEPP before being shown (Article 12), and the Act Relating to Videos and Records requires that videos and records be examined by CEPP in advance (Article 16).
19. In 1993, 421 foreign films were imported whereas 21 films were banned for reasons of obscenity, violence, or decadence (Statistics provided by CEPP).
20. The four grades in the film rating are: i) Open to all, ii) Admission limited to those above the middle school aged (age 12), iii) Admission limited to those above the high school aged (15), iv) Admission prohibited for those under age 18.

27. E.B. Hwang, "A Diagnosis and Task of the Press Union Movement in Korea." Shinmun kwa Bangsong [Newspaper & Broadcasting], November 1993, pp. 45-47.


30. Ibid., p. 5.
KBS union members protest forced dismissal of its president, March 1990.

YMCA in action for return of a cancelled children's program, June 1993.