

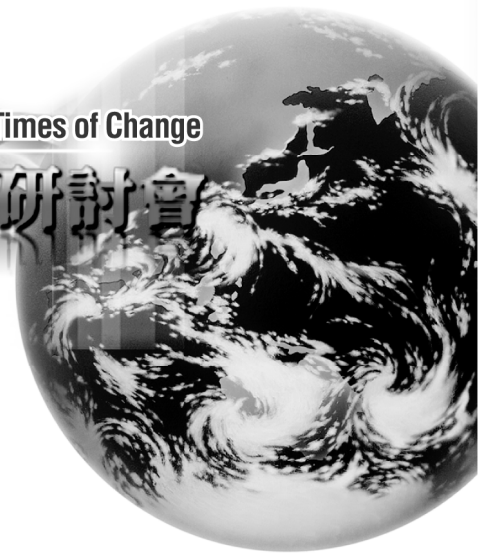
考試院八十周年慶

International Conference on Civil Service Governance in Times of Change

變革中的文官治理國際研討會

The Examination Yuan of the R.O.C.  
Anniversary

會 議 實 錄





## 序

# Prefa

考試院自民國19年成立迄今滿80周年，80年來積極整建國家文官制度，為我國文官法制奠定穩固的基礎。面對全球化的競爭，為汲取國外有關公務人力資源發展新知及經驗，乃協同所屬部會，於99年1月9日、10日假臺北公務人力發展中心舉行「變革中的文官治理國際研討會」，以精進文官制度之效能與品質。

本次會議之主題，分為「高階文官進用制度」、「文官管考法制之興革與實務－公務人員考績制度興革芻議」、「人力資源發展與全球化議題」、「金融海嘯後退休基金之營運策略」四項，藉由國內外學者專家討論、思辯，所提供之寶貴知識與實務經驗，已然成為我國文官制度興革之重要參據。

茲為翔實記錄本次會議經過及各方寶貴意見，特將本會議開閉幕致詞、副總統致詞、各主題論文、與談論文、綜合討論、活動集錦等，逐項彙整輯成會議實錄，俾供院、部、會、局推動相關政策法制、業務或供學術研究之參考。茲當付梓之際，感謝各界之參與以及本院部會同仁之辛勞，並盼繼續給予指教，共為文官制度持續之精進而努力！

謹識於考試院

中華民國99年5月

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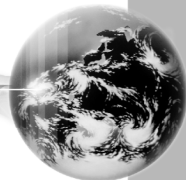
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# 開幕致詞

The Examination Yuan of the R.O.C.  
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## 壹、開幕致詞

### 一、主持人：關中 考試院院長

蕭副總統、各位貴賓、各位女士、各位先生：

首先要感謝蕭副總統前來給我們的鼓勵，蕭副總統是一位偉大的政治家，也是文官的典範，讓我們以熱烈的掌聲歡迎蕭副總統。我們正處在一個巨變的時代，政府時時刻刻都面臨著危機和不可預測的風險（例如：金融風暴、911、超大颱風等）。但這也可能是個轉捩點，中國的文字「危機」（crisis）就是危險（danger）加上機會（opportunity），如果能在巨變的環境裡掌握改革的契機，找到贏得未來的關鍵，就可能在國際競爭的環境中取得優勢。

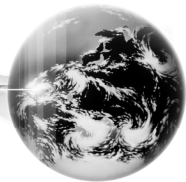
近數十年來，人類科技文明的進步，遠超過以往千百年歷史的累積。經濟活動的改變，包括跨國企業的興起，電子商務等，也大幅改變了人類的經濟模式。工業化之後所造成的污染、氣候變遷，早已是全球關注的議題。世界的人口在 19 世紀初突破 10 億，20 世紀初才 18 億，但到了 21 世紀初，已達到 61 億<sup>1</sup>，現在則已接近 70 億，其中有一半住在城市，還有 2 億人離開了自己的母國，在其它國家生活或工作。網路貿易、人口膨脹、糧食短缺、城市治理、工作移民、全球暖化、反恐、新型傳染病等問題，一再考驗著政府的能力，各國政府無不竭盡所能的去研究和開發更有效的治理模式。

1980 年代前後，世界興起政府改造運動，為了強化政府治理的能力，組織政府的主體之一——「文官」，必然成為改造的重點。在全球化的時代裡，與世界各國相比，我們所面臨的有與各國共通的問題，也有自己獨特性的問題。二十餘年來，我們在經濟奇蹟之後，又經歷了民主改革，在民主化方面，也有了傲人的成就。但是，在追求經濟成長和推動民主化的同時，我們的文官制度卻沒有與時俱進，文官體系過去所秉持的價值，如廉潔、誠實、負責和認真等，在經濟和政治轉型期間似乎不進反退。文官制度的發展必須配合民主政治的演進而調整、文官制度的內涵必須隨著時代環境的需求而轉變，文官體系的核心價值必須重新建立。因此，我們當前正在積極推動文官制度革新。考試院成立 80 周年，特別舉辦這個國際研討會，其目的是希望吸取各種新的觀念、各國的經驗，作為改革的參考。

這一次邀請國內外的學者專家，針對高階文官進用制度、公務人員考績制度興革、人力資源發展與全球化議題以及金融海嘯後退休基金之營運策略，分別舉辦 4 場次的研討。此外，我們很榮幸邀請到韓國首爾大學行政大學院教授鄭用德、新加坡大學李光耀公共政策學院副院長 Scott A. Fritzen、及日本公務員研修所所長桑田始進行 3 場專題演講。希望以他們豐富的經驗，給我們更多的啟發，為大會增添光彩。

感謝各位的熱烈與會，祝福大家身體健康、事事如意，本次研討會圓滿成功，謝謝各位！

<sup>1</sup> World Population Milestones, <http://www.infoplease.com/ipa/A0883352.html> (2009/12/21)



## 二、貴賓致詞：蕭萬長 中華民國副總統

關院長、伍副院長、許前院長、各部會首長、各位考試委員、各位學者專家、各位貴賓、各位女士、各位先生，大家早安、大家好：

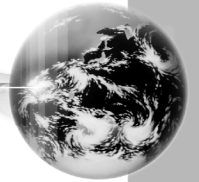
非常高興能夠應邀參加考試院 80 周年慶所舉辦的「變革中的文官治理國際研討會」，剛剛聆聽了關院長對這次研討會舉辦意義的一席話，我非常感動，因為關院長已經把當前政府所面臨許許多多國內外的挑戰，都做了非常愷切的說明，在此時此刻舉辦這個研討會，意義非常深遠，我相信我們可以藉這個機會，一方面聽取來自海外如日本、韓國、新加坡等在政府治理上獲得好評的國家，他們的經驗、智慧，另一方面，我們當然也將現在關院長所推動的一連串改革的措施，藉這個機會來交換意見，所以我對關院長、伍副院長，還有各位考試委員與考試院的所有同仁，在這一段期間推動文官的改革、健全國家體制所做的努力與貢獻，表達個人敬佩之意。

考試院去（98）年訂定文官制度興革規劃方案，就現行文官體制的缺失，提出改革的建議與新的構想，並且規劃一個具體的政策方向，其中建立了文官的核心價值，就是「廉正、忠誠、專業、效能與關懷」，我想這些價值就是人民對公務人員的一個基本要求，而政府各級部門服務的官員，也應該調整我們內在的思維與心態，並且展現於外在的工作以及言行，成為一個新世紀國家的文官。剛剛關院長也提過，我是考試院的考試制度下所栽培出來的一個例子，我一路走來非常感恩這個考試制度，可以讓我有機會為國家社會服務，所以飲水思源，每次考試院的任何活動，我都是自願、積極的參與，因為我想這個考試制度是國際間少有的，但是非常有特色、非常好的一個制度，我在民國 51 年到外交部服務，從最基層的科員做起到今天四十多年來公務人員的生涯，對於公務人員與文官制度，我大概也有一些看法，順便藉這個場合提出來與大家一起分享。

首先，我覺得行政中立是確保文官體系非常穩定的一個根基，我們經過非常多年的努力，公務人員行政中立法終於在去年完成立法，這也是關院長對整個國家公務人員一個非常大的貢獻，這個法已經明確的界定行政中立的行為分際與權利義務，公務人員在執行公務時，只要依法行政、公正執法、不偏黨派，就不會有行政是否中立的爭議，行政中立更深一層的意義，就是在維護常任文官的尊嚴，保障不受政治的干預，同時也能夠使政黨政治與文官體系得以同步的健全發展，也成為民主政治的兩大支柱，我覺得非常重要，我們也邁進一個民主的時代，公務人員能夠行政中立，這是一個非常重要的改革。

第二，文官必須通過有系統的訓練來承擔重任，公務人員是經過考試進入文官體系，所以必須要接受有系統、有規劃、不斷的訓練，特別是剛剛關院長講過，我們現在所面對的挑戰是相當多、相當大，所以我們必須隨時要有準備接受挑戰，這樣就必須要有訓練，能夠循序的培養成為高級的文官，承擔公共政策的評估、制定與執行的重任，尤其高階的文官更要具備政策規劃的能力、跨域管理的能力、溝通協調能力及有效執行的能力，並且展現高度廉潔的公共服務的倫理行為，這些都是要透過在今年三月關院長推動已經改制成的國家文官學院來培訓，為打造國家優秀文官團隊奠定一個穩固的基礎。





第三，文官應該拋棄鐵飯碗的心態，引進企業的文化，政府機關不能淪為一灘死水，應該引進現在民間企業的精神與企業文化，建立以績效為導向的考核制度，改變文官體系重年資而輕績效的一個積習，公務人員因為是國家的公僕，而人民是我們的頭家，所以要把人民放在第一位，公務人員要多一些主動，多一些用心，人民就會少一點抱怨，少一點痛苦，而「不能沒有你」這部電影中，所講的官員本位、人民無奈的情節也就不會一再地重演。

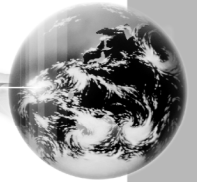
我的看法也許很多人都有類似的觀察，瑞士洛桑管理學院（IMD）每年 5 月都會公布全球競爭力報告，其中一項為「政府效能」的指標，台灣在全球排名，從 2005 年的第 18 名、2006 年的第 23 名、2007 年的第 20 名、2008 年的第 16 名，一直到去年的第 18 名，這顯示政府的效能還有很大的改進空間，然而我國政府效能的具體呈現，就在公務人員平日的表現，在全球化的趨勢之下，公務人員不只要服務自己國家的人民，也接觸到其他國家的人民，而我們推動各項國家建設的成效，更要與其他的國家以及像亞洲四小龍這樣類似經濟規模的國家競爭，因此公務人員必須與時俱進，要有國際觀，要有競爭力，更要積極的認識，去年全球一個重要的政治潮流就是「change」，而今天研討會的主題也是變革中的文官治理，面對瞬息萬變的國內外情勢，變革已經是生存之道，也是發展之路，我們希望借重各位學者專家的智慧與經驗，在研討過程中，能夠集思廣益，為公務人員指引出一條明確的方向，同時也期許我們公務人員能夠勇於突破現狀，接受各種挑戰，為國家未來的發展啟動一個良性的變革，最後預祝我們研討會圓滿成功，並祝福各位身體健康、萬事如意，謝謝大家。



# 專題演講 I

The Examination Yuan of the R.O.C.  
Anniversary





## 貳、專題演講 I

時 間：中華民國 99 年 1 月 9 日（星期六）上午 9 時 30 分

地 點：公務人力發展中心前瞻廳

主 題：韓國政府公務員制度變革與一致性

（ The Change and Continuity of Civil Service System in Korea ）

演講人：鄭用德 韓國國立首爾大學行政大學院教授

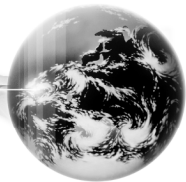
紀 錄：林麗蘭

（現場口譯部分）

大家早，非常榮幸參加今天這場研討會並做專題演講，以慶祝中華民國考試院 80 周年，我很榮幸能夠來介紹韓國的文官系統，自從大韓民國 1948 年成立以來，公務員制度是國家行政的一部分，同時也是一個非常重要的成分，包括人的層面，我將要介紹大韓民國 60 年來公務員制度以及國家行政的變化，對我來說，韓國文官制度的演變有四個重要的元素：第一，韓國政府行政當中所特有的一些特徵；第二，全球以及當地的改變對於韓國所造成的影響；第三，在行政方面改革的理念以及模型，特別是我們借鏡了先進國家的一些改革理念，同時有一些新的國家行政的理念，國家的政策決策者嘗試藉由這些先進國家的經驗，用於韓國政府行政上；最後一個重要的元素則是國家以及組織、個人的利益，在這個改革的過程當中，所有的參與者都感覺到非常的重要，我注意到在這個改革的過程當中會產生一些影響，這就是韓國公務員制度發展的四個重要的元素。

韓國的行政制度以及公務員制度可以分成三個階段來看，在過去 60 年的發展當中，第一個階段是從 1940 年到 1950 年代，當時的韓國政府試著建立一個新的官僚行政的國家；第二個階段則是從 1960 年到 1980 年代，當時韓國政府致力於將官僚行政制度化，以建立一個現代化的官僚行政國家；第三個階段則是從 1980 年代後期到現在，在這個階段當中，韓國政府致力於去官僚化的民主國家行政，在這個階段，政府試著改變過去傳統的官僚制度，接下來就這三個階段做進一步的介紹。

第一個階段，韓國政府的任務是在日本殖民時代結束之後建立一個主權國家，同時在韓戰結束之後，進行國家的重建工作，當時的情勢對於韓國政府來說非常不利，人力資源及物質資源都嚴重不足，在殖民地時代結束以及戰後社會充滿了許多衝突以及不穩定，加上與北韓之間的緊張情勢也相當的嚴重，韓國政府試著將一個現代化的官僚行政制度加以制度化，其結果雖然與一個理想的現代化官僚行政體系還有一點距離，但是仍然做了相當的努力，當時還保留了許多不夠現代化的一些元素，像是行政文化以及行政機關，還有公務員的行為，諸如此類。在第一個階段當中，政府組織的結構，被加以制度化，透過政府一步一步的立法，像是政府組織法在 1948 年立法通過，當時有 25 個中央的行政機關，這個圖表（表 1）上是所有中央行政機關在韓國歷任總統各個時期的數字，如今我們有 40 個中央行政機關，從 1998 年到 2007 年之間，



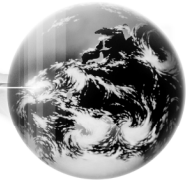
我們曾經有 47 到 49 個中央行政機關，我稍後會做進一步的解釋。在 1940 年到 1950 年代的韓國政府主要是延續日本在戰前以及戰後的行政模式，而拋棄了美國軍事政權在韓國所建立的一些行政組織，所以主要是一種專政的獨裁方式，而不是一種協調式的、委員會的方式，缺少一種組織之間的明確分工，當時是強調行政上的簡化，由於經濟物質的嚴重缺乏，組織之間整合也缺乏完整性，主要是圍繞著李承晚總統個人的領導魅力，而不是個別機關的制度化。韓國政府主要是延續戰前以及戰後日本政府的程序的規範，在這段時期當中是非常重要的元素，為什麼會是這樣呢？為什麼韓國政府必須要延續日本的模式而不是美國模式？雖然在二次大戰之後美國的軍事政府曾經引導過韓國一段時間，當時韓國政府希望能夠把整個政府行政更加的制度化，包括審計以及其他幾個重要的委員會，希望強調各個委員的權責，解決政府官員貪污的問題，我當時是國小的學生，並沒有讀報紙的習慣，我現在還記得我的哥哥及父母對於當時政府所做的一些評論，而在第一個階段的公務員系統，韓國政府在 1949 年立法通過國家公務員法，就在大韓民國成立後不久，這一法案主要是沿用了日本殖民時代的一些法律，主要是想要建立一個雙軌的人事行政系統，成立一個考試委員會及政府行政部的人事行政局，其中與日本及中國的公務員制度系統有一些類似之處，但是在實務上整個人事行政主要是由總統來決定的。我想我必須要跳過一些細節。

而在第二個階段，政府的任務是快速的工業化，必須要趕上先進的國家，同時要和北韓競爭，做了好幾個五年的經濟成長計畫，並且加以執行，當時的局勢對韓國來說相當有利，韓國已經累積了相當程度的人力資源，主要由於韓國人對於教育的重視，這是受到儒家思想的影響，我想在臺灣的情形也是類似的。韓國政府完成國家的基礎建設，同時也更加專注於一個現代化的官僚行政國家的制度化，然而最後的結果卻不是韋伯的思想當中標準的官僚國家，而是一種可以稱之為亞洲式的行政國家。政府的國家行政並不算是非常的民主化，在民主的發展上是屬於發展不足的情況，地方自治始終沒有能夠真正的實施，整個權力主要是集中在政府以及總統的手裡，第二階段很重要的一點是韓國政府非常有效率，有一個組織非常良好的政府機關，分工非常清楚，支持國家的工業化的政策，中央政府機關超過半數都與國家的工業化有關，促進國家的工業化發展，政府也強調一種功能性的整合，強調有效率的計畫及協調，包括總統的秘書處及數個不同的中央機關，如政府行政部及內政部等等，負責政府行政組織管理的主要是政府行政部，在這個期間，現代的預算會計法非常嚴謹地被建立，很多中央的權力集權機構包含 MOGA 組織、MOHA 等中央和地方關係的機構，還有 GLA 是立法的機構，都是非常有效率的機構。在第二個階段，文官制度系統建立了功績制的制度，非常有效率的執行，並且可以很有效的支持國營的企業，在 60、70、80 年代都是這樣的情況，在 1960 年政府有一個退休法案和文官的一個委員會建立，很多文官的法源根據都是在這時建立的，這個圖表（圖 1）顯示出文官被僱用的數字，他們是透過高等文官考試而進入文官制度的，粉紅色的線是表示從 1970 年任用的文官，大概一年是 200 人，這對韓國的文官發展來講是非常重要的，非常年輕、有才幹的頂尖學生可以加入政府公職行列，文官制度的安定性也是很重要的，但是每次當政府改朝換代的時候，有些文官就會被遣散，這個圖表（表 2）顯示出在 1961 年大約有 15% 的文官會被遣散，



那時由朴正熙總統掌權，而在 1981 年全斗煥時，遣散率大約是 12%，而金大中時代，雖然已經是比較民主化的時代，大約有 20% 的文官也遭到遣散，這是說文官制度的保障不光只是被制度化所建立的，而是政治化高度相關的一個議題。文官的訓練與教育也有增進，而且是相當快速的增進。

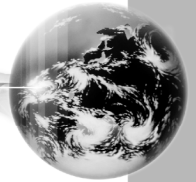
第三個階段是比較複雜的，韓國在 1987 年進行了民主的轉型，在 1997 年與 2007 年也通過了兩個全面性的測試，進行了兩次的政權轉移，我們對這情況感覺到非常的驕傲，事實上在東亞只有兩個國家－韓國和台灣成功的通過了兩次的政權轉移。國家碰到的任務，政府必須要處理一些職能失能的問題，這是集中化的工業化及民主化在非常短期之內必須要達到這樣的成果，韓國在 1995 年也加入了 OECD 及 G20，如果我沒記錯的話，而在 GDP 的表現是排名第 12，我們也碰到金融的危機，在 90 年代晚期時，也面臨低產能和高齡社會的問題，另外一個很重要的議題就是公民參與的增加及公民服務的要求，因為各團體之間缺少一種協調及相互調整的能力，所以這些情況是非常艱難的挑戰，每一個人都想要發表他的意見，但是互相協調的機制並沒有完全的建立，並不像一些高度先進化的社會，也沒有法源的根據，所以如果你看韓國的報紙的話，可能就會發現有非常多的複雜政策，在政黨和團體之間都有這樣子的政策，甚至是在政府機關中，政府未來的方向也是非常複雜的，所以我認為這是一個很重要的任務，我們未來必須要克服、完成的任務，在文官制度的發展和一些國營機構的發展上，有一個很大的改變，從官僚化的民主國家行政體制變成一個去官僚化的國家行政制度，就如同我之前講到的，韓國政府試著要建立一個官僚體制的行政文官系統，而在 40 年努力後，現在韓國已經試著努力要進行去官僚化這樣的動作，是非常大的一個改變，然而，這是我個人的意見，改革的目標並沒有被完全的達成，因為缺少實際執行面的建立，政府試著要改革，改用新公共管理或是新式的治理模型，學習以英語為主的 OECD 國家的一些理念，所以政府試著持續進行法規面的鬆綁及分權，從 1997 年以來民主轉型以來已經大幅擴張，政府持續的擴張，尤其是委員會這樣的政府機關，紅色的就是一些委員會，在第一個時期，81 年到 87 年時，金大中和盧武鉉的時期民主黨的政權，我們看到非常多的委員會被建立，我覺得這是必要的，因為有非常多民意的要求，社會上的聲音必須被聽到，所以政府必須要回應公民社會的需求，及進行公共的參與，但是兩年前現任的李明博政府執政時，大部分新建立的政府機關都進行精簡化，併掉非常多政府機關，以維持小政府的概念，就行政程序來看是很大的重要性改變，「從程序轉為結果的考量」，對韓國政府來說，在第三個階段是非常重要的口號，所以有非常多的努力在致力於法規的鬆綁及分權，包含文官制度的一些法規及相關的機構，都進行分權的動作，實際上並不是非常的有成效，主要的原因是政治高階人員及中央機關不願意，他們擔心權力可能會流失。就文官系統來說，在第三個階段，績效、職位、公開任用、契約式的人事管理系統被採用，這也是從 OECD 英語系國家所學習到的概念，而這時放棄的是靠機制、階級和年資式的封閉文官系統，我們希望能夠讓文官更有產能並且更有彈性，我們也希望能夠克服他們的短視近利，因為他們待在單一機構有非常長的時間，見解往往不夠。在第三個階段的改革也包含開放式的職位系統、人才的交換機制、部門之間的任用系統及高階文官系統，高階文官系統是非常重要的，就行政改革上有



它的重要性，在此階段是非常重要的因素，這個圖表（表 5）顯現出各國高階文官系統的一個比較狀況，你可以看到美國在 1979 年卡特總統時建立，澳洲 1984 年、紐西蘭 1988 年、加拿大 1993 年、英國 1996 年，而韓國在 2006 年，很重要的特色就是這些國家都是英語系的國家，韓國是唯一非英語系的國家，卻發展出高階文官系統的制度，在未來是非常值得觀察、非常有趣的一點，看這個系統怎麼樣地在付諸實行。

我還有一些投影片，但是時間好像不太夠，這是我今天的演講，謝謝各位！





# The Change and Continuity of Civil Service System in Korea

Yong-duck Jung  
Professor, Graduate School of Public Administration,  
Seoul National University

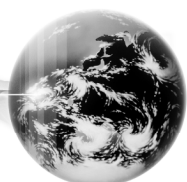
## Abstract

In this paper I analyze the institutional changes and continuities of Korean civil service since the foundation of the Republic of Korea in 1948. The Korean civil service system can be categorized into three stages in the context of administrative developments during the sixty years. The first stage is the period from 1940s to 1960s when Korean government prepared the ground for institutionalizing a 'modern bureaucratic state. The second stage is the period from 1960s to 1980s when the government managed to institutionalize many elements of a modern bureaucratic state, including a more merit-based career civil service system. And, the third stage is the period from 1980s to present when the government has redirected toward establishing a 'de-bureaucratized democratic state.' During the first and second stages, the reform efforts of Korean government to institutionalize a modern bureaucratic state resulted in creating not a genuine Weberian but an Asiatic form of administrative state that contributed to establishing a strong state-ness. Responding to the democratic transition in the late 1980s and the financial crisis caused by the globalization in the 1990s, the government has invested a lot of efforts to institutionalize a de-bureaucratized democratic state, adopting such reform models initiated by the English speaking OECD countries of the time as the 'open and performance-based reward system,' the Senior Civil Service, and so on. This paper illuminates in some detail the civil service reform efforts, the resulted characteristics of civil service, and their impacts on the policy capabilities of the Korean state.

## INTRODUCTION

The purpose of this paper is to illuminate change and continuity in the civil service system of the Republic of Korea (Korea hereafter) since her foundation in 1948. This is conducted based on an understanding of developments in the state administration as a collective body of public institutions including its human side, the civil service system.

For the past 60 years or so, the institutional characteristics of the Korean state administration have been influenced at least by the four following factors (Jung, 2008). The first one is the institutional structure of the



state administration itself. The state administration as a collective body of institutions has been under the influence of a 'path-dependency' or a propensity for persistency of its previously embedded institutional characteristics. Second is the interaction in the real world between the state administration and its external environment. The state administration of Korea as a newly independent small country has had to respond positively to the rapidly changing global and local environments. Third is theory or model for an 'ideal' state administration in the world of ideas. The institutional characteristics of the Korean state administration have been challenged continuously to be reformed by global trends in reform paradigm of the time. The last but not least factor is the reform efforts of participants in the politico-administrative processes in the real world. All the governments of Korea conducted administrative reforms mostly with ad hoc steering committees which directly reported to the chief executive. The results of such reform efforts have been by nature the outcomes of the real political process that reflect the national, organizational or individual interests perceived by the participants.

The institutional characteristics of the Korean state administration which were driven at least by the aforementioned four factors during the past 60 years can be categorized into three distinct stages (Jung, 2006). The first stage is from the 1940s to the early 1950s, when the government sought to institutionalize a 'modern bureaucratic state administration,' but in reality the goal was quite difficult to be achieved because of a wide variety of poor surroundings of the time. The second is from the 1960s to the 1980s, when substantial efforts were made for the institutionalization of a modern bureaucratic state administration, but resulted in being significantly different from an ideal type. The third is from the late 1980s to the present, when the previously 40 year's efforts -- both nominal and substantial -- to institutionalize a modern bureaucratic state administration were revised and replaced by reform efforts to introduce a de-bureaucratized democratic state administration in Korea.

In each developmental stage, this paper analyzes firstly the characteristics of organizational structure and procedure of the state administration. The analysis on organizational structure focuses particularly on whether the reorganization efforts were invested not only to 'differentiate' the administrative apparatuses enough to effectively respond to each of the national tasks of the times, but also to 'integrate' them at the same time to be coordinated for the higher goals of national policy. The procedural aspects of the state administration also are analyzed focusing on the degree of institutionalization for 'procedural repetition': i.e., whether this institutionalization of procedural repetition can ensure such elements as 'impersonality' and 'universality' of the modern state bureaucracy and enhance the collective sense of internal unity or cohesion of career bureaucrats (Skowronek, 1982:33).

This paper then goes on to analyze the human side in each stage of developments in the state administration -- in particular the mobilization and allocation of human resources needed for the execution of the national tasks of the times. This analysis focuses on the degree of institutionalization of such elements of the modern bureaucracy as meritocracy and career civil service system; the composition of human resources according to expertise, gender, age, school and regional backgrounds, etc.; and efforts for building capacity through systematic on-the-job training and so on (Bekke, Perry and Toonen, 1996). In doing so, this paper also discusses on such related classic issues as the 'executive leadership' of the chief executive, the 'neutral competence' of civil servants, and the 'democratic representativeness,' and so on (Kaufman, 1956; Nigro and Nigro, 1986; Morgan, 1996).



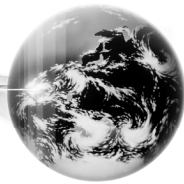
## BUILDING THE FOUNDATION FOR A MODERN BUREAUCRATIC STATE ADMINISTRATION

In 1945, Korea was liberated from the 35 years' colonial rule of the imperialist Japan, but the peninsula was divided into North and South under the international order of the Cold War. The Republic of Korea was established in the southern half of the peninsular in 1948 after 3 years' transitional governance by the American military, but was drawn into the 'Korean War (1950-1953)' just two years after her establishment. As seeking to survive and develop as an independent sovereign state, Korea devoted then itself to post-war reconstruction, and also to institutionalize a modern bureaucratic state administration. However, due to the poor circumstances of the times, including the underdeveloped human as well as material infrastructure, the post-colonial social instability, and the retained North-South tension under the Cold War, Korea was not able to overcome effectively the various pre-modern elements of the state administration. Nevertheless, during this period of time, the country was able to lay the groundwork for future efforts for more aggressively institutionalizing a modern bureaucratic state administration.

### Organizational Structure and Procedure

During the Syngman Rhee administration (1948-1960), the Constitutional changes led to two major administrative reorganizations (Jung, 2004). In July 1948, the 'Government Organization Law' was legislated in accordance with the First Constitution of the Republic of Korea, and in December 1954, the Law was revised along with the amendment of the Constitution. The most important norm for these administrative reorganizations was the so-called 'administrative simplification' for efficiency and economy (Cho, 1966: 113-36). This norm for reorganization was not respected mostly with starting out as 25 central administrative apparatuses (i.e., 15 ministries, 1 board, 3 committees and 6 bureaus) in 1948 and ending up at the end of the Rhee administration as 28 (i.e., 12 ministries, 2 boards, 3 agencies, 2 offices, 10 bureaus) (Table 1). Despite numerous attempts not to expand the size of civil service, the actual number of staff grew 3-fold from 1947 to 1959. Another issue related with the norm of 'administrative simplification' was that the Rhee administration failed to effectively institutionalize differentiated administrative apparatuses necessary for the proper execution of state administrative functions called for by the times. A telling example is that even in the face of the 'Korean War' when all national capacities needed to be mobilized, the government did not make any changes at the ministry-level or higher but simply tried to respond to the situation by creating a few new committees.

Aside from institutionalizing some minimal and basic administrative apparatuses needed as a sovereign state, the Rhee administration mostly revived the government organizations of the old Japanese colonial regime (1910-1945). Meanwhile, the American style institutions that were introduced during the United States military regime (1945-1948) were mostly dismantled. For instance, the committees-type organizations and the staff and planning systems brought in by the Americans were reverted to more hierarchical monarchy and line organizations of the pre- or post-World War II Japanese government. By eliminating the American institutions for staff and planning organizations, the Rhee administration eroded its own institutional foundation for plan rationality (Lee, 1968). Also, by replacing the committee-type with the monarchy-type of organizations, the Rhee administration resulted in sowing the seeds of strict hierarchical machine bureaucracy in the state administration of Korea.



<Table 1> Number of Central Administrative Apparatuses in Korea

Government	Year	Ministry	Agency, Adm., or Outer Bureau	Commission or Committee	Total (Cabinet Member)
Rhee Sygman (1948-1960)	1948	16	6	3	25
	1955	14	13	1	28
Chang Myun (1960-1961)	1960	13	3	4	20
Park Chung-hee (1961-1979)	1979	20	19	3	42
Chun Doo-hwan (1980-1987)	1987	22	16	1	39 (22+1*)
Rho Tae-Woo (1988-1992)	1992	24	17	0	41 (24+2*)
Kim Young-sam (1993-1997)	1997	21	15	1	37 (21+2*)
Kim Dae-jung (1998-2002)	2002	22	16	9	47 (21)
Roh Moo-hyun (2003-2007)	2007	22	18	9	49 (21)
Lee Myung-Bak (2008- )	2008	17	18	5	40 (17+1*)

Notes: Such institutions directly responsible to the President as Board of Audit & Inspection, National Intelligence Service, National Reunification Advisory Council, and Presidential Advisory Council on Education, Science & Technology are not included. \*: Ministers without portfolio.

Also, the Rhee administration retained and revived legal procedures in the state administration which were institutionalized during the Japanese colonial rule (Jung 2004). The previous US military regime (1945-1948) had needed to respond quickly to the almost chaotic situation of the divided nation right after Korea's liberation and therefore did not have any time enough to reform the procedural norms of the colonial era. The procedural norms of the colonial government were therefore kept mostly intact. After the launch of the Rhee administration, although many efforts were made to enact new statutes for organizational structure, not much attention was placed on establishing operational rules for the internal procedures of the state administration. As a natural result, the procedures and customs of state administration in this stage were very similar to those of the pre- or post-War Japan (Kim, 1999: 217).

For example, the Rhee administration kept intact the colonial-era Finance Law and the Accounting Law, and put in place an almost exact copy of the Audit Law of the post-war Japanese government (Yu, 1966). The capacity for financial data collection and analysis needed for rational state budgeting was also very weak, and amidst the post-colonial and post-Korean War social confusion, Korea then was one of the typical cases of the so-called 'repetitive budgeting' that is characteristic of poor countries (Caiden and Wildavsky, 1974). The establishment of legal procedures to ensure impersonality --- the preclusion of personal interests in decision-making --- in the state administration was also a goal that was not reached during this stage. Most administrative decisions were not reached in a collective manner, but rather determined arbitrarily mainly through the personal charisma of the head of the organization or the chief executive (Cho, 1966:131; Lee, 1968:393; Ahn, 1986:69). As the rule of law had yet to be established in the realm of the state administration, it was also very difficult to establish administrative accountability and responsibility. Naturally, the state



administration during the Rhee administration was extremely corrupt. In 1948, the Board of Audit was established as an internal control device within the government, but as it was under the direct control of the President, it faced structural limitations in terms of what it could actually do. An Inspection Committee was also created in the same year, but this too was not independent from the chief executive. In 1955, even this Inspection Committee was abolished and replaced with a Review Committee with even more limited authority over dispositions and disciplinary actions. Later, the inspection function was placed under the control of the Justice Department, allowing the ruling Liberal Party and the President to more easily exert their political influence over the state administration.

## Civil Service System

The Rhee administration preserved almost all the public personnel administration systems of the colonial Japanese regime, as was the case with the US military regime before it (Park 1969: 436-8). Of any American institutions that were introduced by the US military regime, almost all were discarded by the Rhee administration (Jung, 2004).

In 1948, the Examination Committee and the Ministry of Government Administration's Personnel Bureau were established as a dual personnel administration system within the Korean government. The Examination Committee was responsible for setting the criteria for the selection of civil servants, and the Personnel Bureau was in charge of executing the selection process. Of these two organizations, the Examination Committee's actual role was not very large. Meanwhile, the Personnel Bureau was given the authority to replace appointees at their discretion (Cho, 1969: 135). In reality, however, it was the head of each government body that had the actual authority to recruit and allocate civil servants, and all that these two organizations were responsible for was just official documentation. Even so, the creation of the two central personnel administration bodies -- the Examination Committee and the Personnel Bureau -- is significant in that they symbolized at least the Korean Government's underlying wish to institutionalize a meritocratic public personnel administration.

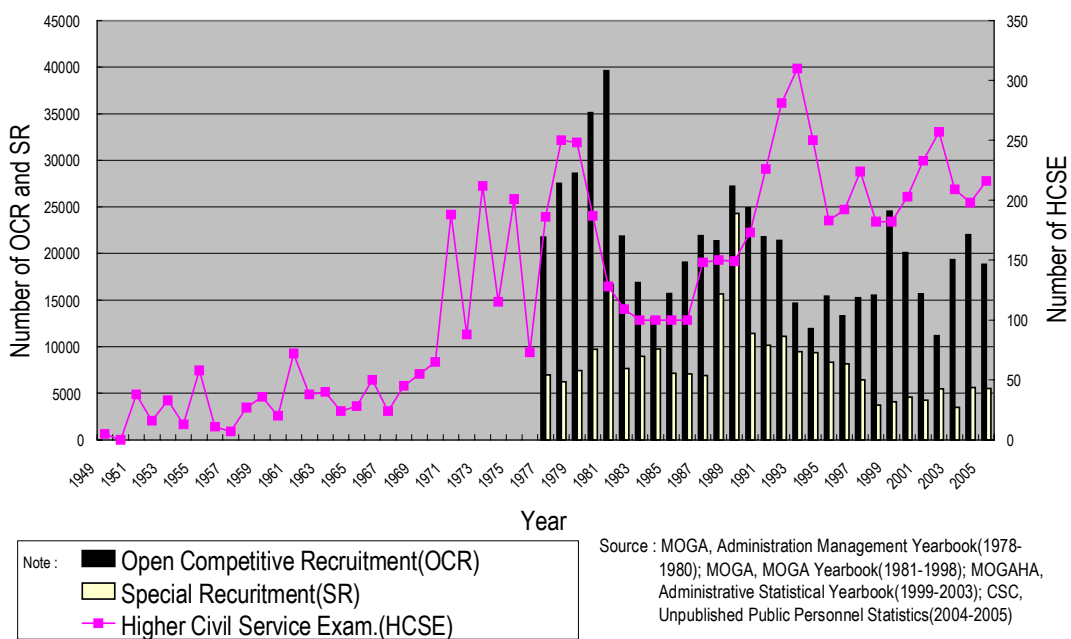
With the 1954 amendment of the Constitution and the Government Organization Law, however, the four 'central agencies', the Ministry of Government Administration, the Ministry of Planning, the Government Legislation Agency and the Public Information Agency, were integrated into the Cabinet Secretariat. In this process, the Examination Committee and the Personnel Bureau were merged into the two steps lower-level Examination Division within the Cabinet Secretariat. This, in effect, was a return to the administrative system of the colonial Japanese regime (Park, 1969). At the time, the opposition Democratic Party made a proposal before the National Assembly for the establishment of the so-called "Personnel Administration Board," a more independent and higher-status central personnel agency, but this proposal was not adopted. Regardless of the characteristics of the central personnel agency, by the way, the actual public personnel administration was dominated by the President and his secretariat, the head of each administrative body and the ruling Liberal Party.

Staffing was mostly achieved through internal promotion than new recruitment from outside of the government. In cases where new persons were brought in from the outside, recruitment was done mostly through the 'selection' than the 'examination' (Bak, 1969). From 1949 to 1960, 96.4% of all appointments weremade through 'higher civil servants selection,' while only 3.6% were through the 'higher civil servants examination' system (Figure 1). Only less than 5% of the middle- and higher-level civil servants in central



government positions were appointed through examinations (Ahn, 2001). The examinations were also quite problematic in terms of the validity and reliability of the tested subjects and testing methods. The main portion of the examination was a written test on legal statutes. Meanwhile, the tests did not include any portions evaluating substantive knowledge and experience in social sciences including public administration (Bak, 1969). It was only in 1953 that this examination -- as incomplete as it was -- started to be used in the selection process for civil servants. Before that, appointments were made according to patronage, without any screening tests on the individual's objective merits (Song, 1998: 30).

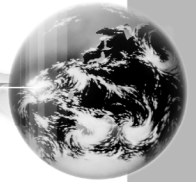
<Figure 1> Number of Newly Recruited National Civil Servants by Methods (Each Year)



In the early stages of the Rhee administration when there was a great dearth in human resources, most higher-level positions went to independence activists, educators and other people with almost no experience in public administration (Yu 1966: 487; Ahn 1986: 59). President Rhee placed more importance on the political loyalty of high-level positions than on expertise, and also replaced officials very frequently, so it was quite difficult for these people to accumulate experiences in public administration. Lower-level positions were mostly filled by individuals who had worked for the colonial Japanese regime. Later in the Rhee administration, these lower-level personnel were promoted *en masse* into higher-level positions and formed the backbone of bureaucracy during the Rhee administration.

The level of education attained by the civil servants was very low: i.e., among the high-level officials (directors general / directors), only 37% were university graduates, and; only 25% were two years' college graduates (Ahn, 2001: Ch. 13). The average age of higher officials was a relatively young 41 years of age.

Efforts to appropriately assign civil servants and to provide them with training in necessary expertise were also very weak during the Rhee administration (Bak, 1969). The US style of personnel management based on merits and a position classification system met with great resistance from and was thereafter removed by those

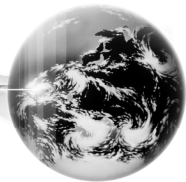


who were used to the rank classification system of the colonial era. On top of this, there was rampant political abuse of the system due to a patronage system influenced by political pressure (Kim, 1999).

With poor financial resources in the post-colonial and post-war era, it was difficult for the Korean government to provide regular payments of salaries -- one of the key requirements for the development of modern bureaucracy. Many civil servants received pay that was not sufficient to cover their living costs. Also, many civil servants were employed temporarily under a system of part-time *ad hoc* employment, and payment to these individuals was covered only in part by the government budget, while the rest was paid by private companies (Jung, 1999: 147). It was expected naturally by private companies that they would receive something in turn for this financial support for the civil servants, and this led to widespread corruption. In spite of all these negative factors, the turnover rate for civil servants was very low. This reflects the traditional value for seeking for public positions by Koreans, the high unemployment rate, and the special privileges that came with such public positions at the time.

In terms of composition, the major characteristic during the Rhee administration was that there was a very high ratio of persons who had worked as bureaucrats during the Japanese colonial rule. As was with the case of the US military government, the Rhee administration also staffed the government with bureaucrats from the colonial regime. As time went by, these people went on to become the central force within the Rhee administration's civil service. This situation had the four following implications for bureaucracy in the Rhee administration. First, since even those who had engaged in pro-Japanese activities during the colonial rule were recruited by the Rhee administration, the national pride and social justice were obscured, causing opportunism in Korean society. Second, because these bureaucrats from the colonial era were insecure about their personal safety, they tended to be overly loyal to the Rhee administration and the ruling Liberal Party. This in turn limited bureaucracy in Korea -- unlike in the West -- from contributing to the development of democracy based on the foundation of rational-legal domination (Etzioni-Halevy, 1985). Third, the former Japanese bureaucrats contributed to preserving and copying the administrative system of the pre- and post-war Japan, as noted earlier. The undemocratic nature of the Rhee administration was caused mainly by the legacy of the strict hierarchical monarchy of the Japanese colonial regime where the Governor-General's absolute power was supported by the bureaucratic institutions and military and other police organizations (Lee, 1984) combined with the long time traditional culture of Confucian governance such as 'putting government above the people.' Fourth, as most of the civil servants who had served in lower-level positions during the colonial era were promoted to higher-level positions quite quickly after the Korean War, they lacked vision and knowledge for national development policies, limiting administrative capabilities as a whole.

In 1949, the National Civil Servants Training Institute was established for the on-the-job education and training of civil servants. Some ministries or agencies also created their own training institutions to provide more specific training and education such as post, police, prison, railroad, etc. The content of education and training was lacking without systematic curriculum development or any legal grounds. In the circumstances, training courses were regarded as only temporary holding mechanisms for civil servants who were not assigned to specific positions because they did not have any support from a patron. It was due to such circumstances that even now education and training for civil servants is thought of in a negative and passive manner.



## INSTITUTIONALIZING A MODERN BUREAUCRATIC STATE ADMINISTRATION

From the early 1960s to the late 1980s, Korea pursued a ‘condensed industrialization’ in order to ‘catch up’ with the industrialized countries. It was in this period also that more aggressive efforts were made for the institutionalization of a modern bureaucratic state administration. Due to the imbalanced political underdevelopment, however, the end result was not an ideal type of modern bureaucracy, but rather a sort of Asian administrative state type (Painter, 2005) of the state administration.

### Organizational Structure and Procedure

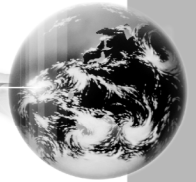
From the early 1960s, the Chung-hee Park administration (1961-1979) pursued a policy for rapid industrialization that brought many changes to the organizational structure of state administration. Efforts for the institutionalization focused on the functional differentiations to support implementing each development policy tasks as well as the functional integration of administrative apparatuses so as to facilitate effective coordination for setting national priorities and strict execution of overall national development policies. First, in order to implement substantive industrial policies effectively, the Park administration established various industrial policy apparatuses (Jung, 2002), which accounted for more than half of all central administrative apparatuses. In order to support these central administrative apparatuses, a lot of public corporations and intermediate organizations were institutionalized. Integration efforts were mostly led by the deputy prime ministerial level Economic Planning Board (EPB, 1961-1994) as the most influential central agency in charge of planning and budget.<sup>1</sup> Also, a wide variety of institutionalization were made for integration functions so that ensured coordinated decision-making among the differentiated administrative apparatuses and minimized inputs reflecting the preferences or interests of citizens and interest groups in the state policy process.

For example, the Board of Audit and Inspection (BAI) under the direct control of the President contributed effectively to the chief executive’s lead in policymaking not only within the executive branch but also among other branches, which resulted in an extreme case of the executive dominance. In addition to the EPB and BAI, other core executive apparatuses were grown excessively to ensure that all policymaking authority within the executive branch was concentrated in the President. The Presidential Secretariat was enlarged with more than ten minister or vice-minister level senior secretaries and special advisors. Several ministerial level central agencies responsible for general administrative functions were strengthened in order to ensure effective compliances of the line organizations with the set national policy goals: e.g., the Ministry of Government Administration, the Ministry of Home Affairs, the Public Information Agency, and the Government Legislation Agency. And a strict multi-step hierarchical machine bureaucracy was organized to facilitate administrative leadership of the head of the organization.

With industrialization as the top priority, other policy areas such as social welfare, public health, environment, and labor relations were pushed back. This made it possible to maintain the façade of a ‘small government’ even though the high portion of defense area. The political underdevelopment during this period was reflected in the relatively poor institutional apparatuses of the Legislative Branch. For instance, the finance

<sup>1</sup> This had its roots in the Ministry of Reconstruction which was established back in 1955.





and budget analysis function of the National Assembly Secretariat was extremely weak when compared to that of the executive branch. Administrative apparatuses in the executive branch mostly took on the form of monocacy than committee. Even the small number of committee type apparatuses that were given statutory voting rights could not really exert their independence and autonomy. The advisory councils or committees established within each government body did not mostly work.

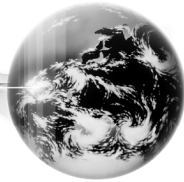
The procedural aspect of the state administration also underwent drastic institutionalization. An example is the 'Budget and Accounting Act' that was legislated in 1962, which institutionalized a modern standard operating procedure for budgeting cycle including the budget preparation, review, execution, and audit. In the three years right after the establishment of the Republic, there were no statutes at all governing budgeting procedures. The budgeting was later managed according to the 'Finance Act' (1951-1961) that was almost an replica of Japanese law of the time. With the Budget and Accounting Act, the EPB and the BAI gained more power to control tightly over the budgeting process. But even in this era, due to the continued lack of financial resources and the weakness of civil servants' predicting capabilities, Korea was still forced to frequently compile supplementary budgets or sometimes budgeted excessive contingency funds in the 'repetitive budgeting' style of underdeveloped countries (Caiden and Wildavsky, 1974; Jung, 2001: 969). In addition to budgeting, as noticed earlier, strict internal controls over line organizations were practiced by several other central agencies that were in charge of such basic administrative functions as planning, organizing, staffing, legislating, coordinating, public relations, reporting, and central-local relations.

## Civil Service System

During the Park administration, the merit-based career civil service system and other core elements of a modern bureaucratic state administration were institutionalized to a considerable degree. In the 1960s, lots of staff with military background went into public positions, bringing with them the relatively advanced personnel management systems of the military which was impacted by the allied American Military. Other advancements made during this period include the introduction of appointment instead of qualification system of civil service, the legislation of the Government Employees Pension Act, and the establishment of the Civil Service Appeal Board (Kim, 2007: 36).

However, it was in the 1970s that the civil service reforms towards meritocracy and career civil service system were institutionalized more positively. The past custom of relying more on special appointments and internal promotions was radically replaced with more open competitive employment. In particular, the number of the newly employed through a competitive higher civil servants examination was increased drastically to ensure the recruitment of more young talented human resources needed for the effective execution of government-led industrial policies (Figure 1). This reform of personnel administration was led by the Ministry of Government Administration.

During the Doo-hwan Chun administration (1980-1987) launched in the early 1980s, institutionalization efforts to strengthen career civil service system continued by introducing grievance procedures, extending the retirement age for government employees, and so on. Even at that point in time, however, it is difficult to say that the status of civil servants was as secure as set forth in principle; for in the early 1960s, the early 1980s, and even the post-democratization era after 1990s, when newly launched government conducted administrative reform with dismissing lots of civil servants under the name of 'efficient government' (Jung, 1999; Kim, 2007) (Table 2).



<Table 2> Number of Civil Servants Dismissed in a Time of Government Transition in Korea

Government	Year	Dismissed Staff (Persons)	Ration (%)
Park Chung-hee	1961	35,767	15%
Chun Doo-hwan	1981	22,502 (over G-4: 599)	5% (12%)
Kim Dae-jung (Plan)	1998 (1998-2001)	17,597 (142,359)	11% (20%)

The legislation in 1961 of the Government Employees Training Act and the *Central* Officials Training Institute Establishment Act ensured better training for civil servants. An Education and Training Division was created in the Ministry of Government Administration's Administrative Management Bureau to manage the training of civil servants at a pan-governmental level. The revised National Civil Service Act also included provisions to enforce a linkage between training and personnel promotion (Lee, 2008). There were also efforts at the time to introduce the relatively advanced military personnel training system into public administration. Mostly, however, such training efforts took the form of collective ideology education calling for the 'spiritual awakening' of civil servants that focused mainly on purporting 'anti-communist ideologies' and the spirit of the 'May 16 Military *Coup d'état*,' and so on. It was from the late 1960s that in an effort to more effectively implement the 5-years economic development plans, modern education and training methods were introduced to provide more specialized practical training programs according to the results of demand surveys conducted on each administrative job category (Kim, 2008: 250). In 1973, the Government Employees Training Act was replaced by the new Government Employees Education and Training Act that provided more detailed regulations on managers' duties to train his subordinate civil servants in their charge (Lee, 2008). In 1982, a '5-years Plan for the Development of Education and Training for Government Employees' was made to promote the development of a training curriculum for higher civil servants.

## INSTITUTIONALIZATION OF A DE-BUREAUCRATIZED DEMOCRATIC STATE ADMINISTRATION

In the 20 years since the democratic transition of 1987, Korea has passed the "two turn-over test" (Huntington, 1991) to prove her successful democratic consolidation, which has been achieved only by a few Asian countries including Taiwan. This period witnessed a lot of efforts to dismantle the modern bureaucratic state administration that was pursued to institutionalize during the 40 years after the founding of the Republic. In its place, reforms were conducted to institutionalize a de-bureaucratized democratic state administration.

### Organizational Structure and Procedure

Various reform efforts have been made to democratize the state administration since the democratic transition in 1987. The New Public Management (NPM) model which was diffused among the OECD member countries was accepted because of at least two reasons: It was regarded that it could aid the Korean state administration to be democratized. It was also considered as an appropriate reform model for Korea who was seeking policy redirecting from a government-led to a market-oriented economic system. Significant institutional changes were made to the Korean state administration after the democratic transition, but these changes had both similarities and differences with administrative reform carried out in the Western OECD member countries.

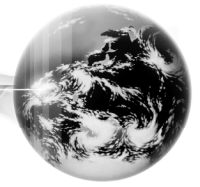


One of the important similarities was the reform efforts towards deregulation on the market and civil society. Regardless the actual results of such efforts, in terms of policy direction, this deregulation policy has been one of the Korea's most consistent and important reform goals since the democratic transition. Decentralization was also another important reform goal that was similar to trends in the West. With relevant legislation in the late 1980s, the reformation of local councils in 1991 and direct elections for local government heads in 1995, local autonomy -- which had been 'deferred' for 30 years since the military coup in 1961 -- was resurrected (Jung, 1987). Along with the enforcements of local autonomy, continuous efforts have been made for decentralizing administrative functions from central to local governments.

During this period, however, whereas Western countries conducted reforms to reduce the size of their governments, Korean government continued to grow in size. This can be explained by Korea's democratization. As democracy proceeded, the citizens' participation in politics hence their demand for public services were expanded, while policy-makers tried to respond quickly to the popular demands to win in now competitive political market. The end result was that, with only exception of the period of extraordinary circumstances in the 2 years following the foreign liquidity crisis of 1997, the quantitative size of the Korean government continued to grow for the past 20 years (Jung, 2007). Each administration that took office since the 1990s considered to introduce the so-called 'super-department system' to the Korean government. The reasoning was that the super-departments system would contribute not only to realizing a 'small government' but also reducing the policy coordination cost. The Young-sam Kim administration (1993-1998) actually implemented rather wide-reaching restructuring efforts that included the merger of the EPB and the Ministry of Finance into the Ministry of Finance and Economy (Jung, 1995). This effort reduced the number of central government apparatuses to 37, after the number had risen from 39 during the Chun administration to 41 during the Roh Tae-woo administration. This number rose again, however, to 47 at the end of the Dae-jung Kim administration and 48 at the end of the Moo-hyun Roh administration (Table 3).

The primary reason a super-departments system was not realized in Korea was resistance by the bureaucracy. Another notable reason would be that an 'organizational pluralism' was somewhat inevitable, given Korea's rather short and rapid process of democratization. In other words, various channels, contact points and forums were needed to be institutionalized in order to allow the appropriate input and compromise of diverse interests and preferences, emerged with the progress of democracy, somewhere within the government. Because of a lack of experience of democratic compromise within the civil society, it was difficult to expect concerned individuals, civic or interest groups to reach a compromise through mutual adjustments. Had not existed the organizational pluralism as a mechanism to draw such issues into the realm of government, there might have been that much greater conflict in society.

Actually, after the democratic transition of 1987, particularly during the Democratic Government (1998-2008), many new administrative apparatuses were established, especially as committee type organizations. Whereas there was only 1 committee type central administrative apparatus at the end of the Young-sam Kim administration, there were 9 under the Dae-jung Kim and the Moo-hyun Roh administration (Table 1 and 3). In addition, tens of supporting committees and advisory committees were also created during



this period. Although most of these were *ad hoc* organizations, they were still criticized as being the culprits behind the unnecessary duplication of government tasks and the government growth.

As explained above, the democratization was the main factor behind the creation of (especially committee type) organizations. The state administration had exercised power over the people during the past period of authoritarian rule, and therefore the people had grown extremely wary, and as an end result, many parallel apparatuses were created to set a system of checks and balances in place among these organizations. The committee type organizations were preferred because of the perceived need of the existing bureaucratic decision-making system to draw from the new ideas and expertise of the civil society. Administrative organizations and committees were also created to address the task of taking care of workers, women and other social groups that had so far been neglected. Another factor leading to create more administrative organizations was the foreign liquidity crisis of 1997 and the resulting distrust in the capabilities of the economic policy apparatuses that had led the government-led 'condensed economic growth' of the past and the recognition of the need for a means to keep each apparatus in check with one another. The push for more democratized administration also led to the establishment of more committee-type organizations. Also, to better keep the Executive Branch in check, efforts were made during this period to institutionalize the Constitutional Court, the National Assembly Budget Office, the National Assembly Research Service, and the two independent public agencies including the National Human Rights Commission and the Broadcasting Commission (Table 3).

<Table 3> Central Administrative Apparatuses Established since 1980s in Korea

Function	Chun Doo-Hwan (1981-1987)	Rho Tae-Woo (1988-1992)	Kim Young-sam (1993-1997)	Kim Dae-jung (1998-2002)	Roh Moo-hyun (2003-2007)
Public Service Provision	M Labor (81); M Sports(82)^	Meteorological A (90) National Police A (90)	Adm./M of Environment (80/90) Coast Guard(96)	Food & Drug A(98) C/M of Gender Equality & Family (98/01) Cultural Heritage A (99) C Youth Protection (99)*	National Emergency Management A (04)
Constitutional-ism, Democracy, and Human Right Promotion	Social Purity C (80)#	<u>Constitutional Court</u> (88); <u>Broadcasting C</u> (88)*	Ombudsman (94)*	<u>National Human Rights C</u> (01)*	
Economic Policy Capability Improvement	International Cooperation C (83-86)	Statistics (90)	Fair Trade C (94) M Information & Communication (94)* M Maritime Affairs & Fisheries (96)* Small & Medium Business Adm. (96)	Financial Supervisory C (99) Small & Medium Business C (99)	
Administrative Capability Improvement		Government Information Ag. (99)*		National Emergency Planning C (98)* C/M Planning & Budget (98/99)* Civil Service C (99)* Independent C Against Corruption (02)*	<u>National Assembly Budget Office</u> (04) Defense Acquisition Program Adm. (06) Multifunctional Admin. City Construction A (06) <u>National Assembly Research Service</u> (07)

Note: ( ): Year of establishment. M: Ministry; Ag: Agency, Adm.: Administration; Outer Bureau, C: Commission or Committee.

Non-executive organization. #: Abolished in 1989; ^: Merged in Dec. 1994; \*: Merged in Feb. 2008.

Source: Up-dated version of Jung (2007a).

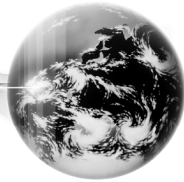


A reversal in the public mindset on government size came about during the election for the 17<sup>th</sup> President of the Republic. In a landslide vote, Korean voters chose Myung-bak Lee, the opposition party candidate who campaigned for a ‘small government,’ to become the next President. The Lee administration (2008-present) also revamped central administrative organizations as it was launched, and reduced the number of central administrative apparatuses to 40 from the 48 at the end of the Roh administration (Table 1). The number of administrative committees or advisory committees supporting the President and the Prime Minister was reduced to 11 from the existing 19.

From right after the foreign liquidity crisis of 1997, reform efforts seeking to apply the models of NPM or ‘New Governance’ (Pierre and Peters, 2000) were actively pursued under the slogan of ‘from procedure to performance.’ These models were to encourage creativity through decentralization and delegation, but still secure accountability through performance assessments. Decentralization was first attempted in the relationships between the core executive and the administrative bureaucracy. For example, during the early days of the Roh administration, there was an attempt to reduce the number of senior secretaries to the President. Starting from the 1960s, the presidential secretariat maintained de facto ‘inner cabinet’ with around 10 Offices of Senior Secretaries, but the Roh administration simplified this to a system of 2 chiefs (i.e., the Chief of Staff and the Chief of Policy Staff), 5 senior secretaries (for political affairs, civil affairs, public affairs, people’s participation, policy planning) and 6 special advisors (on national security; the economy; foreign policy; national defense; information, science and technology; personnel management). At the same time, policy coordination on detailed matters pertaining to internal affairs was gradually delegated to the Prime Minister.

Attempts were also made to scale back the control that central agencies responsible for planning, budgeting, organizing, staffing, and audit had over line organizations of different levels. One reform effort involved having the Ministry of Government Administration and Home Affairs -- the central agency in charge of organizing -- delegate to other lower-level administrative organizations the discretionary authority to re-organize sub-units at the division level or lower. The Civil Service Commission, the central agency responsible for personnel management, also introduced the ‘total payroll budgeting system’, allowing other organizations to autonomously manage the size of their workforce within the scope of their respective total payrolls. Also, the central agency for budgeting, the Ministry of Planning and Budget, worked to enhance the autonomy of budget management of each organizations of all levels through policies to ‘convert input-oriented budget management to performance-oriented budget management’ and to ‘convert budget allocation from a bottom-up individual project expense review approach into a top-down *ex ante* allocation approach.’ At the BAI, efforts were made to move from traditional audits based on ‘*ex ante* procedural regulations’ to ‘*ex post* outcome-oriented performance assessments.’ As such, many efforts were made to expand the autonomy of each administrative organization through decentralization and delegation. At the same time, to ensure accountability through performance evaluation, the Public Service Evaluation Committee was established in accordance with the Framework Act on Public Service Evaluation legislated in 2006.

Another change to the organizational structure was that the 3-layer pyramid-style hierarchy of ‘offices, bureaus and divisions’ was converted to a more flexible 2-layer hierarchy consisting of ‘headquarters and teams.’ As can be seen in the attempt to dismantle the ‘principle of prosecutors as a single body’ that requires all prosecutors to perform their duties as a member of a nationally unified organization in complete obedience



to commands from the Prosecutor General at the top, there were various efforts during this period to break down the organizational culture of the Korean state administration that placed such a great emphasis on 'uniformity.'

In short, during the past 10 years, efforts have been made under the slogan 'from procedure to performance' to change the existing top-down hierarchical system of the state administration into a much more participatory and flexible system. Still, however, it is difficult to say that Korea has actually and substantially realized reforms that ensure 'decentralization and autonomy, and securing accountability through performance'. One hindrance to substantial institutionalization of such reforms is the administrative culture of hierarchical top-down control mechanisms, which were embedded in the early days of the Korean state administration. Institutionalization of reforms has been also made difficult because of concerns in the political executive over the possible leakage of 'administrative leadership' through decentralization and the reluctance of the central agencies to reduce their regulatory power over line organizations. The justification and framework for reforms according to the NPM and the New Governance models are already in place. What is lacking is substantial practice for decentralization and delegation.

## Civil Service System

As described earlier, during the state-building period from the 1940s to the 1950s, at least groundwork was set for the institutionalization of a merit-based civil service system through the legislation of the National Civil Service Act. It was noted that in reality, however, patronage played a very large role in public personnel administration at that time. During the rapid industrialization period from the 1960s to the 1980s, there was the opportunity to better institutionalize a merit-based career civil service system. However, the end result was significantly different from the *Weberian* ideal type of bureaucracy. Such pre-modern administrative culture as 'familism' and 'personalism' were still prevalent, and as a natural result, despite several aggressive anti-corruption measures taken by the government, it was difficult to stamp out administrative corruption. With extreme executive dominance hindering the development of representative democracy and also extreme centralization to the President within the executive branch, the severe politicization of civil servants was also a persistent problem (Caiden and Jung, 1981).

With the democratic transition and consolidation from the late 1980s, various reactions emerged with regard to the way in which the status of civil servants was influenced heavily by politics under the past authoritarian governments. The security of status for mid- to high-level civil servants was strengthened in the course of promotion reviews, and efforts were also made to adjust salaries to realistic levels, including through the payment of performance-based bonuses (Kim, 2007: 37). It is interesting to note that merit-based career civil service system -- the core element of modern bureaucracy -- were being strengthened more in Korea during the 1980s and 1990s, when in the West they were actually being dismantled.

It was a full ten years after the democratic transition that public personnel administration reform started to head in the direction of dismantling the career civil service system in Korea. The reform effort was conducted by the Democratic Government (1998-2008) that came to power right after the liquidity crisis of 1997. Therefore, there was a 10-years gap between the theoretical introduction of and the practical application of the NPM model in Korea. Reform of public personnel administration during this period consisted of the following three policy directions.



First, the NPM model was actively applied to the civil service reform as a part of effort to enhance the efficiency of the state administration. The 'merit-based, rank-oriented, seniority-based and closed career civil service system' that was institutionalized during the past 4 decades was to be discarded in favor of a 'performance-based, position-oriented, open recruitment personnel management system.' The most pressing factor for such policy change was the foreign currency crisis. Reforms were initiated in four areas including economy, industry, labor, and the public sector. Many policymakers and experts (including economists from the IMF) diagnosed that the main cause of the Korea's liquidity crisis was her inability to respond to the globalized environment in a flexible manner. In the case of the public sector, reform efforts targeted the rigid career civil service system that might ensure strict protection for the status of civil servants and aimed to change the paradigm of public personnel management into a more flexible one, including the infusion of outside experts with various backgrounds into the state administration. This change in paradigm was also intended to resolve the narrow-sightedness of civil servants who mostly remain with one single ministry or agency throughout their careers, while also resolving the related difficulty of enabling efficient policy coordination among different administrative organizations. Another favorable factor for the aggressive push for the reform efforts that could affect the existing civil service system was the political intentions of the Democratic Government. Throughout the 50 years since the establishment of the Republic -- with the only exception of one single year (1960-1961) -- the Democratic Party had never before been in power. So for the political executive of the Democratic Government, reforming the system to allow the easier replacement of existing career civil servants provided an opportunity for them to strengthen 'administrative leadership.'

In this context, the Democratic Government pursued an open recruitment policy, within which 'the Open Position System,' 'the Personnel Exchange Program,' 'the Job Posting Program,' and 'the Senior Civil Service' system were institutionalized. The Open Position System (OPS) was introduced in May 1999, aiming to recruit competent personnel through open competition among applicants from both the public and private sectors. Under the OPS program, each ministry is required to designate 20% of its director general level (Grade 1-3) positions as 'open competitive positions.' As of November 15, 1999, the Civil Service Commission selected 129 positions as OPS positions. Only 16% of the total designated Open Positions were filled from outside of the ministries or agencies from 2000 to 2003, however, this percentage rose to 43% in the period from 2003 to 2007 (Table 4). The Personnel Exchange Program (PEP), which was initiated in the early 1990s, was expanded in several directions, including exchanges within the central government organizations, between central and local governments and between the government and private sectors. The Inter-ministry Exchange Program for director-generals (Grade 2-3) was launched with the selection of 20 positions in 2004, and that for the division chief level (Grade 3-4) by selecting 34 positions in 2005. The 'Ministry-wide Job Posting Program (JPP)' was institutionalized as a competitive recruitment program within each ministry. The number of posts increased from 48 in 4 agencies in 2000 to 530 in 36 agencies in 2007.



<Table 4> Outside Appointments to 'Open Position System' Positions in Korea

Period	Total Positions Appointed	Within the Ministry	Outside of the Ministry		
			Subtotal	Civilian	Other Ministry
Kim administration (2000-2003)	180 (100%)	151 (83.9%)	29 (16.1%)	22 (12.2%)	7 (3.9%)
Roh administration (2003-2007)	348 (100%)	190 (56.6%)	158 (43.4%)	132 (34.3%)	26 (9.1%)

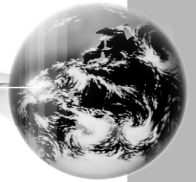
Based upon the experiences of the OPS, PEP and JPP, the Roh administration initiated its reform agenda in April 2003, secured the legal grounds for such reforms by revising the National Civil Service Act in December 2005, and launched the Senior Civil Service (SCS) on July 1, 2006 for the first time in Asia (Table 5). The SCS is a government-wide personnel management system for selecting, preparing, paying and managing a differentiated group of senior civil servants, composed of central government officials at the director-general level or higher, covering approximately 1,500 positions (Table 6). This system is managed by combining the open competition system (20%), the government-wide job posting program (30%) and the agency-level flexible management system (50%).

<Table 5> Senior Civil Service Systems Compared

Country	US	Australia	New Zealand	Canada	UK	Korea
Name(Year Established)	SES (1979)	SES (1984)	SES (1988)	EG (1993)	SCS (1996)	SCS (2006)
Legislation (Year)	Civil Service Reform Act (78)	Public Service Reform Act (1984)	State Sector Act (1988)	Public Service Reform Act(1992)	Civil Service: Taking Forward Continuity & Change(1995)	National Civil Service Act (2005)
Central Personnel Agency	OPM(Setting standards and approving client org's selection)	Public Service Commission and the SES Office (Support self-operation of each client org.)	Treasury and then the State Service Commission	Public Service Commission (Approving each org's self-selection)	Cabinet Office (Corporate Development Group) (Approving each client org's self-selection)	Civil Service Commission(99-07) and then MOPAS(08- ) (Setting standards and approving each client org's selection)
Purpose	Overcome departmental identification due to position classification and the status security system; Enhancing leadership, policy and management capacity.	Improve performance by facilitating inter-departmental mobility and integration, open recruitment.	Develop management careers or a unifying force in the public sector;	Enhance personal expertise and managerial skills; and inter-departmental coordination capacities.	Improve expertise of civil servants by overcoming the limits of the conventional closed rank system; by improving inter-ministerial cohesion.	Improve expertise by overcoming the limits of the conventional closed seniority-based rank system; Improving inter-ministerial coordination capacity.
Composition	7,800(80% of career positions); excluding presidential appointees, diplomats, FBI and CIA personnel, etc.	1,450(division chief level and over)	Not developed an ethos; Withered during the 1990s and then terminated.	4,300(director general level and over)	3,800(division chief and over); excluding diplomats.	1,500(director level and over); included later the diplomats.
Selection, performance appraisal and pay	Absolute evaluation for 3-5 Grades every 3 years; Different basic pay + Performance-based pay + Special bonus	Basic pay (3 grades) + Performance-based pay	Faced to such problems as salary ceiling to attract qualified outsiders.	Annual base evaluation; performance-based pay	Performance contract system; open competition in/out of government; Basic pay (for 1-3 grades) + special bonus	Relative evaluation and performance-based pay up to 15%.

Notes: SES: Senior Executive Service; EG: Executive Group; SCS: Senior Civil Service  
Source: Nigro and Nigro, 1987; Halligan, 1996; 2003; KIPA, 2008; MOPAS, 2009.





<Table 6> Number of Senior Civil Service Appointees in Korea

Year	Total	Formal Positions						The Dispatched			Lease of Absence, etc.
		Subtotal	General Service	Special Service	Contract-based	Research	Diplomat	Subtotal	Dispatched	Training	
2006	1,256	1,206	936	197	73	-	-	40	27	13	10
2007	1,297	1,088	810	186	92	-	262	156	77	79	53
2008	1,663	1472	961	169	82		260	166	69	97	25
2009	1,528	1,249	806	168	74	-	201	187	85	102	92

Sources: KIPA, 2008; MOPAS, 2009.

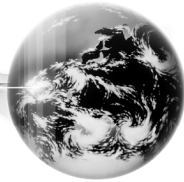
Upon the launch of the Myung-bak Lee administration in 2008, some elements of the SCS program were revised, including the position grade system and performance evaluation. The original SCS system had replaced the former system of three-rank grade (i.e., Grades 1-3) vested in personal seniority of senior civil servants with a system of five-position grade based on the degree of job difficulty in SCS positions. This new five-position grade system was only introduced as a means to conveniently manage the performance-based pay. However, this system was operated *de facto* as a new 'rank' system, undermining one of the key purposes of SCS institutionalization which was to abolish the concept itself of 'rank' vested in (not positions but) persons within the group of senior civil servants. Under the Lee administration, therefore, the position grade system was simplified from five to two grades, and it has been insisted that the position grades should not be regarded as any sort of 'ranks' vested in persons but simply as 'evaluation criteria on job difficulties.' Another issue raised on the SCS with the two years' practice is the tendency of leniency on qualification reviews or performance evaluations. In response, a 'comparative evaluation system' has been enforced with a maximum allocation of 20% in the "very good" category and a minimum allocation of 10% in the "very poor" category (Table 7).

<Table 7> Performance Ratings and Performance-based Pay for SCS Members

Ratings	S	A	B	C
% of Members	20%	30%	40%	10%
Pay Rates in 2006	7%	5%	3%	0%
Pay Rates in 2007	15%	10%	5%	0%

Source: KIPA, 2008; MOPAS, 2009.

With regard to criticism that the conventional seniority-based appraisal and reward system was one of the main causes of the poor competitiveness of Korean civil servants, the Democratic Government introduced the performance-based pay and the performance agreement programs in 1999. The performance-based pay system consists of an annual salary scheme, where the level of compensation is differentiated within each pay-grade band depending on individual performance. The performance-related pay portion of the salary for senior civil servants was set at a maximum of 7% in 2006 and increased to a maximum of 15% in 2007 (Table 7). The Lee administration has been planning to apply further this performance-based pay system to all the civil servants in addition to the SEC group. The performance agreement scheme is an appraisal system for civil servants at the level of section chief (Grade 4) or higher. Under this scheme, an individual agreement is made



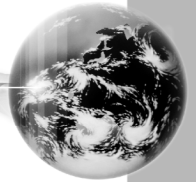
between the agency head and civil servants regarding performance objectives and measurement indicators, thereby building a link between performance evaluation and rewards. This scheme, however, has not been very effective.

Second, reform efforts also focused on the so-called 'balanced personnel management' applying the norms of representative bureaucracy. Following the lead of the Kim administration (1998-2002), the Roh administration (2003-2007) also sought to conduct reforms that enhance democratic representativeness in the Korean state administration. The Roh administration initiated affirmative action programs for such 'minorities' in the public sector as women, the disabled, science and technology experts and those from outside the Seoul Capital Region. The administration's official reasoning was that, by diversifying the composition of civil servants with this policy, the productivity of the state administration could ultimately be increased. Another causal factor might be the political intension of the then incumbent government who hoped to gain more political supports from these minorities.

The Roh administration actually did promote the representativeness of civil service by actively recruiting those minority groups who were previously under-represented within civil service. The Target Quota Program (TQP) in examinations for Grades 5-9 positions was launched on the grounds of gender equality in 1996 and the quota was raised to 30% in 2005. While the goal of the TQP has been overachieved in practice in that the ratio of the female to the total civil servants increased 27% in 1995 to 38% in 2005, some feminist groups have asked the government to apply a target quarter program even to such higher positions as Senior Civil Service and political appointees, and so on. The administration also reinforced the legal obligation of 1990 for central and local government agencies to recruit at least 2% of their total employees from the disabled. Increased target ratios were set for the new employment of scientists and engineers, up to 40% in 2008. They were previously under-represented in Korean civil service as can be seen in fact that the occupational groups accounted for only 25% of the total civil servants in 2003. Several reform initiatives were also initiated to increase the participation in civil service of 'regional talents' from outside of the Seoul Capital Region.

Third, there was an effort to decentralize the public personnel administration system. As mentioned before, this effort was part of a reform initiative to decentralize basic administration functions including organizing, budgeting and staffing from the powerful ministry-level central agencies, by delegating these functions to the line agencies. In the case of public personnel administration, reforms were led by the Civil Service Commission (CSC, 1999-2008) during the Democratic Government. The CSC was established in 1999 as an independent agency working exclusively on human resources management, after first having the Ministry of Government Administration that was acting as the central personnel agency merge with the Ministry of Home Affairs in 1998 into the Ministry of Government Administration and Home Affairs. According to the plan for decentralization, reform efforts focused on reducing the internal regulations of the central personnel agency, while delegating the authority to manage personnel to the head of each administration organization.

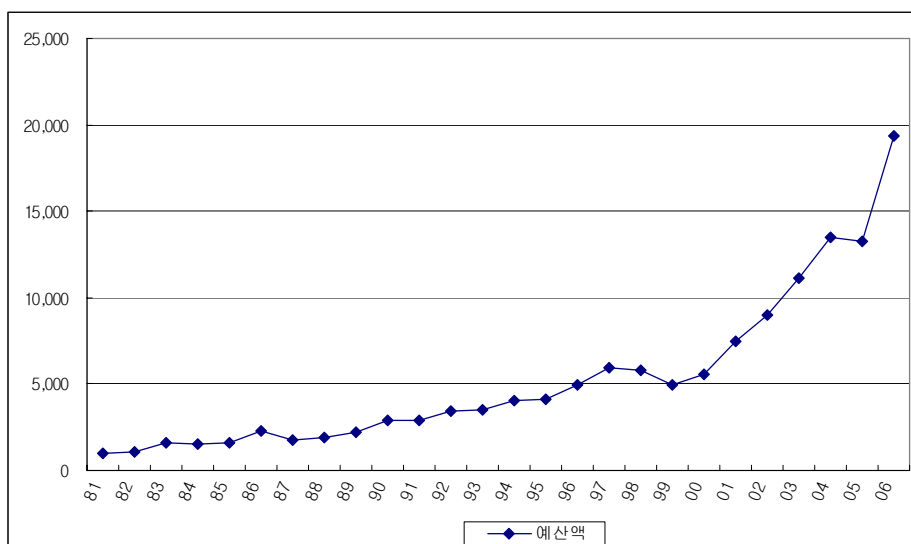
The CSC, however, wielded much more centralized regulation than expected in the course of implementing reform in personnel administration. In the course of designing a new personnel management system that would encourage decentralization and autonomy and in ensuring that this new system would be implemented by the line organizations, the CSC came to be involved in far more regulations. This activism on the part of the CSC was a major factor in bringing about a sort of 'reform fatigue' among the constituents of the Korean state administration. Administrative reform was criticized for creating even more complicated and



cumbersome internal regulations within the state administration, when it should have been working to overcome the rigidity of the Korea's personnel management system. In the face of such criticism, the Lee administration dismantled the CSC as it took office in February 2008. The Lee administration is currently working on a personnel management reform plan that will allow more autonomy for the line organizations to recruit civil servants.

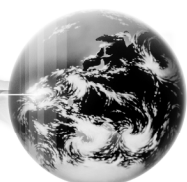
Forth, investment in education and training for civil servants has increased continuously since the late 1980s. As can be seen in Figure 3, the budget for the Central Officials Training Institute (COTI) has continued to increase since the 1980s. The brief drop (1998-1999) in the training budget immediately following the liquidity crisis reflected financial difficulties at that time. It also reflected, however, the directive of the administration to introduce an open recruitment system that would favor recruiting qualified experts directly from private sector over having the government enhancing the capacities of existing civil servants. With an exception of the period, a lot of efforts were invested to facilitate civil service training and education. Examples include the creation of an advanced policy course (1-year duration) in 1993 for senior officials (G2-G3), basic education expanded for all civil servants at the Grade 6 or lower levels, more specialized training according to job type, and cyber education launched with the establishment of cyber education centers. In addition, long- and short-term overseas training programs that were first started in 1977 were continuously expanded, and with efforts to diversify host countries for overseas trainees as there was heavy bias toward the United States. One issue that has yet to be resolved is that almost all trainees opt to acquire an academic degree in graduate school during their 2 years of overseas training, thereby limiting their own opportunity to accumulate practical knowledge.

<Figure 3> Annual Budget Size of the COTI (Unit: million Korean won)



Source: COTI, Annual Report, 2007, 1991; K. Lee, 2008.

The Roh administration considered that the closed career and rank classification system made it difficult to foster specialized expertise in civil servants. The administration therefore invested in efforts to develop competency and turn generalists into specialists by institutionalizing the Career Development Program (CDP) and by working to improve training programs. Introduced in 2006, the CDP called for each ministry to classify its



work into several professional categories and to assign staff based on their specialized categories. A ‘工’ type career path is applied to administrative occupational groups, while a ‘T’ type career path is applied to science and engineering occupational groups. The minimum length of service in one position has been extended from one year to one and a half years for the Grade 4 (division chief) level and two years for staff at Grade 5 or lower levels, to ensure that civil servants have the opportunity to acquire experiential knowledge.

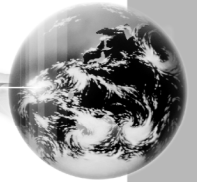
## CONCLUSION

So far, the institutional change and continuity of the Korean civil service has been characterized in the context of the three stages of the state administration developments during the past sixty years or so since the foundation of the Republic in 1948. The first stage, the period of state-building from the 1940s to the 1950s, the Korean government laid the groundwork for institutionalizing a ‘modern bureaucratic state administration’ so as to build an independent sovereign nation state and for preparing for more positive further developments in the next stage. Nevertheless, the end result was far from an ideal type of modern bureaucracy, in that many pre-modern institutional characteristics persisted. During the second stage, the period of rapid industrialization from the 1960s to the 1980s, the government managed to institutionalize many elements of a modern bureaucratic state administration, including a more merit-based career civil service system. During the first and second stages, the efforts of the Korean government to institutionalize a modern bureaucratic state administration resulted in the creation not of a genuine *Weberian* type of state administration, but an Asiatic form of administrative state that contributed to establishing strong stateness (Jung, 2007).

The third stage, the period of democratization from the late 1980s to the present, the Korean government changed reform directions and sought to establish a ‘de-bureaucratized democratic state administration.’ Triggered not only by the democratic transition and consolidation but also by the liquidity crisis in the late 1990s brought on by globalization, the government invested a lot of efforts to deconstructing various bureaucratic elements of the state administration by adopting such reform models as an open performance-based personnel management system and the Senior Civil Service system that were initiated and diffused mostly by the English-speaking OECD countries of the time. Unfortunately, however, considerable gaps still exist between the nominal reform goals and the actual level of institutionalization in terms of taking solid root in practice.

During the first stage, the Korean civil servants were very low in terms of neutral competence in that they lacked administrative expertise and experiences, and moreover were highly politicized by the President and the government party. Based on a strong sense of political tie between the charismatic President Syngman Rhee and the civil servants with low legitimacy due to their colonial regime background, the former was able to exercise a strong executive leadership. However, the degree of democratic control over the government was extremely low, along with poor democratic representativeness to the political executive and civil service. The policy capability of the state administration as a whole in the first stage was not high enough to respond effectively to the chaotic situations in the state-building period.

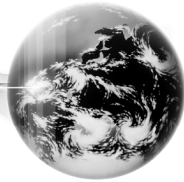
In the second stage, getting more accumulated expertise and experiences, the civil servants enhanced their neutral competency. They were more autonomous in their relationship with the political parties and the National Assembly, but were still highly politicized by the President, who was able to enjoy a strong executive leadership based on institutional supports of the well organized core executive apparatuses. There was still a



strong sense of solidarity between the President and the civil servants, while democratic supervision over both of them was not enough to be responsible to civil society. Meanwhile, the policy capacity of the state administration as a whole was extremely high, contributing to achieving the simplified national goal of rapid industrialization.

In the third Stage, while civil servants accumulated much more expertise and experience, they were not adaptable flexibly enough to respond to the rapidly changing environment of the international order (in the name of globalization), politics (of democratization), science and technology (of IT revolution), and ideas (of postmodernism), and so on. Experiencing the two turnover tests, the sense of solidarity between the President and civil servants weakened considerably, while the control of civil society over both of them increased exponentially, thus further expanding democracy within state administration. The decentralization and pluralization of the society and of the state administration led to concerns by the President over his executive leadership or control over civil servants. Meanwhile, civil servants were also concerned about the weakening of their status that came with the reforms dismantling of the career civil service system. As a natural result, a substantial gap has appeared between the nominal administrative reform goals of decentralization and autonomy with performance-based accountability and the actual degree of institutionalization of these goals. As a whole, the last two decades witnessed the significant decrease of the policy capacity of the Korean state administration in terms of its positive driving on initiating and implementing national agenda.

The state administration and the society will continue to become more pluralistic in Korea. This process will continue to cause some confusion in the state administration. Especially in light of the global economic crisis triggered by the American financial crisis of 2008, there is even more confusion due to questions being raised as to the appropriate role of the state administration and the ideal model of civil service system (Peters, 2009; Peters and Pierre, 2009). As many specialists confess, existing theories of social sciences can hardly explain today's global economic crisis or predict such crises in the future (Rubin, 2009; *The Economist*, 2009.7.18: 9; 58-60; 61-62). Therefore, each country may have to find solutions to crisis through trial and error. Only after getting out of the depths of the crisis, might it be possible to review these past traces and to theorize about them. This might suggest that each country must reconsider and reform its institutionalized paradigm of public administration and governance. One thing that might be certain about under this chaotic and complex circumstances is that it would not be appropriate to define a uniform and rigid set of rules or standards for the role of and methods for the state administration in general, and civil service system in particular.

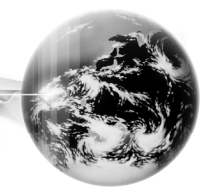


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# 韓國政府公務員制度變革與一致性

鄭用德

韓國國立首爾大學行政大學院教授

## 摘要

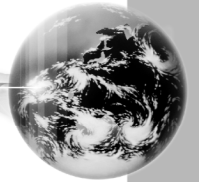
本文分析說明自韓國立國(1948年)迄今有關韓國政府公務員制度的變革與延續。過去60年，韓國政府實施公務員制度，其發展可以分為三個階段：第一階段(1940—1960年代)政府為建立「現代官僚國家」積極籌備各種制度化之基石；第二階段(1960—1980年代)政府設法建立「現代化官僚國家」的許多制度，包括以功績為主之公務員制度；第三階段(1980年代—迄今)，政府改變方向建立「去官僚民主國家」。第一與第二階段中，韓國政府致力於建立現代官僚國家的各種制度，創造出並非真正的「韋伯式(Weberian)」而是亞洲形式的行政組織，並將韓國建設成強大的國家。為因應1980年代末期民主轉型浪潮與1990年代全球化所造成的金融危機，韓國政府竭力建立「去官僚民主」國家，採取經濟暨合作發展組織(OECD)英語系國家當時實施的改革模式—開放、績效獎酬與高階公務員制度等。本文詳細說明公務員制度改革情形、造成之特性及其如何影響韓國政府的政策能力。

## 引言

本文目的為闡明始於1948年的大韓民國(簡稱韓國)公務員制度之變革和延續性。這是以國家行政機關發展為一個公共集體機構，包括人員方面和公務員制度為基礎來進行管理的過程。

在過去60年來，韓國國家行政機關的體制特點受到至少下列四個因素所影響(Jung, 2008)。第一個是國家行政機關本身的體制結構。國家作為一個集體管理的機關，受到「路徑依賴」(path-dependency)或其先前的嵌入式體制特質的持續性影響。第二是現實世界中國家行政機關之間及其外部環境之間的互動。韓國國家行政機關作為一個新獨立的小國不得不對迅速變化的全球和本地的環境作出積極反應。第三是思想世界中的「理想」(ideal)國家行政機關理論或模型。韓國國家行政機關體制特質不斷地受到來自時代改革典範的全球性趨勢挑戰，驅使其進行改革。最後但並非最不重要的因素，是現實世界中行政機關程序參與者的改革努力。所有韓國政府進行行政機關改



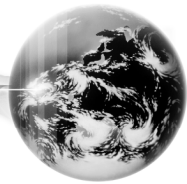


革，主要協同直接向行政機關長官負責的特設指導委員會。這種改革的努力結果自然是反映國家、組織或參與者視為個人利益的真實政治進程結果。

在過去 60 年至少受到上述四個因素驅動的韓國國家行政機關體制特徵，可區分為三個不同的階段（Jung, 2006）。第一階段是從 40 年代至 50 年代初，當時政府試圖使一個「現代官僚化的國家行政機關」制度化，但在現實中，因為當時的各種惡劣環境，實現該目標是相當困難的。第二個階段是從 60 年代到 80 年代，當時為了將現代官僚化的國家行政機關制度化，作了極大的努力，但結果卻與理想類型出現了嚴重的差異。第三階段是從 80 年代後期到現在，當時經過 40 年的努力—名義和實質上—現代官僚化的國家行政機關制度化作為了調整，取而代之的是將一個去官僚化的民主國家行政機關引進韓國的改革努力。

本文首先針對每一個發展階段分析國家行政機關組織結構和程序的特點。組織結構的分析重點特別著重於投入的重整努力是否不僅「區別」行政組織，使其足以有效回應每個時代的國家任務，並且同時「整合」他們並予以協調，以作為國家政策更高的目標。在國家行政機關的程序方面，分析則側重於「程序重複」的制度化程度：即程序重複制度化是否可以確保這類因素成為現代國家官僚主義的「非人性」和「普遍性」，以及提高內部團結的集體意識和職業官僚的凝聚力（Skowronek, 1982：33）。

本文接著分析國家行政機關每一發展階段的人性面—特別是執行國家時代任務所需的人力資源調動和分配。該分析的重點為現代官僚作為精英和職業公務員制度要素的制度化程度；根據專業知識、性別、年齡、學校和地域背景等的人力資源構成；以及通過制度化在職培訓等能力建構的努力（Bekke, Perry & Toonen, 1996）。為此，本文還討論了這類相關典型問題，例如行政長官的「行政領導」、公務員的「中立能力」，以及「民主代表性」等（Kaufman, 1956；Nigro & Nigro, 1986；Morgan, 1996）。



## 建立現代官僚國家行政機關的基礎

1945 年韓國從 35 年的帝國主義日本殖民統治解放，但朝鮮半島在國際秩序下的冷戰，分裂為南北兩半。1948 年美軍過渡治理 3 年後，大韓民國於朝鮮半島的南邊成立，但兩年後即被捲入「韓戰」(1950-1953 年)中。為尋求生存和發展成為一個獨立的主權國家，韓國致力於戰後重建，以及現代官僚國家行政機關制度化。然而，由於當時的貧困情況，包括發展不完全的人力和物質基礎設施、後殖民社會的不穩定，以及冷戰時期下持續的南北緊張關係，韓國未能有效地克服各種國家行政機關的前現代要素。然而，在這一段時期，國家足以對未來更積極地努力，奠定現代官僚國家行政機關制度化的基礎。

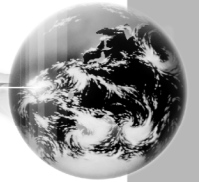
### 組織結構和程序

在李承晚政府時期(1948 年至 1960 年)，憲法修改導致兩個主要行政重整(Jung, 2004)。1948 年 7 月，根據大韓民國第一部憲法完成「政府組織法」的立法，該法並於 1954 年 12 月隨著憲法修正而進行修訂。這些行政重整的最重要標準是所謂的「行政簡化」，以提高效率和經濟(Cho, 1966: 113-36)。這個未受到重視的重整準則，從 1948 年的 25 個中央行政機關(即 15 個部會、1 個院、3 個委員會和 6 個局)開始，最後在李承晚政府結束時變成 28 個(即 12 個部會、2 個院、3 個署，2 個辦事處、10 個局)(請見表 1)。儘管多次嘗試不擴大公務員的規模，1947 年至 1959 年，實際工作人員人數卻增長了 3 倍。另一個「行政簡化」規範的相關問題，李承晚政府未能有效地制度化不同行政機關的需求，以正確執行時代所要求的國家行政職能。一個活生生的例子，即使在面對「韓戰」，需要動員所有國家的能力時，政府並未改變部會或更高層級，僅是試圖建立一些新的委員會來因應局勢。

表 1 韓國中央行政機關數量

政 府	年度	部會	機構、管理部門 或外部局處	委員會	總 計 (內閣成員)
李承晚 (Rhee Syngman) (1948-1960)	1948	16	6	3	25
	1955	14	13	1	28
張 明 (Chang Myun) (1960-1961)	1960	13	3	4	20
朴正熙 (Park Chung-hee) (1961-1979)	1979	20	19	3	42
全斗煥 (Chun Doo-hwan) (1980-1987)	1987	22	16	1	39 (22+1*)
盧泰愚 (Rho Tae-Woo) (1988-1992)	1992	24	17	0	41 (24+2*)
金泳三 (Kim Young-sam) (1993-1997)	1997	21	15	1	37 (21+2*)
金大中 (Kim Dae-jung) (1998-2002)	2002	22	16	9	47 (21)
盧武鉉 (Roh Moo-hyun) (2003-2007)	2007	22	18	9	49 (21)
李明博 (Lee Myung-Bak) (2008- )	2008	17	18	5	40 (17+1*)

註釋：這些機構直接向首長例如韓國審計監察院、國家情報局、國家統一諮詢委員會負責，而教育、科學和科技總統諮詢委員會不包括在內。\*：政務委員



除了將一些作為一個主權國家所需的最小和基礎行政機關制度化之外，李承晚政府主要恢復舊日本殖民政權（1910-1945）的政府機構。與此同時，在美國軍事政權（1945-1948）時期所引進的美國式機構，大都遭到解散。例如，美國人帶來的委員會類型的組織和工作人員規劃制度，回復成更多的分層獨裁政治和二戰前後日本政府的直線式組織。通過解散工作人員和規劃組織的美國機構，李承晚政府為了計劃理性而削弱了其自身體制基礎（Lee, 1968）。此外，因獨裁政治組織取代委員會式組織，李承晚政府播下韓國國家行政機關嚴格等級官僚機器的種子。

此外，李承晚政府保留和恢復日本殖民統治制度化的國家行政機關法律程序（Jung, 2004）。先前的美國軍人政權（1945年至1948年）必須迅速對韓國解放後出現幾乎混亂的分裂國家權力局面作出反應，因此，沒有足夠的時間改革殖民地時代的程序規範。該殖民政府的程序規範因此大部分保存完整。之後出現的李承晚政府儘管作了許多努力來為組織結構制定新的法規，未放置太多注意力在建立國家行政機關內部程序的業務規則。作為一個自然結果，這一階段的國家行政機關程序和慣例非常類似戰前或戰後的日本（Kim, 1999：217）。

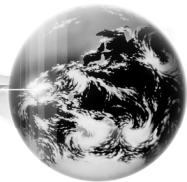
例如，李承晚政府保持完好的殖民時代的金融法和會計法，並成立了一個幾乎完全複製戰後日本政府（Yu, 1966）的審計法。理性國家預算所需的財務數據收集和分析能力也非常的薄弱，因後殖民和後韓戰之間的社會混亂，當時的韓國成為一個所謂「重複預算」（repetitive budgeting）的典型例子之一，這是一種貧窮國家的特徵（Caiden & Wildavsky, 1974）。

建立法律訴訟程序來確保國家行政機關中的非人格性－在決策時排除個人利益，在這個階段也沒有達成目標。大多數行政決定沒有依集體決策方式，而主要是藉由組織負責人或行政首長的個人魅力來獨斷決定（Cho, 1966：131；Lee, 1968：393；Ahn, 1986：69）。由於國家行政機關中尚未建立法治的概念，所以也很難塑立行政課責和責任制。因此，李承晚政府時代的國家行政機關是非常腐敗的。1948年韓國成立審計院（Board of Audit），這是政府內部控制的機關，但因為它受總統的直接控制，因此在實際的作為上有著結構性的條件限制。同年也成立了一個監察委員會（Inspection Committee），但是此機構也受制於行政首長之下。在1955年，這個委員會甚至被廢除，而代之以一個在處理事務和紀律處分權限上更為限縮的審查委員會（Review Committee）。後來，檢查職能劃歸司法部管轄，使執政的自由黨和總統更容易以政治力來影響國家行政機關。

### 公務員制度

如同美國軍事政權之前的情況，李承晚政府幾乎保留了所有日本殖民政權時公共人事管理的制度（Park, 1969：436-8）。幾乎所有任何美國軍事政權所引進的美國機構，都不為李承晚政府所接受（Jung, 2004）。

1948年，設置考試委員會和政府人事局，建立韓國政府的雙人事行政制度。考試委員會負責制定選拔公務員的標準，而人事局則負責甄選過程的執行。這兩個組織中，考試委員會的實際作用不是很大。而人事局被賦予權力自行決定取代被委任者（Cho, 1969：135）。然而實際上，各政府行政機構的首長有實際的權力來召募與分派公務員，因此這兩個組織實際上只是負責官方文件而已。即便如此，這兩個中央人事行政機構的設置－考試委員會和人事局，也有其重要



性，因為他們至少象徵韓國政府希望建立用人唯才的公共人事管理制度。

然而，隨著 1954 年的政府組織法與憲法修訂，四個「中央機構」－ 行政自治部、計畫部、行政立法署與公共資訊署，都被納入內閣秘書處。在這個過程中，考試委員會和人事局合併為內閣秘書處中低兩個層級的審查處。實際上這又回到日本殖民政權下的行政制度規定（Park, 1969）。當時在野的民主黨在國民議會建立所謂的「人事管理局」前曾提出一項建立一個更獨立和較高層級的中央人事機構的建議，但未被採納。附帶一提的是，中央人事機關並非當時政府的重點，在實際的公共人事管理上，佔主導地位的還是總統和他的秘書處，各行政機關首長和執政的自由黨。

人員編制主要還是透過內部晉升比從政府外部招募來的多。在招募新進人員的情況中，招聘工作主要是通過「選拔」，而非「考試」（Bak, 1969）。從 1949 年到 1960 年，96.4% 的任命是經由「高階公務員選拔」，只有 3.6% 是通過「高階公務員考試」制度而任命（圖 1）。只有不到 5% 的中央政府中等與高階公務員是經由考試錄用（Ahn, 2001）。至於考試也在其測試科目及測試方法的有效性和可靠性上有相當的疑問。考試的主要部分是法律與法規的筆試。同時，測試並不包括任何包含公共管理的社會科學，與其實證性知識和經驗的評估部分（Bak, 1969）。在 1953 年的這個考試並不完全開始用在公務員的甄選過程上。在此之前，任命是根據任命權，而沒有對個人的客觀功績進行篩選（Song, 1998 : 30）。

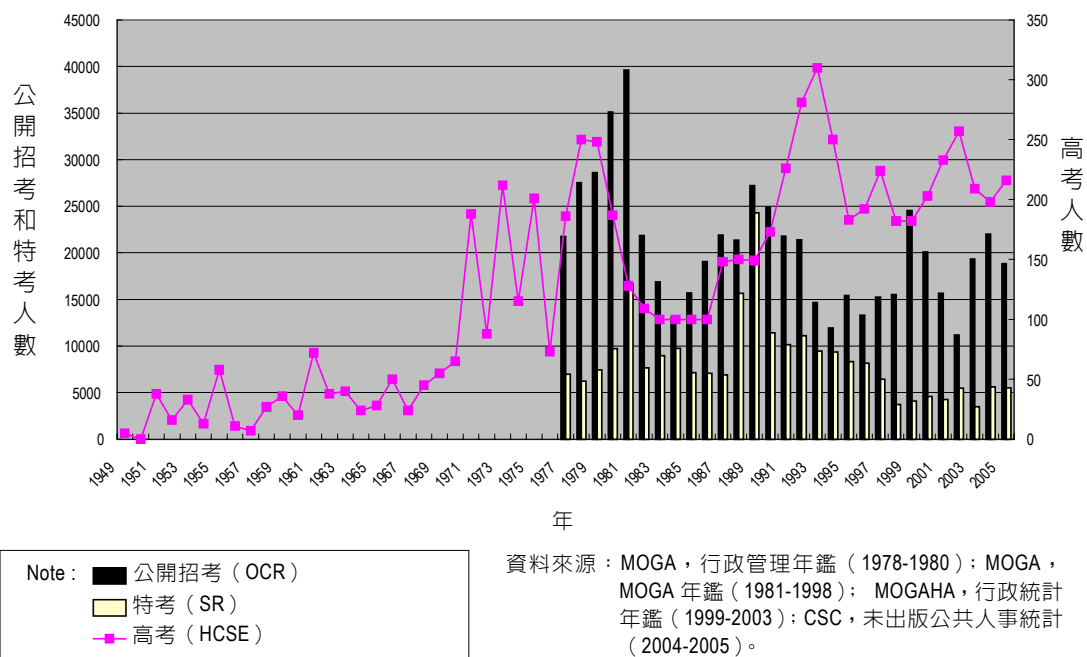
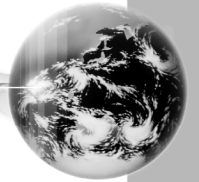


圖 1 經由不同方式新聘任國家公務員人數的方法（每年）

在李承晚政府執政時期的早期階段，人力資源嚴重匱乏，大多數高階職位給了獨立的積極分子；教育工作者和其他幾乎沒有任何公共管理經驗的人們（Yu, 1966 : 487 ; Ahn, 1986 : 59）。



在高階職位上，李承晚大總統對於其政治忠誠度的著重遠高於專業知識，並經常更換官員，所以對這些人在積累公共行政的經驗上是相當困難的。較低層級的職位，主要是由曾在日本殖民政權下工作過的人繼續執行其職務。在李承晚政府晚期，這些較低級別的人員集體晉升到更高一級的職位，也構成了李承晚政府時期的官僚骨幹。

公務員的教育水平非常低，除了高階官員（總幹事／董事），只有 37% 是大學畢業生，有 25% 是兩年的專科畢業生（Ahn, 2001：第 13 章）。平均年齡較高的官員，是相對年輕的 41 歲之齡。

在李承晚政府，致力於分配適當的公務員，但提供他們必要的專業知識培訓還十分薄弱（Bak, 1969）。根據功績和職位分類制度的美國式人事管理遭遇極大的阻力，爾後被習慣於殖民地時代社會階級分類制度的人取消。在這個制度的頂端，則是受到政治壓力影響的瞻徇制導致猖獗地政治濫用制度（Kim, 1999）。

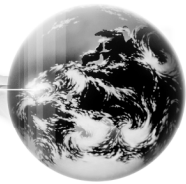
後殖民和戰後時期的財政資源缺乏，使得韓國政府很難提供固定的工資支付，許多公務員獲得的薪酬根本不足以支付其生活費用。此外，許多公務員受僱於暫時性的兼職臨時就業制度，而這些人的薪資僅部分來自政府預算，其餘則是由私人公司支付（Jung, 1999：147）。自然地，大家希望藉由私人公司所獲得的東西可以轉而支持公務員的財務，而這導致普遍性的腐敗。儘管所有這些不利的因素，但公務員的流動率非常低，這反映了韓國人尋求公務員的傳統價值、高失業率，以及那時公務員附帶的特權。

在人事構成上，李承晚政府的主要特點在於極高比率公務員皆曾經為日本殖民統治的官僚。與美軍政府同例，李承晚政府也配置殖民政權的官僚政府。隨著時間的推移，這些人後來成為李承晚政府公務員的核心主力。這種情況對李承晚政府官僚主義造成了四個影響。首先，因為那些殖民統治期間從事親日活動人士被李承晚政府延攬，民族驕傲感和社會正義變得模糊，導致韓國社會的機會主義興起。其次，因為這些殖民地時代的官僚對於自身的安全感到不安，他們往往過於忠於李承晚政府和執政的自由黨。這反過來又限制了韓國官僚體制，不像西方從理性法律統治基礎促進民主的發展（Etzioni-Halevy, 1985）。第三，如前所述，前日本官僚有助於保存和複製戰前和戰後的日本行政制度，李承晚政府的非民主性質主要源自於日本殖民政權嚴格等級獨裁政治的遺產，其中總督府的絕對權力受到官僚機構和軍事與其他警察組織的支持（Lee, 1984），並結合長期的傳統儒家治理文化，例如「政府高於人民之上」。第四，由於韓戰後，大多數殖民時代位居較低層級的公務員，被迅速地提拔到更高的職位，他們缺乏國家發展政策的遠見和知識，整體上限制了行政功能。

1949 年，國家公務員培訓所成立，負責公務員的在職教育和培訓。部份部會或機構也建立了自己的培訓機構，以提供更具體的培訓和教育，例如郵局、警察、監獄、鐵路等。教育和培訓內容缺乏制度化的課程和發展，或缺乏任何法律依據。在這種情況下，培訓課程被視為只是未分配到特定職位的公務員暫時持有機制，因為他們缺乏有力人士的任何支持和贊助。正由於這種情況，即使現在的公務員教育和培訓依舊被認為處於消極被動的方式。

## 現代官僚國家行政機關的制度化

從 60 年代初至 80 年代後期，韓國奉行「壓縮式工業化」(condensed industrialization)，以「趕



上」工業化國家。在這一時期正是更積極努力將現代官僚國家行政機關予以制度化。然而，由於不平衡的政治低度發展，最終的結果並非理想類型的現代官僚，而是一種亞洲式的國家行政機關行政國家類型（Painter, 2005）。

### 組織結構和程序

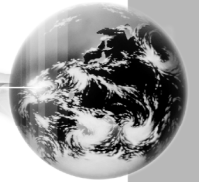
從 60 年代初期開始，朴正熙政府（1961-1979）執行快速工業化的政策，為國家行政機關的組織結構帶來許多變化。在制度化的努力上集中在功能性的區別，來支持落實各項發展政策任務，以及行政機關的功能整合，以便有效地協調制定國家優先事項和嚴格執行國家整體發展政策。首先，為了實施實際有效的產業政策，朴正熙政府設置了各種工業政策機關（Jung, 2002），其中一半以上都是中央行政機關。為了支持這些中央行政機關，很多公營機構和中介組織也都予以制度化。整合的工作大多由副總理層級的經濟計畫院（Economic Planning Board）主導（EPB, 1961-1994），這也是負責規劃和預算<sup>1</sup>的最有影響力之中央機構。此外，整合功能的多樣性制度化，也確保協調不同行政機關的差異性以取得決策一致性，並儘量減少行政機關在國家政策的執行過程中反映某些公民和利益集團的利益或偏好。

例如，在總統直接控制下的審計監察院（Board of Audit and Inspection, BAI）在決策決定時能有效地在行政首長的帶領下，統合行政部門內部與其他部門的機關，這會造成行政壟斷的極端情況。除了經濟計畫院（EPB）與審計監察院（BAI）外，為了確保行政部門的所有決策權主要能集中在總統手中，也都過度擴張其他核心的行政機關。總統秘書處增設了超過十位部長或副部長層級的資深秘書和特別顧問。為確保負有國家政策目標的縱向組織能有效發揮，幾位負責一般行政職能的部長級中央機構職權都得到加強，例如行政自治部、內政部、公共資訊處以及行政立法處。而為了促進組織的負責人的行政領導，也設計了嚴格的多級制的機械式科層結構。

在工業化作為絕對優先的情況下，其他的政策領域，如社會福利、公共衛生、環境與勞動關係等則退居後線。這使得韓國能夠在即使國防為重的情形下，保持「小政府」的規模。此期間的政治低度發展反映在立法部門的相對低體制化。例如，與當時的行政部門相比，國民議會秘書處的財政和預算分析功能是極為低弱，行政部門的行政機構比委員會更呈現獨裁政治的形式，即使是少數有法定投票權的委員會類型機關，沒有真正發揮他們的獨立性和自主性，每個政府機構內設的諮詢理事會或委員會，大多不起任何作用。

國家行政機關的程序方面也經歷了劇烈的制度化，一個例子是 1962 年通過立法的「預算和會計法」，其將預算編制週期，包括預算編制、審查、執行和審計，予以制度化，成為現代化標準作業程序。在成立共和國的三年後，沒有任何管理預算編制程序的法律。後來的預算管理則依照幾乎複製當時日本法律的「金融法」（1951 年至 1961 年）進行。由於預算和會計法，經濟計畫院和審計監察院獲得更多的權力，以嚴格控制預算編制過程。但即使在這個時代，由於持續缺乏財政資源和公務員「預測能力」的不足，韓國仍被迫經常預算編制追加預算，有時在低發展國家「重複預算」的類型下，編列過多的應急費用（Caiden & Wildavsky, 1974；Jung, 2001：

<sup>1</sup> 其根源可回溯至早於 1955 年成立的重建部。



969)。除了預算，如同先前所述，其他數個負責一些基本行政職能，例如計劃、組織、人員配置、立法、協調、公共關係、報告和中央地方的關係的中央機構，實行縱向組織的嚴格內部控制。

### 公務員制度

在朴正熙政府時代，以功績為基礎的職業公務員制度和其他現代官僚國家行政機關的核心要素，在相當程度上已制度化。在 1960 年代，大量具軍事背景的人員進入公家單位，因為他們的緣故而引入了受美國軍隊影響的較先進的軍事人事管理制度。在此時期的其他進步，包括引進任用制度來取代公務員資格制度、公務人員退休金條例的立法，並建立公務員申訴委員會 (Kim, 2007 : 36)。

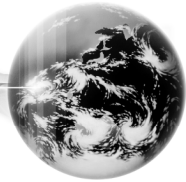
然而在 1970 年代，針對精英領導體制和職業公務員制度的制度化改革更為積極。過去許多依靠特殊的任用和內部升遷的習慣快速地由更開放的競爭就業所取代，尤其是通過競爭激烈的公務員考試的新聘人員急劇增加，確保更多青年人才的任用是為有效執行政府主導的產業政策所需 (圖 1)。這項人事管理改革，是由行政自治部所主導的。

80 年代初，在全斗煥政府時代 (1980-1987) 持續進行強化職業公務員制度化的努力，包括引進申訴程序、延長公務人員退休年齡等等。然而，即使在那時，也很難說公務員的地位基本上如陳述般地安全；在 60 年代初期、80 年代初，甚至 90 年代以後的後民主化時代，新上任政府依舊以「有效率的政府」(efficient government) 的名義，大量地解僱公務員來進行行政改革 (Jung, 1999 ; Kim, 2007) (表 2)。

表 2 韓國政權轉移的公務員解聘數

政府	年度	遭解聘人員 (人數)	比例 (%)
朴正熙	1961	35,767	15%
全斗煥	1981	22,502 (G-4 以上 : 599)	5% (12%)
金大中 (計畫)	1998 (1998-2001)	17,597 (142,359)	11% (20%)

1961 年的政府人員訓練法和中央公務員訓練所設立，確保公務員獲得更好的培訓，政府行政部的行政管理局成立一個教育培訓處，以管理全政府層級的公務員培訓，修訂後的國家公務員法還包括強制執行培訓和人員晉升之間聯繫的規定 (Lee, 2008)。當時還有努力將較先進的軍事人才培養制度引進公共行政中。然而，這種培訓工作通常採取集體思想教育的形式，要求那些主要著重號稱「反共的意識形態」和「五月十六日軍事政變」精神等的公務員的「心靈覺醒」。自從 60 年代末努力更有效地執行五年經濟發展計畫，引進現代教育和培訓方法，並根據每一個行政機關工作類別進行的需求調查結果，提供更專業的實用培訓課程 (Kim, 2008 : 250)。1973 年，政府人員訓練法由新的政府人員教育和培訓法取而代之，以提供管理人員培養其主管下屬公務員職責的更詳細規定 (Lee, 2008)。1982 年，「政府人員教育和訓練發展五年計畫」促進更高階公務員培訓課程的發展。



## 去官僚制民主國家行政機關的制度化

自從 1987 年民主過渡的 20 年以來，韓國已經通過「兩次輪替檢定說」(two turn-over test) (Huntington, 1991)，證明她成功地獲得包括台灣在內的少數亞洲國家的民主鞏固。這一時期出現許多摧毀共和國成立後 40 年間所追求現代官僚國家行政機關制度化的努力，取而代之的是進行制度化去官僚化民主國家行政機關的改革。

### 組織結構和程序

自從 1987 年的民主過渡，韓國進行各項民主化國家行政機關的改革努力。經濟合作開發組織 (OECD) 會員國盛行的新公共管理 (NPM) 模型，因為至少下列兩個原因被接受：它被認為能夠幫助韓國國家行政機關民主化，它也被視為正在尋求從政府主導而轉為市場主導經濟體系政策轉向的韓國，一個適當的改革模式。民主過渡後，韓國國家行政機關出現重大的組織改革，而這些變化與 OECD 西方會員國所進行的行政改革有著相同性和差異性。

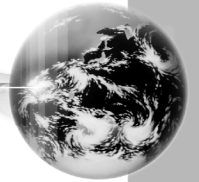
其中，一個重要的相似之處是取消市場和市民社會管制的改革工作。不管這些努力的實際結果如何，在政策方向上，這個取消管制政策是韓國自民主過渡以來，最一致且重要的改革目標之一，地方分權也是另一個類似西方的趨勢的重要改革目標。1980 年代後期相關法令，使得 1991 年地方議會改革和 1995 年地方政府首長直接選舉，因 1961 年軍事政變而「延遲」30 年的地方自治重新復活 (Jung, 1987)。隨著地方自治的實施，行政職能已從中央下放到地方政府。

然而，在此期間，儘管西方國家進行改革，以縮少其政府規模，韓國政府卻持續地擴大。這可從韓國民主化來加以解釋。隨著民主的進行，公民參與政治，因此他們對於公共服務的需求隨之擴大，而決策者試圖迅速回應民衆的要求，以贏得現今競爭的政治市場。最終的結果是，在過去 20 年韓國政府的數量繼續增長，唯一的例外是 1997 年外資的流動性危機所帶來的 2 年特殊情況期間 (Jung, 2007)。90 年代後，每個上台當局皆考慮引入所謂的「超級部門制度」(super-department system) 至韓國政府。其理由是，超級部門制度不僅有助於實現「小政府」，也降低了政策協調成本。在金泳三政府時代 (1993-1998 年)，實際執行相當廣泛且影響深遠的重整計畫，包括合併經濟計畫院和財政部成為財政和經濟部 (Jung, 1995)。這個努力將中央政府機關數量降低至 37 個，該數量由全斗煥政府的 39 個上升至盧泰愚政府的 41 個。但是，這個數字再度上升，金大中政府 47 個，而到盧武鉉政府結束時，中央政府機關數量到達 48 個 (見表 3)。

超級部門制度未在韓國實現的主要原因是官僚機構的抵抗，另一個值得注意的原因是韓國相較上較短且迅速的民主化進程，「組織多元化」有時是無法避免。換言之，各種管道、聯絡點和論壇皆需要制度化，以使因民主進展所衍生出來的政府內部不同利益和喜好得以協調。由於缺乏公民的社會民主妥協經驗，很難期望相關的個人、公民或利益集團通過相互調整來達成妥協。如果不存在組織多元化作為一種機制，以使這些問題納入政府領域中，則可能會出現更大的社會衝突。

實際上，1987 年的民主過渡後，特別是在民主政府 (1998-2008 年) 期間，成立了許多新的行政機關，特別是委員會類型組織。雖然金泳三政府結束時只有一個委員會類型的中央行政機





構，至金大中和盧武鉉政府時增加成 9 個（表 1 和 3）。此外，數十個的支援委員會和諮詢委員會在此期間陸續成立，雖然其中大部分都是臨時性的組織，他們仍然被批評為支持政府任務非必要重複和政府增長的罪魁禍首。

如以上所解釋，民主化是創造（尤其是委員會型）組織背後的主要因素。在過去威權統治時期，國家行政對人民行使權力，人民因此變得戒慎恐懼，這期間創造了許多平行的機關在這些組織當中設置一套制衡制度。因為感覺到需要現有的官僚決策制度從公民社會吸取新的想法與專業知識，所以偏好委員會型的組織。行政組織與委員會也可以解決關懷勞工、婦女、以及其他社會團體至今一直被忽略的工作。導致創造更多行政組織的另一項因素是 1997 年國外的流動性危機（liquidity crisis），並導致對於向來由政府領導「濃縮經濟成長」以及承認需要某種手段維持各機關互相檢查的經濟政策能力的不信任。推動更加民主化的行政作業也導致創立更多委員會型的組織。而且，為使行政部門的檢查做得更好，這段期間也努力讓憲政法庭、國會預算局、國會研究服務局以及兩個獨立的公家機關，包括國家人權委員會與廣播委員會制度化。（表 3）

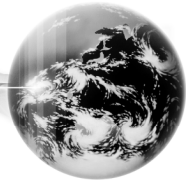
表 3 韓國自 1980 年代起成立的中央行政機關

功 能	全斗煥 (1981-1987)	盧泰愚 (1988-1992)	金泳三 (1993-1997)	金大中 (1998-2002)	盧武鉉 (2003-2007)
提供公共服務	勞工部(81); 運動部(82) <sup>^</sup>	氣象局(90) 國家警政署(90)	環境管理(80/90) 海防(96)	食品及藥品管理局(98) 性別平等及家庭委員會 (98/01) 文化遺產局(99) 青少年保護委員會(99)*	國家緊急管理局(04)
促進憲政， 民主及人權	社會廉潔委員會 (80)#	憲政法庭(88)； 廣播委員會(88)*	特派員(94)*	國家人權委員會(01)*	
改善經濟策 能力	國際合作委員 會(83-86)	統計(90)	公平貿易委員會(94) 資訊及通訊部(94)* 海事及漁業部(96)* 中小企業管理局(96)	財務督導委員會(99) 中小企業委員會(99)	
改善行政能 力		政府資訊局(99)*		國家緊急規劃委員會(98)* 規畫及預算委員會(98/99)* 公務員委員會(99)* 反貪污獨立委員會(02)*	國會預算局(04) 取得辯護方案管理局 (06) 多功能管理局 市政建設局(06) 國會研究服務(07)

註：( )：成立年度。M：部；Ag：局，Adm.：管理局；外局，C：委員會  
非行政組織。#：1989 年廢除；<sup>^</sup>：1994 年 12 月合併；\*：2008 年 2 月合併。

資料來源：Jung 更新版（2007a）。

第 17 屆總統大選時大眾對政府規模產生反感。在壓倒性的投票當中，韓國人選擇以「小政府」當作競選口號的反對黨候選人李明博（Myung-bak Lee）成為下屆總統。李明博政府（2008 年至今）也改進中央行政組織，並將中央行政機關的數目從盧政府結束前的 48 個減為 40 個（表 1），支持總統與總理的行政委員會或顧問委員會的數目也從現有的 19 個減為 11 個。



自從 1997 年國外流動性危機之後，在「從程序到績效」的口號下積極追求應用 NPM 或「新政」( Pierre and Peters, 2000 ) 的改革。這些模式透過分權與分派鼓勵創意，但仍透過績效評估確保可靠性。核心行政與管理官僚之間首先嘗試分權。例如，在盧政府早期，曾試圖減少總統大臣的數目。自 1960 年代起，總統大臣維持「內閣」約 10 個部會首長，但盧政府簡化為 2 個首長（參謀長與政策參謀長），5 位大臣（政治、民生、公共事務、人民參與、政策規劃）及 6 個特別顧問（國家安全、經濟、外交政策、國防、資訊、科學與科技、人事管理）。同時，有關內政的政策協調也逐漸分派給總理。

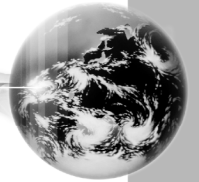
負責規劃、預算、組織、人員編制以及稽核的中央機關的控制規模也縮減為不同層次的直線式組織。其中一項改革是政府行政及內政部一負責組織的中央機關，分派其他低階行政組織的裁量權以重組較下級單位。負責人事管理的中央機關－公務員委員會，也推行「薪資總帳預算制度」，讓其他組織在個別的薪資帳冊範圍內自主管理其勞動力的大小。此外，負責預算的中央機關－規劃預算部，也透過政策「將輸入導向的預算管理轉為績效導向的預算管理」，並「從由下而上的個別專案支出審核方式轉為由上而下的分配方式」，讓各層級組織自主管理預算。在審計監察院（BAI），從根據「事先程序規範」的過渡時期稽核變成「事後成果取向的績效評估」，如此一來透過分權與分派擴大各行政組織的自主性。同時，為確保績效評估的可靠性，根據 2006 年立法的公務員評估架構法成立公務員人員評估委員會。

組織結構的另一個改變是「處、局、部」三層金字塔型的階級，轉為由「總部與團隊」組成的更有彈性的兩層階級。過去「檢察官為唯一單位的原則」，要求所有檢察官以全國統一組織的一員執行職責，完全服從檢察總長的命令，這段期間可以看出有各種努力試圖瓦解韓國國家行政特別強調「統一」的組織文化。

簡言之，過去這 10 年內，在「從程序到績效」的口號下，曾努力將國家行政目前從上到下的階級制度，改變成更有參與性及彈性的制度。但很難說韓國確實實現「分權與自治」的改革並透過績效確保可靠性。各項改革制度化的阻礙之一在於從上到下階級式控制機制的行政文化，這是韓國國家行政早期所根深蒂固的。改革的制度化因為政治干涉透過分權「行政領導」的槓桿作用，以及中央機關不情願減少對直線組織的規範權而困難重重。根據 NPM 及新政模式，改革的正當性與架構在實務上是分權與分派，但缺乏的正是分權與分派的實務作為。

### 公務員制度

如前所述，從 1940 年代到 1950 年代的建國時期，透過國家公務員法的立法，至少奠定了講求功績的公務員制度制度化。但實際上，當時的公家人事行政，任命扮演非常大的份量。從 1960 年代到 1980 年代迅速工業化時期，有機會讓講求功績的公務員制度更加制度化。然而，結果卻與韋伯理想的官僚型態極為不同。這種前現代的行政文化「家族主義」與「個人主義」十分普遍，結果，儘管政府有許多反貪污的積極作為，卻很難杜絕行政貪污，極端的行政主導阻礙了代表制民主的發展，也使總統在行政部門極端的極權，公務員嚴重的政治化也是長久以來的問題。( Caiden and Jung, 1981 )



1980 年代末期隨著民主轉型與統一，對於公務員身分在過去威權政府時代嚴重受到政治影響出現各種反動。中高階級終生制公務員身分的保障在推動審查的過程中獲得加強，同時也將公務員薪資調整至現實程度，包括透過績效為主的紅利獎金（Kim, 2007: 37）。有趣的是，講求功績的公務員制度，這也是現代官僚的核心元素在 1980 年至 1990 年代的韓國更加強化，而當時西方卻逐漸瓦解這種制度。

民主轉型之後整整十年，韓國公共人事管理改革開始朝向解除終生制公務員制度。民主黨政府（1998-2008）進行的改革在 1997 年流動性危機之後發揮力量。因此，韓國 NPM 模式在理論的推行與實務上的應用之間有 10 年的落差，這段期間公共人事行政的改革有下列三個政策方向。

第一，NPM 模式積極應用公務員改革當作提升國家行政效率的一環。過去這四十年已經制度化的「講求功績、階級導向、講求年資及封閉式終生制公務員制度」，被「講求績效、職位導向、開放式人事管理制度」所取代，這種政策上的改變最迫切的因素是外幣危機。有四個領域帶動改革，包括經濟、工業、勞工及公共部門。許多決策者與專家（包括 IMF 的經濟學家）診斷，韓國流動性危機的主因在於沒有能力以彈性的方式應付全球化的環境。以公共部門為例，改革的目標鎖定在保護公務員身分的僵化式終生制公務員制度，並將公共人事管理改為更有彈性的範例。這種範例的改變，也是想解決終生待在同一個機關或單位而目光狹隘的公務員，同時也是為了解決不同行政組織之間能夠有效率協調的相關難題，可以影響現有的公務員制度，而激進推動改革的另一項有利因素是民主黨政府的政治意圖。從建立共和國這五十年來—只有一年（1960-1961）例外，民主黨從未失去政權。所以對於執政的民主黨政府而言，改革這套制度可以更容易替換現有的終生制公務員，讓他們有機會加強「行政領導」。

因此，民主黨政府推動開放求才政策，將「開放職位制度」、「人事交換辦法」以及「高階公務員」制度制度化。開放職位制度（OPS）於 1999 年 5 月推出，目標在開放公家及私人部門申請人競爭，藉此招募有才幹的人員。在 OPS 方案之下，各部要指定 20% 的首長級（1-3 等）職位做為「開放競爭職位」。至 1999 年 11 月 15 日為止，公務員委員會共挑選了 129 個 OPS 職位。2000 年至 2003 年指定為開放職位當中只有 16% 由部會以外的人填補，但從 2003 年至 2007 年則提高為 43%（表 4）。人事交換辦法（PEP）在 1990 年初發起，並分成好幾個方向擴大進行，包括中央政府組織內部、中央與地方政府之間以及政府與私人部門之間交換人才。2004 年發起的局長級（2-3 等）部內交換辦法挑選了 20 個職位，2005 年科長級（3-4 等）挑選了 34 個職位。「部內工作調派方案」（JPP）在各部以競爭招募辦法落實制度化。調派的數目從 2000 年 4 個機關 48 人，增為 2007 年 36 個機關 530 人。

表 4 韓國外聘擔任「開放職位制度」的職位

期 間	任用職位總數	部 內	部 外		
			小 計	平 民	他 部
金主政時期（2000-2003）	180 (100%)	151(83.9%)	29 (16.1%)	22 (12.2%)	7 (3.9%)
盧主政時期（2003-2007）	348 (100%)	190(56.6%)	158 (43.4%)	132 (34.3%)	26 (9.1%)



根據 OPS、PEP 及 JPP 的經驗，盧主政時期於 2003 年 4 月發起改革議程，並於 2005 年 12 月修正國家公務員法案以確保改革的立場，於 2006 年 7 月 1 日成立亞洲第一個高階公務員制度（SCS）（表 5）。SCS 是整個政府的人事管理制度，專門甄選、準備、支付並管理不同組的高階公務員，由首長級以上的中央政府官員組成，約涵蓋 1,500 個職位。此制度由綜合開放競爭制度（20%）、全政府工作調派方案（30%）及機關彈性管理制度（50%）管理。

表 5 高階公務員制度比較

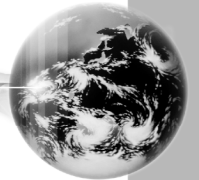
國 家	美 國	澳 洲	紐西蘭	加 拿 大	英 國	韓 國
名稱 (成立年度)	SES (1979)	SES (1984)	SES (1988)	EG (1993)	SCS (1996)	SCS (2006)
立法 (年度)	Civil Service Reform Act (78)	公共服務改革 法案 (1984)	國家部門法 案 (1988)	公共服務改革 法案 (1992)	公務員：向前繼續 與改變 (1995)	國家公務員法院 (2005)
中央人事局	OPM (設定標準 並核准組織挑 選的人才)	公共服務委 員會及 SES 辦事處(支援 各客戶組織 自我營運)	財政及國家 福委員會	公共福委員會 (核准各組織 自行挑選的人 才)	內閣(公司發展 組) (核准各客戶 組自行挑選的 人才)	公務員委員會 (99-07)及後來的 MOPAS(08-)(設 定標準並核准各 客戶組之挑選的 人才)
目 的	克服職位分類 及身分安全制 度自成的部門 識別；提升領 導能力、政策 及管理能 力。	促進部門內 流動性與整 合，開放招 募以改善 績效。	開發管理生 涯或統一公 共部門的人 力。	提升個人專 長及管理技 巧；以及部 門內協調 能力。	克服傳統封 閉式階級制 度的限制並 改善部內向 心力，藉此 改善公務員 的專業知識。	克服傳統封 閉式講求年 資的階級制 度之限制以 改善專業知 識；改善部 內協調能 力。
組 成	7,800 個 (80% 的終生職位)； 不包括總統 任命、外交、 FBI 及 CIA 等人事。	1,450 個 (科長級以上)	未發展某種 風氣；1990 年代萎縮且 後來終止。	4,300 個 (首長級以上)	3,800 個 (科長以上)； 不包括外交	1,500 個 (主任級以上)； 後來包括外 交。
甄選、 績效評鑑 及薪俸	每 3 年絕對 評估 3-5 等； 不同底薪 +績效為主 的薪俸+特 別獎金	底薪(3 級) + 績效為主 的薪俸	面臨薪資上 限無法吸引 外界何格人 才等問題。	每年評估 底薪	績效合約制 度，開放政 府內外競 爭；底薪(1- 3 級)+特 別獎金	相關評估及 績效為主的 薪俸達 15%。

註：SES：高階行政服務；EG：行政組；SCS：高階公務員  
資料來源：Nigro and Nigro, 1987; Halligan, 1996; 2003; KIPA, 2008; MOPAS, 2009.

表 6 韓國高階公務員任用數目

年度	總計	正式職位						派 遣			Lease of Absence 等
		小計	一般服務	特別服務	約聘	研究	外交	小計	派遣	訓練	
2006	1,256	1,206	936	197	73	-	-	40	27	13	10
2007	1,297	1,088	810	186	92	-	262	156	77	79	53
2008	1,663	1,472	961	169	82	-	260	166	69	97	25
2009	1,528	1,249	806	168	74	-	201	187	85	102	92

資料來源：KIPA, 2008; MOPAS, 2009.



自從 2008 年李明博總統上任以來，某些高階公務員制度（SCS）內容也隨之修正，包括職位分級制度和績效考核制度。原先 SCS 制度，根據 SCS 職位複雜程度，將高階公務員年資管理，由五職等制度取代先前的三職等制度（即 1-3 分級）。最初推出新五職等制度的目的，僅在方便處理績效獎金。但這項制度的實務運作，因為廢除了隸屬於資深公務員群體中的個人（而非職位）“階級”，形成新的“分級”制度，以致扭曲了 SCS 制度化的基本目的。李明博總統行政部門職位分級制度，也由五級簡化成二級，並堅持這種職位分級，不應視為任何人員的“分級”，而僅為“考核職位複雜程度的要件。”自從實施 SCS 二年來，引起的另一項問題是造成寬鬆資格審查或績效考核的趨勢。為因應這種情況，採行了“比較性考核制度”，設定“極佳”類最高比例 20%，及“最差”類最低比例 10%，如下表 7。

表 7 SCS 成員之績效分級及績效獎金

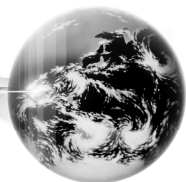
分 級	S	A	B	C
成員百分比%	20%	30%	40%	10%
2006 獎金率	7%	5%	3%	0%
2007 獎金率	15%	10%	5%	0%

資料來源：KIPA, 2008; MOPAS, 2009.

基於傳統年資制評鑑及獎金制度，是導致韓國公務員欠缺競爭性主因的諸多批評，民主黨於 1999 年推出績效俸給及績效協議方案，績效俸給制度包含年薪計畫，根據個人績效，由每一俸給等級層區分出薪資水準。高階公務員薪資的績效相關俸給部份，2006 年最高設定 7%，並在 2007 年提高至最高 15%（見表 7）。李明博政府有意將績效俸給制度，進一步推行到除 SEC 群外的所有公務員。績效協議計畫是針對部門主管（第 4 級）或更高階公務員的評鑑制度，根據這項計畫，部門主管及公務員之間的個人協議，著重在績效目標及衡量指標，由此建立績效評鑑及獎勵的聯繫。不過，這項計畫的成效並不顯著。

其次，改革的重點在於應用代表性官僚規範的所謂“均衡人事管理”上。金大中政府（1998-2002）及盧武鉉政府（2003-2007）主政期間，也致力加強大韓民國政府的民主代表性改革。盧武鉉政府為設立於首爾首都特區以外公共部門的“少數群體”，如女性、殘障、技術科學專家，推動積極行動計畫。政府官方的論據是，藉由這項政策的公務員多元化組合，最終可提升行政部門的效率。另一項導因，可能是當時主政當局的政治考量，希望自這些少數群體爭取更多政治支持。

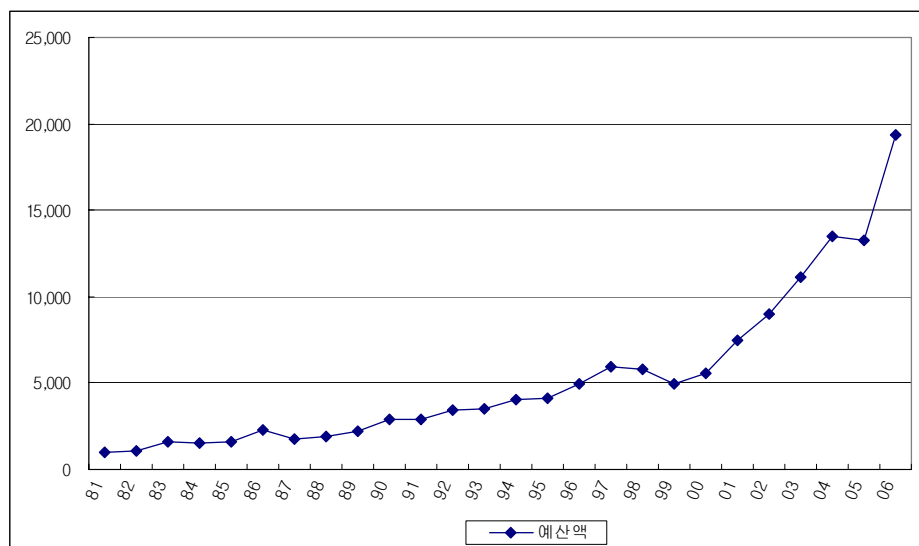
盧武鉉政府也的確藉由積極延攬這些原先在公務員中缺乏代表的少數群體，增進公務員代表性。1996 年推行 5-9 級職位考試的配額計畫目標（Target Quota Program-TQP），主要即基於男女平等原則，配額在 2005 年提高至 30%。實施後，女性公務員也由 1995 年的 27% 增加至 2005 年的 38%，超越 TQP 原訂目標，某些女性群體同時要求政府，而高階公務員及政治任命等的高階職位，也推展四分之一目標計畫。1990 年行政當局同時加強中央及地方政府部門的法定責任，



至少招募 2% 員工總數的殘障人士，並將新進科學家及工程師的目標比率，於 2008 年增至 40%。這些專業群體，先前在韓國公務員中都相當缺乏代表性，2003 年時，僅佔公務員總數 23%，幾項改革措施也推動了**首爾首都特區**以外“地區性菁英”加入公務員團隊。

第三，致力將公務人員管理制度予以地方分權化。如前述，這項努力是改革措施的目標之一，將包括組織、預算及人事編制的基本管理功能，由權力強大的中央部會級部門，授權給第一線的地方部門負責。公務人員管理方面，在**民主黨**主政時代，由**公務員制度委員會**（Civil Service Commission – CSC, 1999-2008）帶動改革。自從負責中央人事部門的**政府管理部**，於 1998 年併入**內政部**，改制為**政府管理及內政部**後，1999 年成立一個專責處理人力資源管理的獨立部門 CSC。根據地方分權化的計畫，改革著重在降低中央人事部門的內部管理，授權主管機構管理每一行政機構首長。

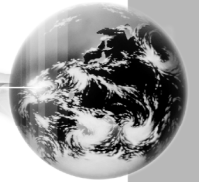
不過，CSC 在實施人事行政改革過程中，卻出乎意外的運用了更多的集權管理。在設計新的人事管理制度，以鼓勵地方分權及自治，和確保地方第一線部門實行這項新的制度的過程中，CSC 反而介入了過多的管理。由於 CSC 的過度積極介入運作，造成韓國各中央行政部門的“改革倦怠症”。行政改革甚至被指摘，在中央行政部門，製造更複雜及繁瑣的內部管理，將解決韓國人事管理制度僵化的原意扭曲。面對諸多的質難，**李明博當局**主政後，於 2008 年 2 月解散了 CSC。**李明博政府**目前進行的人事管理改革，給予第一線部門招募公務人員更多的自主權。



資料來源：COTI, 年度報告, 2007, 1991; K. Lee, 2008.

圖 3 COTI 年度預規模 (單位：百萬韓元)

第四，1980 年代後期以來，即不斷增列公務人員的教育和培訓投資。由圖 3 可以看出，**中央公務員培訓所**（Central Officials Training Institute – COTI）預算自 1980 年開始即持續增加，僅在 1998 年至 1999 年間，因當時金融危機的財政困境，曾一度短暫削減培訓預算。不過，也反映了推動開放招募制度的行政方針，有助於直接自民間企業招募到合格專才，增強了政府現有公務



人員的能力，該一時期的例外，是竭力增強公務員培訓及教育。例如包括 1993 年，為高階主管（G2-G3）開設高階政策課程（一年期），為 6 職等或更低階所有公務人員，擴展基礎教育，根據職務型態進行更專業化培訓，及設立網路教育中心推廣網路教育。此外，1977 年以來，即不斷拓展長期和短期海外訓練計畫，努力為學員分散培訓國家，以矯正以往過度偏重美國的現象。還有一項尚待解決的議題是，在 2 年的海外培訓中，幾乎所學員都選擇取得研究所學位課程，因此侷限了他們累積自我實務知識的機會。

盧武鉉政府認為封閉式職業及等級分類制度，很難在公務部門培育專業人員。行政當局因此致力發展適任性，及藉由**職業發展計畫**（Career Development Program – CDP）的制度化，將通才提升為專才，透過在職改善培訓計畫。自 2006 年引入這項計畫以來，CDP 要求各部會，將職務加以分類，並根據他們的專業分類派任員工。“工”型職位發展適用於行政專業群體，“T”型職位發展適用於科學工程專業群體。4 職等（組長）級的每一職位最低服務年限，延長至 1 年至 1 年半，5 職等或更低階員工至少 2 年，以確保公務員有機會獲得實務知識。

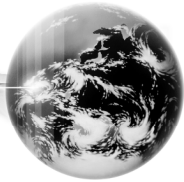
## 結 論

自從 1948 年創建大韓民國以來，過去 60 多年來，韓國公務員體制變革及持續性，到目前為止，行政部門經歷三個階段的時空背景。第一階段，1940 年代至 1950 年代的建國時期，韓國政府著重在為“現代官僚國家行政部門”奠下制度化基礎，以建立獨立主權國家，為更積極發展下一階段而準備。然而，結果卻和現代官僚體系的目標大相逕庭，許多前朝體制陋規依然存在。在第二階段，1960 年代至 1980 年代的工業起飛時期，政府管控許多現代官僚行政部門，包括更著重公務員文官績效考核制度。在第一和第二階段，韓國政府致力將現代官僚國家行政部門，制度化成創建非典型**韋伯式**（Weberian）的政府組織，但符合亞洲式的行政國家，以建設強大的國家特質（2007，鄭教授）。

第三階段，自 1980 年代後期至現今的民主化時期，韓國政府調整改革方向，並致力建設“去官僚化民主國家”。不僅為因應民主轉型浪潮，和 1990 年後期的全球金融危機，政府竭力去除行政部門中的各種官僚作風，採行英語系經濟暨合作發展組織（OECD）國家推行的改革模式，如開放績效制人事管理制度及高階公務員制度。很不幸的，理想化的改革目標和制度化的實際標準，在實務推行時，仍存在相當大的落差。

在第一階段，韓國公務員由於缺乏行政知識和經驗，甚至因**總統**及政黨的高度政治化，中立能力十分低落。由於被神化的李承晚總統，和背負殖民時代背景包袱的低合法性公務員之間強烈政治結合意識，前者得以遂行強勢執政領導。不過鑑於政治行政和公務員的低民主代表性，民主管理政府的程度顯得微不足道。整體行政部門的政策能力，在第一階段，完全不足以處理建國時期的混亂情況。

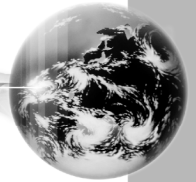
在第二階段，累積了較多的知識與經驗後，公務員增強了他們的中立能力。在面對政黨和**國會**關係時更具自主性，不過仍被總統高度政治化，以組織綿密的核心執政機器，支持體系，遂行其強勢執政領導。總統和公務員之間仍維持強烈的休戚與共意識，社會大眾對兩者的民主監督仍嫌不足。此時，整體行政部門的高度政策能力，正符合了簡化的國家目標和工業起飛。



在第三階段，雖然公務員累積了更多的知識和經驗，但他們卻未能適時融入快速變遷的環境，如國際秩序（也稱為國際化）、政治（民主化）、科學與技術（資訊革命）及思想（後現代主義）等等。歷經兩階段的巨變，總統和公務員間的緊密意識已被大大淡化，社會大眾對兩者的監督也以驚人速度日趨成熟，更加深了行政部門間的民主性。行政部門的地方分權化及社會多元化，讓總統開始關心自己對公務員的執政領導或控制力。同時，由於改革廢除了終身公務員制度，公務員也開始關切他們地位的削弱。以致於以績效責任制，推動地方分權及自治性的理想化行政改革目標，和將這些目標制度化的付諸實施之間，存在相當大的落差。總的來說，過去二十年來，見證了韓國行政部門，在積極推動及實施國家進程的政策能力大幅滑落。

韓國的行政部門和社會仍將持續朝向多元化發展，過程也將持續在行政部門造成某些混亂。特別在 2008 年，因為美國金融危機，引發全球經濟危機，導致對行政部門的適當角色，和公務員制度的理想模式所挑起的爭議，勢必將製造更多混淆（Peters, 2009; Peters and Pierre, 2009）。許多專家也認同，現存的社會科學理論，不足以解釋當今全球經濟危機，或預測未來的類似危機（Rubin, 2009; *The Economist*, 2009.7.18: 9; 58-60; 61-62）。因此，也許每一國家都必須在不斷摸索中，找出危機解決方案。祇有自危機的泥淖中脫困，才有可能根據走過的軌跡檢討，再度建立新的理論。這其中的涵義是，每一國家都必須深思及改革其公共行政和管理的制度化範例。可以確定的是，在混沌複雜的氛圍中，一般說來，不適宜為行政部門的角色和規律，特別是公務員制度，制定一套統一嚴謹的規範或標準。





# 韓國政府公務員制度變革與一致性 — 鄭用德

**International Conference on the Occasion of 80<sup>th</sup> Anniversary of the Examination Yuan of ROC  
(Civil Service Governance in Times of Change)  
January 9-10, 2010, Taipei**

## **The CHANGE and CONTINUITY of CIVIL SERVICE SYSTEM in KOREA**

**Yong-duck Jung**

(鄭用德)

Graduate School of Public Administration  
Seoul National University

### **Purposes**

- Intend to **review** change and continuity of the Korean civil service system since its foundation in 1948.
- Based on an **understanding** of the context of developments in the state administration as a collective body of public institutions including its human side, i.e., civil service.

### **Causal Factors of Developments**

- **Path-dependency** of the imbedded institutional characteristics of the Korean state admin itself.
- **Changes** of global and local environments of the times, which Korea should respond to.
- **Idea or model** of reform, especially those of advanced countries, to be adopted for gaining legitimacy by **isomorphism**.
- **National, organizational, and individual interests** perceived by participants in reform process

### **Stages of Development**

- **Stage 1**(1940s-1950s): **Prepared** foundation for a ‘modern bureaucratic state admin.’
- **Stage 2**(1960s-1980s): **Institutionalized** a ‘modern bureaucratic state admin.’
- **Stage 3**(late 1980-Present): **Institutionalizing** a ‘de-bureaucratized democratic state admin.’

### **Stage 1: Tasks and Circumstances**

**National tasks** to be carried out:

- a post-colonial **sovereign nation state-building** in 1940s;
- a post-Korean War(1950-1953) **reconstruction**. In 1950s

**Circumstances** was extremely unfavorable:

- extreme underdevelopment of **human and material resources**;
- post-colonial and post-war **social instabilities**;
- **North-South tensions** under the Cold War.

### **Stage 1: Building Foundation**

- **Sought** also **institutionalizing** a **modern bureaucratic state administration**.
- **Resulted** in being **far from the ideal type** of modern bureaucratic state admin. in general, and civil service system in particular.
- **retaining** many **pre-modern elements** of administrative culture, institution, behavior, and so on.



### Stage 1: Organizational Structure

- ‘**Government Organization Act**’ legislated in 1948,
  - establishing first 25 central admin apparatus (Table 1)
  - **Revived mostly pre- or post-war Japanese style** organizations, while discarded those of the US military regime(1945-48): **monocracy** rather than **committee-type** org.
- Lack of **organizational differentiation** enough to respond to the demands of the times.
  - doctrine of ‘**administrative simplification**’ respected (even during Korean war)
  - Lack of **organizational integration** enough to steer; mostly relying on personal **charisma** rather than institutions.

<Table 1> Number of Central Administrative Apparatuses in Korea

Government	Year	Ministry	Agency, Adm., Outer Bureau	Commission, Committee	Total (Cabinet Member)
Rhee Syngman (1948-1960)	1948	16	6	3	25
	1955	14	13	1	28
Chang Myun (1960-1961)	1960	13	3	4	20
Park Chung-hee (1961-1979)	1979	20	19	3	42
Chun Doo-hwan (1980-1987)	1987	22	16	1	39 (22+1*)
Rho Tae-Woo (1988-1992)	1992	24	17	0	41 (24+2*)
Kim Young-sam (1993-1997)	1997	21	15	1	37 (21+2*)
Kim Dae-jung (1998-2002)	2002	22	16	9	47 (21)
Roh Moo-hyun (2003-2007)	2007	22	18	9	49 (21)
Lee Myung-Bak (2008- )	2008	17	18	5	40 (17+1*)

### Stage 1: Administrative Procedure

- Adopted mostly the **procedural norms or customs** of the pre- or post-war **Japanese government**.
  - e.g.: **Finance Law** (1951-61);
  - practiced ‘**repetitive budgeting**’ often.
- Established ‘**Board of Audit**’ and ‘**Inspection Committee**’ (1948), and replaced by ‘**Review Committee**’ (1955), with limits as a **President’s apparatus**.
- With **lacking the rule of law**, administrative **accountability or responsibility** was not ensured, resulted in the ‘**Republic of Corruption**.’

### Stage 1: Civil Service System (1)

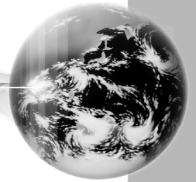
- **National Civil Service Act** in 1949.
  - adopting mostly that of colonial rather than US military regime.
- Meritocracy was emphasized by establishing a **dual personnel admin system** (1948), e.g., ‘**Examination Committee**’ and **Ministry of Government Admin.’s ‘Personnel Bureau.**’
  - In practice, however, personnel admin was **dominated by President.**

### Stage 1: Civil Service System (2)

- **Staffing** achieved mostly through **internal promotion** rather than **outside recruitment**; ‘**selection**’ than **examination**, making it easier to practice **patronage** than meritocracy.
- **Higher positions** recruited mostly by **former independence activists, educators, or the politically loyal.**
- **Lower positions** mostly by the **former colonial bureaucrats**, promoted later to higher positions.
  - Their **lack of legitimacy** made them **too much loyal to President** to contribute to **democracy** unlike Western history.
  - Their educational background and experience made them to **keep preserving and copying pre- or post-war Japanese institutions.**

### Stage 1: Civil Service System (3)

- **Lack of expertise:**
  - e.g.: 37% and 25% of higher civil servants were university and 2-years college graduates, correspondingly.
- **National Civil Service Training Institute** and more specific training institutions (post, police, prison, railroad, etc.) were established in 1949.
  - underdeveloped and regarded as just a **temporary holding mechanisms** for those who were not assigned to positions, imbedding a **negative and passive attitude on training.**



### Stage 2: Tasks and Circumstances

#### National Tasks:

- a **rapid industrialization** to 'catch up' the advanced countries and to compete against North Korea.
- by initiating and implementing '5-years economic development plan.'

#### Circumstances:

- accumulated **substantial human resources** due to high enthusiasm for education.
- developed **basic infrastructure**.

### Stage 2: Institutionalization

- **Pursued** more aggressively institutionalization of a **modern bureaucratic state admin.**
- The end **result was not a genuine Weberian bureaucratic state but a sort of 'Asiatic administrative state':**
  - along with **underdevelopment** of **representative democracy**;
  - deferred 30years' **local autonomy**;
  - extreme **executive dominance** and **centralization** to make an 'imperial presidency'

### Stage 2: Organizational Structure

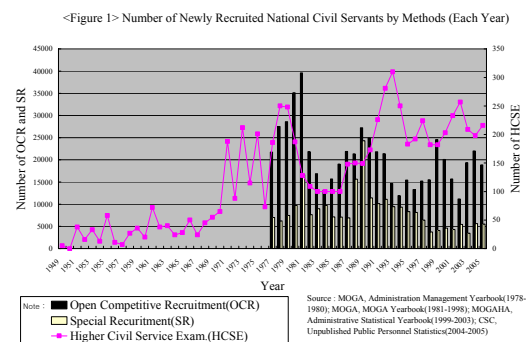
- Institutionalized not only **functionally differentiated apparatus** to support effectively substantive industrial policies.
- but also, various **core executive apparatus for functional integration** to facilitate effective planning and coordination, including Presidential secretariat and the central agencies (EPB, BAI, MOGA, MOHA, GLA, etc.)

### Stage 2: Administrative Procedure

- Institutionalized tight **standard operating procedures**: e.g.,
  - a modern **Budget and Accounting Act** (1962) made it possible the budget cycle to be checked more tightly by **EPB and BAI** as well as National Assembly.
  - also checked other powerful **central agencies**, including **MOGA**(organizing, staffing), **MOHA**(central-local relations), **GLA**(legislation), etc.

### Stage 2: Civil Service System (1)

- **Merit-based career civil service system** was institutionalized more positively, to provide with **capable human resources for the state-led industrialization**.
- Government Employees Pension Act, Civil Service Appeal Board in 1960s
- expanded open competitive recruitments including **Higher Civil Service Exam** since 1970. (Figure 1)
- Grievance Procedures, extended retirement age, etc in 1980s
- **Status security** of civil servants was improved substantially with exceptions of the times of **regime changes**.(Table 2)





<Table 2> Number of Civil Servants Dismissed in a Time of

Government Transition in Korea			
Government	Year	Dismissed Staff (Persons)	Ration (%)
Park Chung-hee	1961	35,767	15%
Chun Doo-hwan	1981	22,502 (over G-4: 599)	05% (12%)
Kim Dae-jung (Plan)	1998 (1998-2001)	17,597 (142,359)	11% (20%)

### Stage 2: Civil Service System (2)

- ‘Government Employees Training Act’ and ‘Central Officials Training Institute Establishment Act’ (1961); ‘Education & Training Division’ of MOGA’s Admin. Management Bureau; revised National Civil Service Act enforced a **linkage between training and personnel promotion**
- Government Employees Education & Training Act (1973)
- A **5-Years Plan** for Development of Education and Training for Government Employees (1982)

### Stage 3: Tasks and Circumstances

#### Circumstances:

- achieving **democratic transition** of 1987, **consolidation** by passing the ‘**two turn-over test**’ in 1997 and 2007
- revived the 30-years’ ‘deferred’ local autonomy in 1991.

#### National Tasks:

- caring dysfunctions of post-‘**condensed**’ industrialization and democratization.
- joined OECD and G20, ranked 12<sup>th</sup> in GDP, while faced to **financial crisis** and **low fertility and ageing society**.
- expansion of **public participation** and **public service demands**, with **lacking coordination capacity** through **mutual adjustments** between groups, bringing about **high decision-making costs**.

### Stage 3: Institutionalizing

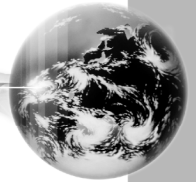
- **Reforms** have been **redirected toward a de-bureaucratized democratic state admin**, while dismantling bureaucratization of the state admin.
- However, the reform goals have **not** been **yet achieved fully** with **lack of institutionalization** in terms of real practicing.

### Stage 3: Organizational Structure

- Reforms (adopting **NPM and New Governance models**) were conducted to make the state admin to be more **democratic and efficient**.
- pursued continuously **deregulation and decentralization**.
- Democratization caused **government growth** (Table 1)
- by creating **new (mostly committee type) administrative apparatus** to promote ‘**organizational pluralism**’ by Democratic Government (Table 3)
- downsizing efforts conducted applying the idea of ‘**super-department system**’ by Conservative Government. (Table 1)

<Table 3> Central Administrative Apparatuses Established since 1980s

Function	Chun Doo-Hwan (1981-1987)	Rho Tae-Woo (1988-1992)	Kim Young-sam (1993-1997)	Kim Dae-jung (1998-2002)	Rob Moo-hyun (2003-2007)
Public Service Provision	M Labor (81); M Sports(82)*	Meteorological A (90); National Police A (90)	Adm./M of Environment (80/90); Coast Guard(96)	Food & Drug A(98); M of Gender Equality & Family (01); Cultural Heritage A (99); C Youth Protection (99)*	National Emergency Management A (04)
Constitutionalism, Democracy, and Human Right Promotion	Social Parity C (80)#	Constitutional Court (88); Broadcasting C (88)*	Ombudsman (94)*	National Human Rights C (01)*	
Economic Policy Capability Improvement	International Cooperation C (83-86)	Statistics (90)	Fair Trade C (94); M Information & Communication (94); M Maritime Affairs & Fisheries (96)*; Small & Medium Business Adm. (96)	Financial Supervisory C (99); Small & Medium Business C (99)	
Administrative Capability Improvement		Government Information Ag. (99)*		National Emergency Planning C (98)*; C/M Planning & Budget (98/99)*; Civil Service C (99)*; Independent C Against Corruption (02)*	National Assembly Budget Office (04); Defense Acquisition Program Adm. (06); Multifunctional Admin. City Construction A (06); National Assembly Research Service (07)



### Stage 3: Administrative Procedure

- Triggered by financial crisis in 1997, reforms of ‘**from procedure to result**’ conducted:
  - trying to **reduce the central agency’s regulations** on organizing, staffing, budgeting over line organizations
  - restructured ‘3-layer pyramid-type of office, bureau’, division to ‘**2-layer headquarter and teams**’.
- This result-oriented decentralization need to be more substantial institutionalization.
- by overcoming **reluctance of political executive and central agencies**, who **concern possible leakage of admin leadership and regulatory power**.

### Stage 3: Civil Service System (1)

- After **democratic transition** of 1987, efforts made to strengthen **status security** of civil servants further.
  - resulted in **strengthening career civil service system** unlike the then trend in the West.
- **Financial crisis** of 1997 and the democratic consolidation triggered conducting aggressively civil service reforms of **NPM and New Governance style**.

### Stage 3: Civil Service System (2)

- (1) Performance-, position, open competition, contract-based personnel management system:
- dismantling the ‘**meritocracy, rank- and seniority-based, and closed career civil service system**.’
  - Hoped to make civil servants to be more **productive and flexibly**;
  - to overcome their ‘**narrow sightedness**’ due to staying within a department to enhance better **inter-organizational policy coordination**.
  - **Open Position System (Table 4);**
  - **Personnel Exchange Program**
  - **Ministry-wide Job Posting Program;**
  - **Senior Civil Service system (Table 5, 6 and 7)**

### Stage 3: Civil Service System (3)

- (2) ‘**Balanced Personnel Management**’:
- As ‘**affirmative action**’ programs to make the ‘minorities’ to be represented more in the public sector: i.e., **women, the disabled, science & technology experts, outsiders from Capital Region, etc.**
  - initiated as an idea of Korean ‘**representative bureaucracy**’.

### Stage 3: Civil Service System (4)

- (3) **Decentralization Efforts:**
- **Civil Service Commission (CSC)** was established as an **independent personnel agency** in 1999.
  - Initiated most of the personnel management reforms in this period.
  - Including the efforts of reducing internal regulation on personnel management by delegating its authorities to line organizations.
  - In reality, **CSC involved in far more regulations by implementing reform goals., causing lots of ‘reform fatigue’**
  - Resulted in its merging into MOPAS.
  - In addition to CSC, Presidential Secretariat also established **Senior Secretary Office** for personnel management and reform.

### Summative Evaluation: Stage 1

- **Neutral competence** was **very low**:
  - lack of experience and expertise;
  - lack of independency from political party, etc.
- **Executive leadership** was **strong**:
  - President’s powerful charisma;
  - strong solidarity between President-civil servants
- **Democratic representativeness** was **poor**:
  - lack of popular control over President & civil service
  - poor representation in public service positions



### Evaluation: Stage 1

- **Policy Capacity** of the State Admin as a whole was **very low**:
  - with lack of plan rationality
- Nevertheless, contributed to survive and prepare for the foundation for developments in the future.

### Summative Evaluation: Stage 2

- **Neutral competence** was improved **significantly**:
  - accumulated more experience and expertise
  - secured independence from political party, etc.
- **Executive leadership** was improved **much more**:
  - with supports of institutional presidency
  - strong nexus between President-civil servants
- **Democratic representativeness** was **poor**:
  - reduced popular control over President & civil service
  - poor representation in public service positions

### Evaluation: Stage 2

- **Policy Capacity** of the State Admin as a whole was **very high**: due to
  - plan rationality
  - strong stateness

### Summative Evaluation: Stage 3

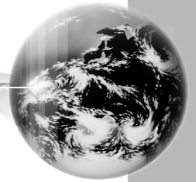
- **Neutral competence** was improved more **significantly** due to:
  - accumulation of more experience and expertise
  - increased job security
- **Executive leadership** was decreased due to:
  - pluralization and decentralization within the state admin
  - weakened solidarity between President-civil servants
- **Democratic representativeness** was increased **significantly** due to:
  - increased popular control over President & civil service
  - expanded representation in public service positions

### Evaluation: Stage 3

- **Policy Capacity** of the State Adm as a whole was decreased: due to
  - diversification of policy goals to be achieved  
→ increased policy dilemma situations (e.g.: not ‘growth or distribution’ but ‘growth and distribution’)
  - increased group conflicts, but not yet self-coordinated by mutual adjustments

### Summative Evaluation

Discipline	Stage 1	Stage 2	Stage 3
<b>Neutral Competence</b>	Very low	High	Very High (with limited adaptability)
<b>Executive Leadership</b>	Strong	Very strong	Substantial
<b>Democratic Representativeness</b>	low	Very low	High
<b>Policy Capacity as a Whole</b>	Very Low	High (for simplified national goals)	Low



### Future Direction?

- Currently, **many confusions** over governance, especially after the global economic downturn triggered by the American financial crisis of 2008.
- What and how should the state admin or civil service should play?
  - ‘small government’ or ‘capable government’
  - ‘Market like’ or ‘classic bureaucracy like’ governance
- No clear answer found yet.
  - even ‘uselessness theses’ of existing economic and social science?
- **No one best theory or model** for reforming civil service system, especially in a time of complexity or chaos such as now.

<Table 4> Outside Appointments to ‘Open Position System’ Positions in Korea

Period	Total Positions Appointed	Within the Ministry	Outside of the Ministry		
			Subtotal	Civilian	Other Ministry
Kim administration (2000-2003)	180 (100%)	151 (83.9%)	29 (16.1%)	22 (12.2%)	7 (3.9%)
Roh administration (2003-2007)	348 (100%)	190 (56.6%)	158 (43.4%)	132 (34.3%)	26 (9.1%)

<Table 5> Senior Civil Service Systems Compared

Country	US	Australia	New Zealand	Canada	UK	Korea
Name (Year)	SES (1979)	SES (1984) / SES (1988)	SES (1988)	EG (1993)	SCS (1996)	SCS (2006)
Legislation (Year)	Civil Service Reform Act (78)	Public Service Reform Act (1984)	State Sector Act (1988)	Public Service Reform Act (1992)	Civil Service: Making Forward Continuity & Change (1995)	National Civil Service Act (2005)
Central Personnel Agency	OPM (Setting standards and approving client org's selection)	Public Service Commission and the SES Commission (Support operation of each client org.)	Treasury and the State Service Commission	Public Service Commission (Approving each org's self-selection)	Cabinet Office (Corporate Development Group) (Approving each client org's self-selection)	Civil Service Commission (99-07) and MOPAS (08-) (Setting standards and approving each client org's selection)

<Table 7> Performance Ratings and Performance-based Pay for SCS Members

Ratings	S	A	B	C
% of Members	20%	30%	40%	10%
Pay Rates in 2006	7%	5%	3%	0%
Pay Rates in 2007	15%	10%	5%	0%

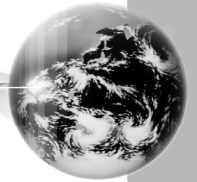




# 第一場次

The Examination Yuan of the R.O.C.  
Anniversary





## 參、第一場次

主 題：高階文官進用制度

( Senior Civil Service Recruitment System )

時 間：中華民國 99 年 1 月 9 日 ( 星期六 ) 上午 10 時 30 分

地 點：公務人力發展中心前瞻廳

主持人：歐育誠 考試院考試委員

子題一：高階文官考試制度檢討與改進之研究

( Review and Reform of Examinations for Senior Civil Service )

引言人：陳漢宣 香港城市大學公共及社會行政學系主任

與談人：Alex Bello Brillantes, Jr. 菲律賓大學國家公共行政暨治理學院院長

Evan M. Berman 國立政治大學公共行政學系講座教授

陳金貴 國立臺北大學公共行政暨政策學系教授

子題二：高階文官考試方法與技術之研究

( A Study of Senior Civil Service Selection Methodology and Techniques )

引言人：劉伯龍 澳門大學政府與公共行政學系主任

與談人：LooSee Beh 馬來亞大學行政與政治學系資深講師

Nisada Wedchayanon 泰國國立發展管理學院公共行政研究所副教授

呂育誠 國立臺北大學公共行政暨政策學系教授

紀 錄：林麗蘭

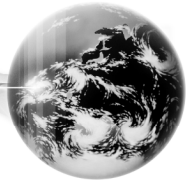
### 一、主持人致詞

院長、伍副院長、各位委員、各位首長、各位貴賓、各位女士、各位先生：

非常歡迎各位來參加考試院 80 周年慶舉辦的「變革中的文官治理國際研討會」當中第一場次的高階文官進用制度的研討，這個場次有兩個子題，第一個子題是「高階文官考試制度檢討與改進之研究」，另一個子題是「高階文官考試方法與技術之研究」，現在由本人來介紹這兩個子題的引言人及與談人。

第一個子題引言人是香港城市大學公共及社會行政學系主任陳漢宣博士，第一位與談人是菲律賓大學國家公共行政暨治理學院院長 Alex Bello Brillantes, Jr. 博士，第二位與談人是國立政治大學公共行政學系講座教授 Evan M. Berman 博士，第三位與談人是國立臺北大學公共行政暨政策學系教授陳金貴博士。

第二個子題引言人是澳門大學政府與公共行政學系主任劉伯龍博士，第一位與談人是馬來西亞大學行政與政治學系資深講師 LooSee Beh 博士，第二位與談人是泰國國立發展管理學院公共行政研究所副教授 Nisada Wedchayanon 博士，第三位與談人是國立臺北大學公共行政暨政策學系教授呂育誠博士。



現在我們就開始進行研討，請第一個子題的引言人陳漢宣博士。

## 二、子題一引言人報告

陳主任漢宣：

（現場口譯部分）

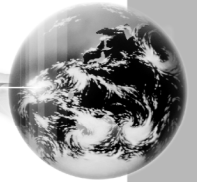
關院長及伍副院長，大家好，非常高興今天能夠有機會來做這個報告，為了觀眾的方便，我將用中文來進行報告。

（口譯結束）

大家早，今天我要講的是中國大陸考選制度的改革思路，實際上我是在 1993 年開始，大概前前後後做比較長時間的研究，中國大陸整個的改革，從 1984 年到 2006 年中國公務員法公布，前後究竟是怎麼一回事？整個來龍去脈是怎樣？當然這不單單是去找出它的脈絡，主要有什麼理論上的依據？在推行公務員制度當中，其意義在那裡？為什麼出現這麼一些奇怪的東西？

實際上現在公務員與幹部沒有分別，2006 年 1 月 1 日有效的中國公務員法規定，公務員就是「依法履行公職、納入國家行政編制、由國家財政負擔工資福利的工作人員」，幹部就是「黨政單位、事業單位、群團組織及國有企業中的正式聘用人員」，按中國公務員法，事業單位與企業中的聘用人員不應該是中國公務員，實際上事業單位與企業所有重要的、高級的人員，都是按公務員法、黨管幹部體制去管理的，我剛剛發表一篇文章裡就清楚說明企業單位及國有企業在中國大陸是怎樣管理的，簡單地把整個現象呈現。企業的幹部基本上也算是幹部，他們也是按公務員制度來管理的，現在公務員法在中國不是最重要的，最重要的是在 2002 年公布的黨政領導幹部選拔條例，這是中國共產黨管理幹部的最重要的一個條例，你在任何的網站都可以找到中文或英文版本。

按公務員法的定義，2003 年公務員的人數大約 630 萬，現在大約是 600 萬到 710 萬人左右，以前在 1993 年公務員管理暫行條例時，公務員只是包括政府相關機構約 490 萬人，現在將公務員定義擴大後，大概有 690 萬到 710 萬的公務員。我的一個論據就是中國大陸的公務員制度不可能、也不會與幹部人事制度脫離，從 1993 年制定公務員管理暫行條例這個經驗來講，開始時是要解決一個問題－權力高度集中，很普遍的人事管理上的問題，尤其是貪污，其實要解決這個問題，在公共行政或是政治科學當中，它是一個很西化的、憲法的、政治上的問題，它不單單是一個技術層面的問題，因此你可以想像，要完成這麼一個西化的政治改革，困難重重，雖然在 1984 年到 1986 年政治氣氛比較開放，曾經試圖把一些比較西化的政治改革引進到中國，可是困難重重，為什麼呢？就是在現有有限度的政治體制－一黨專政、黨管幹部可行的情況之下，尋找一個缺口來進行改革，簡單舉兩個例子，一是功績制度，在 1993 年開始構思，同時在公務員制度當中推行改革功績制度，怎麼去做呢？是否只有公務員才能享受公務員所謂的功績制度？但到最後不能這麼做，只能容許像黨、人大、檢察機關、政法系統通過不同的獎罰，有些參照、參考公務員制度推行功績制度；另一個例子，就是一個比較西化的重要的改革，把公務員分為兩類型，一是政務類，一是事務類，這到最後沒有成果就淡化了，實際上最重要的分別是什麼？事務類的官員就是有終身制，所有政務類的官員全都是用黨管幹部「下管一級」管理

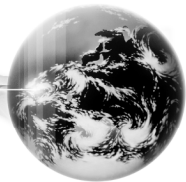


權限來管理，所有省部級以上的是政務類，省部級以下的是事務類，可是這個做法影響到太多人的利益，不單是在中央政府或地方政府，不同類型的社會團體當中，你都會影響到人家的利益，所以到李鵬最後一關時，他說我們不提終身制，實際上都享受終身制，解決問題的方法就是不解決問題，在大陸來講這是一個非常普遍的現象。1993年要解決的問題就是高度的政治權力集中，2005年制定、2006年有效公務員法顯示，現在公務員制度要回歸傳統的幹部人事管理體制，有幾個非常有趣的論據：第一個就是在中國大陸的國情，決定共產黨、人大、政協司法系統和審判系統共同構成政治體制的“主體和不可缺少”的部分，這是人大法改會提出的一個論據；另一個論據就是其他各種法律都體現了黨管幹部的原則，可是沒有一個法清清楚楚給共產黨有管理人事的權力；第三，將黨管幹部的原則上升為國家和法律的意志，事實上是因為剛才一與二相加，我們要名實相符，既然是這樣，為何不把它清清楚楚表達出來呢？在法律上面得以確認，因此按黨的領導地位及其組織部門在管理中的有效性，提出公務員法，法律化黨管幹部的權力。

當然這是很奇怪的事，為什麼是這樣？原先是一個問題，現在變成一個解決問題的辦法，怎麼去理解它呢？我比較想念馬克思，所以通常我就看 Max Weber，Max Weber 提出一個講法就是「歷史理性化」，什麼意思呢？就是說理性化不是只有唯一的、不變的、放諸四海都能通用的定律，而是按每一個國家的特徵、文化、歷史、政治制度，找出一個理念，最重要是整合有利的條件，才能創出一個思路、方案，就是說每一個國家的起點、面對的問題、解決問題的能力、領導及人民接受變化的程序，都是一個變數，所以對我來講，實際上沒什麼大不了的事情，這麼一個改變是可以理解的。

我們要了解中國公務員制度如何做考錄，一定需要知道中國現在整個考錄制度是在黨管幹部、幹部管理體制當中推行。什麼叫黨管幹部？什麼是幹部管理體制？簡單的說，幹部管理體制是一個以「品位管理」為主的，整個幹部管理體制主要是管人為主、管事為輔，重點不在管事，而是在管人，每一個官員、公務員、幹部按其行政級別，通常他們在本部門是由黨的系統來管理，而且還有一個上一級的管理部門。在實際工作中，品位管理看的是什麼呢？就是看每個人的級別、頭銜、資歷、政治素質、團結和領導能力，因此公務員選錄強調的，就是每一個人在不同級別的職務上，是否要長期服務的潛力和資歷，品位管理不是什麼特別的東西，在香港某程度上所有的政務官我們叫 Administrative Officer，所有的政務官都是按品位管理，在美國就有 senior super-grade positions-Grade16,17,18，他們都是品位管理，只是有一個分別，在品位管理之外，還有一套完備的職位分類，在中國大陸現在完全沒有一套有效的職位分類（position classification），所以也就不奇怪，因為既然是沒有一套有效的職位分類，怎麼去管事？

所謂一體化的幹部管理體制是什麼意思呢？實際上它是分級管理，分級管理簡單地說兩套最重要的原則，第一個是「管理權限」，什麼叫管理權限呢？就是下管一級，或是一般情況之下下管一級半，如一個縣長管理一個縣，實際上省的黨委也會管到鄉的書記與縣長，下管一級有時是下管一級半，在這個管理體制當中，從人事管理上來講，「進口」就是 recruitment，怎麼去考錄，它是全方面的控制，有了出口，出口包括是 retirement 或是 dismissal，梯階就是 promotion、transfer 這些東西。



高度一體化的幹部管理體制的主要特徵是多頭管理，什麼叫多頭管理呢？簡單的來講，就是把專業的責任與政治責任放在一起，在工作當中不單單是看你能否做你的專業，更重要的是政治責任、多頭管理，用不同的方法去管理。

現在的公務員分兩種，一個是所謂的領導職務，包括國家級正職、國家級副職，這就是我們講的國家領導人，現在大概數字是 120 人左右，省部級包括副部，在中國現在大概是不到 2,300 人，廳局級幹部大概是 68 萬左右，縣級太多了不知道詳細數字。

國家級的職務怎麼去做選錄，省部級官員是怎麼挑出來的，學者能否找到數據、做訪談，根本完全不可能，你去問馬總統你是怎麼挑的，不可能的對吧，香港也是一樣的，無法說某個局長是怎麼挑的，大家都不知道，所以我說「不清，多元因素」，真的不知道。在程序上面來講又是選任與調任，選任就是通過有關的程序選出來的，像國家主席都是選出來的，調任就是從一個地方如省的書記，調到中央做一個部的部長，依此類推，某程度上省級官員是看年資、績效、關係，就是 networking，決定你要選錄那個，最後 C 與 D，就是說明一個情況，在中國這個制度之下，不能完全把績效排除，你還需要人去打工、工作，實際上整個中國公務機構，超過 80% 是在縣級以下，所以雖然我們現在看見有效的推行績效做為考錄官員，重要的是現在中國大陸出現目標責任制，績效能否引進大陸黨管幹部體系當中，我們需要看的就是在縣級以下推行的目標責任制。

時間不多，簡單的到最後講，往後怎麼辦？又做什麼？我剛剛從北京回來，就做了一個調研，跟幾個老部長談到公務員制度往那個方向走，席上我訪談的幾位老人家，他們給我的印象，中國發展到這個地步，不能排除政治考量，但是我們需要知道，怎麼提高整個管治能力？這個是所有的高級的管理領導幹部都要面對的問題，他們提出一個講法，就是從今以後中國大陸推行公務員制度也好，幹部指導也好，就是不能單單考量管治能力，一定需要考量到政治任務，因為時間不多，我 paper 裡也有說明，所以我就講到這裡，謝謝大家。

### 三、子題一與談人與談

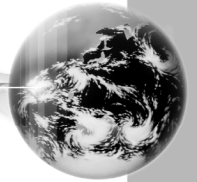
歐委員育誠：

謝謝陳博士，現在請與談人 Alex Bello Brilliantes, Jr. 博士。

Alex Bello Brilliantes, Jr.：

（現場口譯部分）

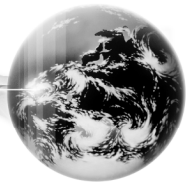
謝謝，我知道我有 8 分鐘，我有 8 張投影片，我會非常快地講完，最重要的是非常恭喜考試院 80 周年，我要謝謝陳教授，我有這個榮幸能夠來對你的論文做評論，當他說文官制度在中國的任用與西方國家是非常大的不一樣，因為它讓績效和公眾課責是公民社會管理的一個核心，我覺得是非常有趣的一點，我看不同國家的不同經驗，包含了政治化和重新政治化、中立、績效等等，這些都是文官系統會碰到的一些挑戰，不管意識形態是什麼，不管是在中國、菲律賓、台灣或者是其他地方都碰到這樣的挑戰，因此這裡的原則的普世價值到底是什麼？到底這些是不是全球普世的價值，我想並沒有一個單一制度適合全部體系的方法，不同的國家需要不



同的制度，所以要有一個適當的背景架構，從一個更寬廣的角度去看，中國的文官制度的招募與其他的國家並沒有太多的不同，第二，我們必須考量它的背景，我說背景這個字是非常重要的，我們必須要了解它的背景，在某些事情執行的時候，我們都必須要看一些特殊的背景架構，不光只是在這個政治考量上面，其實我們發現中國與西方並沒有太多的這些政治考量上的不同，政治的素質很重要，這在最高級領域的文官任用上是非常重要的，之前 Professor Berman 講到，他說的一些架構也包含在菲律賓的架構，我想政治的忠誠度和意識形態是很重要的，這個是必要的價值，尤其是在這個最高層政策制定者和執行者，如果他們要能有意義的執行他們的政策的話，他們都必須考量到這兩點，所以這些政策的制定者，他們來決定方向、意識形態、政策，他們可以透過選舉、任命或者是政治任命來達成，但是這些都還是有官僚的政治層面，這也會決定執行的程度，和這些機構執行的等級，所以我認為這並不是一個不好的事情，因為政治本身並不是不好的，只要不是有偏見就不會是好的，在這個理論上面來說，我們常認為這些最高級的官僚都是政策設定者，他們是政治任命而上任的，而他們是透過政治的制度來得到他們職位的合法性，他們被選舉進入他們的職位，他們代表的一種特殊的想法和一些型態，而在低階的一些文官，他們是政策的執行者，他們來執行這些政策制定者的政策，政府有一個共同的目標，可是官僚制度還是在的，還是會持續下去，所以不管是透過法律或是透過選舉，最後這個官僚制度還是會去執行這些政策制定者的政策，這是官僚制度的一個核心，所以我想這個評估現在的行政單位、行政制度，應該有一些值得探討的地方，因為對我來說這個二分法是非常模糊的，有一些變化和一些融合是會出現的，這就是我看了陳教授的報告，裡面有四個層級的不同，但是我認為它在職能或者是在政治關係，整個架構上是比較模糊的，你看最高層次的話，實際上這個是不管用的，因為這個之間會有一個模糊的效應，我認為這樣的效應在全球都存在，不管是在我的國家或是別的國家都是一樣的情況，有一些政治任命的職位，有一些任命選舉的，他有一些政治的關係和政治人脈也都是非常重要的，這也包含加拿大、澳洲、菲律賓、美國都是有這樣的情況，這並沒有什麼特別、錯誤，這就是為什麼我一直認為背景是我們必須要先考量的，任何政策的執行，我們都必須要先了解它的背景，這是最重要的。

陳教授講到第二個圖，提名制度下提名出來的文官招募，提出了省級、廳級、鄉鎮級的一些官僚的融合，而這裡面考慮到的標準有年資、政治、網絡以及個人的職能，還有一些是透過內部協商的方式，內部政治協商在其他國家也是常常出現的，這並沒有任何的錯誤，通常在最高階的官職都是經由這樣任用的，而在菲律賓，我可以說並不是全部都是政治，也不是全部都是常任文官，這就是這種政治的一個融合。

我們碰到的這個挑戰還會持續，但是這些是現實和必須碰到的一些情況，持續的衝突和競爭會存在理論和實務之中，因此我們要做的就是著重在行政制度的改革，來看文官制度未來的發展，在一個政治化的官僚制度可能是很矛盾，但我們還是必須要考量它的背景，有一些全球的價值，比方說功績、適合性和職能，而這不單只是適合在低階和中階的文官上面，在其他的文官系統裡面還是會出現的，而且有一些很奇怪的、很獨特的特色，文官制度的改革是持續的，我們必須要持續的進行這樣的發展，而我們也看到官僚制度的改革，有一些政府持續在做新的文官制度的改革，和有一些新的管理制度。



我知道時間快到了，這是最後的幾點，有關於一些文官制度的改革當然需要一些改變，也需要一些領導層級的改變，這就是我們在文官制度上必須碰到的一些挑戰，並沒有一個完全單一的價值，所以這樣的官僚制度並不是只有中國才存在，全世界都是存在的，謝謝各位。

**歐委員育誠：**

謝謝，現在請 Dr. Evan M. Berman。

**Evan M. Berman：**

大家好，我的中文還不好，所以我說英文。

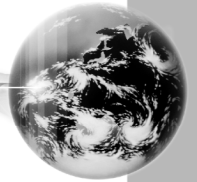
（現場口譯部分）

謝謝關中院長能夠舉行這個非常重要的研討會，也要謝謝陳教授的報告，以及剛才 Brilliantes 教授給我們的意見，我的評論各位手上都有，所以我想再做進一步的評論。我也許是台灣國際化的一個例子，我非常的自豪加入政大成為正式團隊的一員，不單只是因為我在美國已經是一個在這個領域相當出色的教授，我也要感謝政大的校長，他明天會參與第二天的研討會，而在台灣現在有許多學生有機會來用英文修習碩士的學位，這個學位也開放給很多國際的學生，並吸引了一些國外的教授，我就是一個例子。陳教授曾經參與很多關於公共行政的研究，我當時在科羅拉多州，他邀請我到台灣來加入政治大學的陣營，當時有一個長達兩年的協商，有所謂關於退休制度以及薪資制度的討論，台灣有一套關於大學教授的薪酬的制度，如果不是因為這個制度有做一些修正的話，我就不可能到台灣任教，所以所有與考試院有關的制度，對於台灣的國際化有很重大的影響，我想特別提出這點。

其次，在 2010 年我們會出版兩本書，包含 7 章談文官制度的改革，在日本、韓國、台灣、中國大陸、香港、澳門、菲律賓、泰國及馬來西亞，這些資料都會在今年出版，我們有一些學者也參與了今天的研討會，他們也參與了這本書的出版，所以台灣很明顯是世界化、國際化的一部分。

我非常感謝今天陳教授所做的報告，也感謝剛才 Brilliantes 教授所做的評論，陳教授的報告顯示出中國文官制度的政治化，尤其是在高階文官及中階文官的層次，即使是非領導職位的文官幾乎也都是黨員，陳教授指出，一個公務員的能力以及功績雖然不是完全被漠視，但卻不是最重要的一個元素，陳教授也提到高度政治化的結果，不見得對公務員的表現有正面的助益，政府曾經採取過一些措施希望能夠改善這個現象，我同意 Brilliantes 教授的評論，就是政治化在公務系統並不是中國獨有的現象，而是世界各國都有的現象，以美國聯邦政府為例，每一次政府改朝換代之後，就有大量的公務員被解職，有新的公務員被任命，即使是最基層的公務員都是如此，所以美國的聯邦政府有人批評它是一個平庸的行政體系，但是在美國其他的部門也有很多優秀的表現，像國防等等，我們都覺得太高度的政治化，對於文官制度並不是一個好的現象，文官不僅是要政治中立，在台灣只有很少數的職位是被任命的政務官，其他的都是職業的長期文官、常任文官，和美國的聯邦政府相比，這其實是一個很幸運的現象。





當您用到馬克思·韋伯的理論時，美國人認為聯邦政府是一種官僚體系，但是也許和你們所講的官僚體系不同，在美國人民認為包容性非常重要，也就是說政府必須要儘量有各個不同族群以及各個不同社群的人，不要讓人民覺得行政體系是人民的一部分，像是僱用少數民族的少數族群，對於美國人來講這是一個重要的價值，在中國政府與人民之間卻是有一個分隔，也就是說政府人員缺少一種包容性。

我知道我的時間不多了，對於文官制度的政治的控制，發生在許多國家，特別是發展中國家，我們知道中國現在經濟發展非常的快速，同時也擁有很大的軍事武力，但是我們不能忘記中國仍然是一個開發中的國家，所以仍然有許多開發中國家的特徵，即使台灣還有其他的國家，需要一些時間才能夠讓這個國家的制度改革能夠有所進展，我不知道在中國這樣的改革需要花多少的時間，我也不知道中國最後是否會成為一個民主國家，但是我們要靜觀其變，謝謝大家。

**歐委員育誠：**

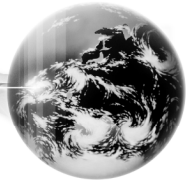
謝謝，現在請陳金貴博士。

**陳教授金貴：**

謝謝，主席、論文發表人陳教授、各位與談人以及在座各位女士、各位先生：

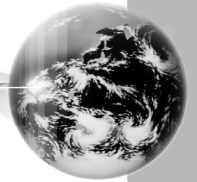
用中文還是比較容易溝通，尤其是討論這篇中國大陸文官的考試和進用，一般來講對西方的制度可能比較清楚，反而對我們海峽兩岸既競爭又對立又合作的對手反而不清楚，尤其當我閱讀陳教授的論文時，他是用英文寫的，我們很習慣的中文用英文出現時就不太容易了解，而且我們對中國大陸常有自己的判斷，因此我想怎麼樣去做好一個與談的工作，我就從這個角度、從下面的方向來做，不做一個評論的觀點。

我們要了解中國大陸的制度，西方有不同的觀點，常常有很多的理论去充實，但是我們在台灣地區研究，常常用最簡單明確的方式，就是知道中國大陸怎麼變，但是本質是不變的，你只要抓住這個方向，就比較容易去了解，為什麼中國大陸的人事制度在 1993 年訂立了暫行條例，是因為黨的幹部沒有辦法去掌控局勢的變化，另外，很重要的是西方的觀點不斷的進入，使得中國大陸要再檢討如何來掌控發展的方向，尤其鄧小平開放改革以後，所以 1993 年的公務員暫行條例的發布，讓他們有機會對公務員的制度重新做整合，這整合當然走向一般的開放路線，走向公務員競爭考試的路線，這對他們來講是好的方向，可是黨逐漸失去了地位，原來我沒有辦法很深入去體會，但是我看到一個現象，就是從 1993 年以後西方的思想進入，我們行政學的教科書的寫法就越來越多與西方一樣，將黨、毛澤東思想、列寧思想全部拉開，這是一個好的表現，可是黨的力量逐漸喪失的時候，他們開始緊張，所以 2005 年為了面對新的狀況，這個暫行條例就改為公務員法，這是一個很重要的改革，這個改革本來是越來越開放的，結果就像陳教授所講的，反而走回去，黨的管理越來越緊，我們可以從他們行政學教科書看到，這幾年的教科書，不是我們看到的新公共管理變化，而是新公共管理怎樣與黨、毛澤東思想的整合，所以我們覺得很奇怪，怎麼會越來越開放，結果教科書倒轉回去，可能與整個的發展有關，黨發覺力量掌控不住，所有公務人員的教育如用西方的觀念，將來



怎麼辦？黨就控制不住，所以必須要回歸，不管你走那一個西方觀念，要回歸與黨的力量、毛澤東思想、列寧思想整合，這就是今天我們看到陳教授的報告所講的，從本來是一個去政治化再走向再政治化的原因，要了解這樣的情況，我們必須要了解他們的變化，我在報告裡面講到中國公務人員的特徵有幾項，第一，他們要堅持黨的基本路線，不從事政治中立原則，我們考試院在關院長領導下通過行政中立法，他們強調不從事政治中立原則，因為黨這樣才能掌控，與我們完全不一樣。第二，他們堅持黨管幹部，以黨的組織來領導公務員的管理。第三，不推動兩官分途，既然不行政中立，就沒有政務官、事務官，通通都一樣。第四，他們強調公務員用人要德才兼備，要求思想、政治表現和工作實績，聽起來是沒有什麼問題，德才兼備還有政治表現，政治表現貢獻誰？西方的觀念都強調 merit system，要講功績實效，他們說這是不夠的，公務員不能只有功績實效，對國家、對黨的忠誠，還有品德性要求，這也是要掌控的。再來，公務員要全心全意為人民服務，不是考慮到本身的利益，本來公務員就是要為人民服務的，一切要以人民為依歸，為什麼他要強調？表示過去公務員本身就是一個利益團體，以自己利害為主，所以這樣的前提之下，他們的制度為什麼會出現剛才陳教授報告的掌控或者進用人員的方式等等，新的公務員法第四條講到「公務員制度應以馬克思列寧主義、毛澤東思想、鄧小平理論和“三位代表”…」，他們非常強調這個觀念，公務員法竟然放進這樣的觀念，所以後面的發展就可以理解。在這種情況下，本來是越來越開放的公務員制度與競爭，但是他們反而因為怕失去掌控，所以要堅持黨管幹部的原因，用黨來管理幹部，也就是說在所有的公務員體系，黨掌控的力量還是最重要的，所有的公務機關在新的辦法，包括黨務機關通通納入公務員體系，黨的經費要由公務員支出，在台灣所有黨，包括國民黨都要去募款，他們認為是不可思議的，這當然國家要支持的，包括中國行政團體協會，它也是由政府的體制下的公務員來兼任，整個國家是一致，黨政是不分的，他們公務員的任用，過去是大學畢業就分發，現在他們開放，要取得好的人才，如果沒有這個機制，沒有辦法進用人才，強迫分發會變成封閉團體，所以他們的基層人員還是用考試，陳教授報告也提到去年有上百萬的人報考，比我們的競爭還激烈，因為進去就是鐵飯碗、金飯碗，所以必須透過考試來篩選最好的人才進去，他們基層人員沒有問題，中層人員的錄取，當然要考慮到其忠誠度、工作表現及各方面，一方面有內部的競爭，一方面還要考慮政治因素，但最重要的還是高層人員的進用，已經到達完全政治協商，在公務員的進用上，他們已經逐步走向要吸取最好人才，在內部上看表現再升遷，其實是一個很高明的做法，避免內部的腐化，因為如果進用是受到限制，一方面又開放，進用新的人進來，一方面又可以掌控到整個黨管的部分，所以他們這樣的一個轉換，面對世界的變化必須調整，這樣的思考，我們認為是肯定的，在黨的力量下，我相信他們未來不會有太大的變轉。

對於陳教授的論文，我只有一个想法，一個很實際的介紹政治，如果下次我們看到他更深入的分析裡面的關鍵點，我知道他已經在做，如果這個資料多一點，我們會更能夠了解，謝謝。



#### 四、子題二引言人報告

**歐委員育誠：**

謝謝陳金貴博士，現在我們進行第二個子題，引言人請劉伯龍博士。

**劉主任伯龍：**

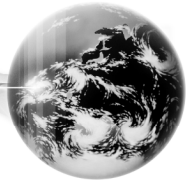
關院長、伍副院長、各位委員，大家好：

非常感謝考試院邀請我來談關於澳門高階文官制度，對此 80 周年表示祝賀，台灣有中國文化特色的考試院，全世界所獨有，希望台灣樹立個榜樣，這是優秀的中華文化的一部分。本次原來是由公職局朱偉幹局長介紹澳門的情況，這個論文也是他寫的，因為他有些事不能來，由我來代表，我就比較自由一點，因為我是學者，他寫的是官樣文章，大家可以讀讀官樣文章，我來做一些學術的解釋，請大家見諒。

澳門文官制度的發展是經過十年的努力，在各方面也取得一定的成績，根據基本法的規定，澳門是實行高度自治，所以通過行政、立法、司法各方面配合，澳門回歸十年，經濟上的成績不錯，澳門的人均 GDP 增長很快，主要是政策對路，那個政策就是開放賭權，現在到澳門可以看到世界最好的賭場、旅館、會議設施，但是澳門的公共行政還需要努力，在東亞的行政效率比較好的一般都是香港、新加坡，數不上澳門，台灣在瑞士世界競爭力有關公務員效率的排名，也達到世界 18 到 20 名左右，澳門要達到這個水平還要經過很多努力。

澳門特區政府人力政策一開始就是採取固本培元、穩健發展的策略，就是鞏固基礎，全面落實制度革新。回歸以後，香港和澳門不知是什麼原因，或是那根筋搭錯，香港公務員制度在亞洲的效率是公認比較好的，但是董建華政府上臺以後突然有很多大規模的改革，所以民怨很多；澳門正好相反，葡萄牙政府比較落後，回歸以後澳門的公務員制度應該進行大規模的改革，結果相反，澳門反而不動，叫做固本培元，這固本培元就有很多的副作用，現在的澳門經濟發展很快，公務員效率卻跟不上，市民的反應非常大，香港、澳門不知道為什麼會出現這樣兩個完全錯誤的政策方向，當然這是我學者的考慮，可能當政者有他自己的考慮，澳門一開始主要是賭權開放，一旦經濟起飛後，行政效率就追不上，所以從 2007 年以後，特區政府明白這個問題的嚴重性，全面的開展澳門的公共行政改革，但困難重重，我們相信特區政府面臨了非常重大的考驗，特別是在公務員制度方面，現在能夠進行開考制度的完善，以公平、公正、效率的原則，完善現行開考、甄選規定，同時積極開展集中招聘，我覺得對澳門來說是一個很重要的步驟，因為政治的阻力非常大，有利益者當然將高考權放在自己手裡，這樣他可以走點後門、搞點關係，可能有這個原因，所以說得容易、做起來很不容易。

特區政府高階文官之範圍，澳門有一個特色，因為它是一個行政主導的制度，非西方式的民主制度，和大陸的制度又有區別，所以在澳門政治任命的官員非常有限，除特首及五個司的司長外，再加上一些主要的官員：檢察院院長、高等法院院長、澳門廉政公署主任，大概不會超過十個人，剩下的都是屬於事務官，都在局長以下。從「澳門常任文官的進用方法與技術的變遷」，舊的制度都是採取普通開考和特別開考的方法，從法律上來說，這都是按照國際的慣例，一般來說都是普通開考，是由各個局進行招聘，特別開考有法律規定，但做的很少。澳門現在



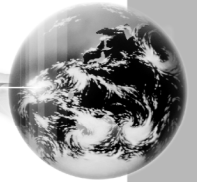
大家對考試制度意見比較大，因為這牽涉到澳門太小，人際關係太多，一到開考時條子滿天飛，很多事情桌面上是看不到，桌子底下到處都是，所以分散招考對這個小社會產生很多問題，很多請託人情的事情，在報紙一揭出來後，市民對於公共制度的信任度就大為下降，產生非常大的問題，所以為什麼澳門現在討論能夠有中央招聘制度，對我們來說確實很重要，中央招聘制度能不能避免這種不透明、腐敗的現象呢？恐怕也不能完全避免，但起碼要好很多，有一個正規渠道，不然由各個局進行招聘的話，下面問題就很多，所以在新的職程下，澳門特區政府所有的工作人員均納入職程制度內，不論該等人員是否以合同方式和公職發生任何連繫。

常任文官的入職方法和技術方面，其中較為突出的變化是在原有特別開考的基礎引入中央招聘制度，過去殖民時期的制度，核心的公務員是常任制度，而且是終身制，其他的就像二等公務員，新的人事制度、退休制度各方面都統一，在公平上改進很多。在招聘文官的方面，中央招聘制度對澳門來說很重要，培訓方面，特區政府也做了很多工作，派人到北京、新加坡學習，自己也辦了一些學習班，但我還是有點懷疑效果，公務員考試常去培訓，也沒有辦考試，目前澳門在這一方面要做的事情還很多。關於晉升方面，澳門也有一套制度，朱局長的文章內已經介紹，但是晉升也是處在一個講「資歷和能力相結合的方法」，實際上做到以資歷相結合比較難，基本上是以年齡為主的現象，為什麼會這樣呢？因為澳門過去不太重視教育，所以人才不多，可培養的人才有限，所以在這情況下，如果做得不好，這個制度反而會引來負面的效果。

「新制度下高階文官的進用條件因應社會的發展加以改善。在新制度下，按照領導及主管任用的基本條件要求，廳長、處長、科長等主管或等同職級的主管官職必須從常任文官中聘任。而局長、副局長或等同職級的領導官職的聘用方式更為多元化，將可從私營部門進用優秀人才為澳門特區政府服務，改變過往高階文官絕大部分由常任文官選任的情況。」大概就是澳門現在通過新的立法，規定領導和主管人員，特別是高級的領導和主管人員，除了從政府部門提拔外，也可以從私營部門和社會上尋找合適的人才，但澳門老百姓、學者有點擔心，怕會變成私相授受的現象出現，因為澳門的公民社會相對來說比較薄弱，社會和媒界對政府的監督力量相當有限，所以領導人選擇接班人範圍比較寬，如果他能夠秉公執法來選拔，那就會很好，如果他是有一些其他的想法，反而就會產生很大的問題，澳門這個問題還是存在，希望有好的選拔的法律配合，相對著澳門的一個連結文化的配合，公務員制度不管怎麼樣，最重要的要有一個連結文化，如果沒有連結文化，任何制度都可以扭曲成一個差的制度和害民的制度，這個是非常重要的。

至於「非常任文官，即非公職人員委任為領導的選拔機制目前還處於起步階段，如何設計一套較為完善的進用方法及技術仍有待深化研究。」非常任文官目前還是由公務員進行提拔，澳門目前的情況也是這樣，這些公務員雖然教育程度不高，水平也不是很理想，但是澳門整個社會的教育程度有限，所以要提拔人才，從外面引進要非常小心，否則弄得不好，還不如以前的制度，所以推行這個制度要非常的小心。

總之，個人做為學者進行評論澳門的文官制度，整個澳門的公務員制度改革，在回歸十年還處在一個初步的階段，正規化方面比以前要好，可能比其他地方還落後十來年，這個正處在



一個正規化、法制化的階段，這個階段是每一個國家、地區都必須走的階段，沒有法制化，公務員是永遠做不好，澳門正規化、法制化方面還要做出很多努力，至於高階公務員聘任制度，澳門首先要做的改革就是進行中央招聘制度，這可以減少很多社會的摩擦，也能夠保證澳門有比較可靠的遴選制度，這樣可以減少貪腐和攀親的非正常現象，這是很重要的，在澳門要做到這一點也不容易，有很多既得利益者會提出反對意見，特別是很多立法議員可能過去習慣寫寫條子就可以送人進去，如果沒有這個權力的話，他就覺得很難過，另外，市民和部分立法議員對現任公務員制度，總是有些不信任，認為中央招聘的人還不一定比較好，所以要進行這項改革不是一件容易的事情，不過我們覺得改革對澳門來說很重要，起碼從某種程度上，可以減少澳門社會私相授受那種貪腐的文化。澳門的賭業對提升經濟效果很好，但是對社會帶來的負面作用也是非常大的。

在澳門所有的制度改革，最重要的是建立廉潔政府、陽光政府，這是第三任特首今後十年的重點工作，我相信也是中央政府給澳門一個很大的授命，一定要做到這點，否則任何的改革效果都會事倍功半，公務員制度的改革，澳門如果要想趕上東亞、先進地區的公共行政效率，能夠配合澳門經濟發展的趨勢，我覺得澳門政府的改革，第一就是陽光政府，反貪、反腐，如果能夠做到，澳門有希望，如果做不到，澳門永遠是一個二級或者三級政府，不可能成為一個一級政府，中國人實在太聰明，任何西方好的制度，都能想辦法把它扭曲，那樣公務員制度的改革就令人存疑，澳門現在還處在一個開始發展的階段，今後的任務還非常艱鉅。我個人就代朱局長宣讀這篇文章，同時我也表示個人的一些觀點，謝謝大家。

## 五、子題二與談人與談

歐委員育誠：

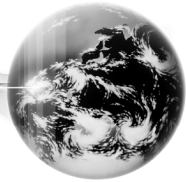
謝謝，現在請與談人 Dr. LooSee Beh。

LooSee Beh：

（現場口譯部分）

謝謝，考試院長關先生以及各位貴賓、先生、女士、與談人，大家早：

我非常的榮幸今天能夠到這邊來提供一些淺見，剛才講到一些公共政策的改革，還有新舊制度的比較，澳門是高度自治的地方，至少在拿到主權後就是這樣的情況，有一些改變的政策，並且他們也推行了一個公共行政改革路線圖，有幾個重要的層面，它強調公民服務網路，也推廣民衆的諮詢系統服務，提升了組織的架構，以及進一步促進行政的效率，提供很好的管理系統，這些改革分成三個層面，包含人力資源的發展、教育訓練計畫等等，同時以人本的原則做這樣的改變，也講到選用人才的機制，能夠來對現有的體制提出更多的進步的空間，筆者有提到一些資深文官制度目前被分成高階高級文官、領導職位的文官和一些非政治任用的文官，在各個層級之間也有一些文官的存在，政務官與事務官是不一樣的，現在的情況是存在一些衝突，會創造一個精英招募的機構，會創造一個政治和行政平行的情況，這也會阻止一個更開放和代表的公民服務文官制度，因為它會限制任用，而不是給予更多的權力來任用更多的政務官，且政務官會有太大的影響力，高級文官的任用將會是比較偏坦的不



平均的情況，這也包含了一些個人的判斷因素，所以很重要的一點就是必須要了解高級文官的數目到底有多少，在各個不同的項目之中有多少，同時持續的訓練也是非常重要的，政治的主宰力已經被建立，但是我認為這樣的情況，也是很多國家都碰到的經驗，在馬來西亞也有這樣的情形，高級文官都是由常任文官中選舉出來的，他們有一些背景，是符合政府的政策，我認為對比之下如果我們看一看新進的文官，他們都會相信道德是非常重要的考量因素，當然可能會有一些限制，個人的利益存在年資這樣的制度之中，我認為這是非常重要的概念，引進新的進用制度以及拔擢制度，我的問題在於高階文官的進用，他們的一些資格像是基本的條件、教育背景還有工作經驗，以及一些現制所受的訓練等等，在這種普通的開考制度有些限制，它有兩個方法，其中是文件審查，是一個人履歷的分析再加上面談等等，這通常是用在簽訂工作合約的約僱性質的工作人員，而不適用於由中央來統一招考、進用的公務員，我想高階文官的進用是否也是以中央招考的方式，特別的公開開考在新的文官制度下，有一致性的規格，取代了過去的特別開考制度，而將程序簡化，並且加上比較高的教育背景的要求，這種公開的考試以及競爭，通常只適用於比較低階的文官，這似乎也是一種折衷的做法，來避免公職進用有被濫用的問題，也強調公職人員的忠誠度，較低階的文職人員也是透過比較公開的方式來進用，我的問題在於這樣的考試是否也是有被操作的可能性？或是有被濫用的可能性？而在個別的部門，他們由於政治以及經濟的去中央化分權的結果之下，他們個別進用人員是否也會遭遇類似的問題？要如何提名人員擇用為較高階的文官？到底候選人的潛力要如何來評估？這些不同部門之間的高階文官是否有調任的可能性？在這些任用以及擇選的條件，這個制度所遇到的一些困難，這個論文沒有做詳盡的敘述，提到還有未來社會的需求，為了要提升文官制度的效率以及表現，以馬來西亞來說，政府應該採取什麼樣的策略？像是這種進用方面的努力，它的強度如何？還有進用的技巧、技術方面的多樣性如何？以及它的進用技術的品質如何？同樣與東南亞如香港特區、中國及台灣比較，我們也許可以用比較大的框架來研究澳門特區公務員制度的演變，而進用也必須要與教育以及訓練結合，政府對於這方面的看法如何？是否認為這是人力資源管理的重要的部分，同時要投入足夠的資源在教育及訓練，每個國家都希望他們能夠建立最好的公務員制度，從許多政策改革上也可以看得出來，今天早上我們也聽到許多講者提到類似政府的努力，面臨如今時代所帶來的許多挑戰，對於各國政府都是重要的議題，包括從立法方面來優化政府的考試制度，各國政府都有這方面的意願，這也顯示國家強化文官治理的能力，不僅是對澳門，對其他世界各國也是如此。

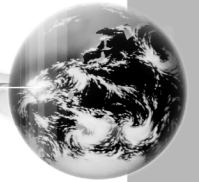
#### 歐委員育誠：

謝謝，現在請與談人 Dr. Nisada Wedchayanon。

#### Nisada Wedchayanon：

（現場口譯部分）

我了解已經快要中午，也許各位都已經很餓，我只有四、五張投影片，我會很快地講完，我要謝謝考試院關中院長及所有工作人員籌辦這個研討會，劉教授的大作，我獲益良多。



論文的結構，這是一般性的評論，論文的形式看起來沒有問題，也很容易閱讀，它有一些文獻參考資料，但是沒有詳盡的書目參考資料，而作者也沒有做出研究成果及未來的研究方向的建議，不過論文敘述得相當有條理，我想這是一篇很好的論文，因為它有三個作者，其中一位作者是大學的教授，另外一位是從事實務工作的行政官員，以及實際執行任務的公務員，這是一個相當理想的組合，我們可以了解執行者的觀點，及澳門新舊高階文官進用制度之間的差異。至於論文的內容，這是一個採用記錄性研究方式的論文，是一個直性的研究，沒有提出一個假說，作者使用一種回顧的方式來看澳門特區高階文官制度的發展。這個論文有三個目標，它們是要檢視高階文官的進用制度，其次要檢視這個制度的進化過程，第三則是要了解、研究在進用常任文官的制度及考試的一些技術層面。

這篇論文分為三個部分，第一部分作者回顧澳門文官制度的變遷及考試制度的改變，這一部分的論文寫得非常的好，可以了解澳門人民的生活水準得到改善，同時澳門政府採用一個 2007 年到 2009 年的公共行政改革路線圖，對於其他各國政府來講，都是很值得借鏡的地方。論文中提到改革的目的，我會跳過這段。第二部分提到高階文官進用制度的變遷，我們可以了解高階文官在澳門包括主管及副主管職、部門及局處主管，澳門的高階文官是界於政務官及事務官間，我為什麼這麼說呢？因為高階文官的任命權屬於特區的特首，但是同時他們又是常設的職位。至於這個制度的特徵，可以看見它不是以職位為主的，而是以職級為主，而其進展是由政府的組織所掌控，政府意在提高公職人員的素質，作者明確指出他們如何投資在訓練上以提升文官的素質，然而澳門也允許民營部門、民營公司表現良好的人員進入公職系統，讓民間的人才也有機會到政府服務。這張圖是要解釋澳門舊文官進用制度及新制度間的差別，所做的對照表，有一些有趣的發現，他們希望避免用人唯親這樣舊有不好的傳統，我想為什麼他們要把舊系統改換為新系統，舊有制度的問題在那裡？如果作者能夠提出舊制度的缺點，加以明確的說明，那麼讀者就能夠更加了解舊制度的缺失，作者以相當詳細的方式敘述新制度，新制度包括像是欲進入公職服務的人，可以過去的工作經驗來取代職前的訓練，同時現在採取中央集中的人力資源管理的方式，並且建立考試的題庫，讓有志於進入公職服務的人能夠透過公開招考的方式進入政府機關，澳門同時也希望以更科學化、系統化及人性化的方式來進行文官進用制度的改革，我想這是每個政府的夢想，包括我自己的國家，我來自泰國，我們必須要對抗公僕制度過度政治化的問題，有一個政治文化是和歐美的文化不同，我們要如何改變，要如何從這個極端進化到另外一個極端，我想這是一個很艱鉅的任務，而澳門正朝這個方向努力，我們也希望能夠追循他們的腳步。

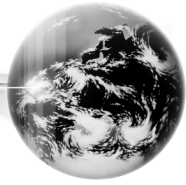
最後，我想提出的是這個論文寫得相當好，提供許多的資訊讓我們了解澳門現有的制度，我們從中可以學習到很多，我有許多的意見，但是時間不夠，謝謝大家。

**歐委員育誠：**

謝謝，現在請呂育誠博士。

**呂教授育誠：**

謝謝，主席歐委員、發表人劉教授、院長、副院長、各位長官大家好：

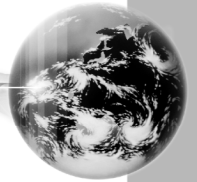


我知道時間非常有限，我會儘量把握時間來做 present 回應的工作。我有幸先拜讀劉教授的文章，劉教授非常客氣說澳門的文官制度還有很多改進的空間，我們從早上到現在，我們看到很多各國的經驗，每個國家都有特有的系絡的因素、環境的因素，在不同的系絡中都有一個共同的目標，就是希望能夠在既有的制度下，尋求一些提升與改革，劉教授剛才的 present 及其文章，我覺得有很多可以給我們啓發，我的意見大概分成三個部分來與各位分享。

剛才劉教授談到整個澳門的高級文官進用的制度，我們不管實際上的操作是怎樣，我覺得有八個因素是值得各位思考，第一，我覺得「公務人員創意計畫」這部分非常有趣，因為整個的文官的改革主要的發動機可能是在公務人員本身；第二，制度的變革怎樣在現在的基礎上做調整，我覺得可能是我們應該要考量的點；第三，高階文官的選拔條件的多樣化，不只是年資與績效，可能要充分考量到整體的需求；第四，進用主管人員的程序要件與實質要件怎樣做調和；第五，「普通開考」與「特別開考」的制度有些差異，我覺得是蠻有彈性的創意；第六，題庫的部分，台灣的題庫已經建立多年，怎樣容納各種不同於教科書的知識，我覺得也是值得考量的；第七，培訓的重要性，這個議題對我們今天的討論或是未來成立國家文官學院來說很重要；最後是「晉階」與「晉級」的條件問題，特別是在我們即將進入到 21 世紀的下一個十年時，我們可能更需要去考量的部分。總體來說，整個制度的變革就是在理想與現實求得平衡，今天各位所面對的最大的挑戰也在這部分，我想提出一些個人的淺見，供各位長官思考。

從劉教授的文章中，我覺得有幾個非常重要、未來可以納入我們整個文官制度發展的重點，第一，到底整個人事制度發展的動力與火車頭在那裡，高階文官的進用是非常關鍵的重點，怎樣在甄拔的過程，透過高階文官的進用，可以發揮所謂的「標竿學習」這樣的概念，如果高階文官進用能夠帶動整個文官體系的變革的話，它是一個非常重要的、關鍵的力量，用這樣的角度思考。第二，我覺得更重要的就是高階文官的甄拔的制度，個人可能沒有資格談高階文官怎樣甄拔，但有一點可以肯定的，在澳門的經驗提到私營部門任職的經歷，或許對台灣的高階文官來說，在這種私部門或是第三部門的歷練、經歷，可能也是身為高階文官必須要考慮到的重要因素，就像馬總統所提到的聞聲救苦，如果你真正的身歷其境，當然就可以去聞聲救苦，這是我覺得可以處理的。第三，普遍性與個別性的需求在進用制度，「內陞」與「外補」制在台灣已經實施非常多年，除了這個制度繼續強化外，我覺得澳門經驗給我們很重要的啓示，雖然劉教授提到普通開考與特別開考在實際操作上有些問題，我們除了「內陞」與「外補」制的概念外，是否可以建立所謂的「候用人才庫」，也就是對未來具有潛能的中階或其他公務人員，可以提供資料庫這樣的概念，讓主管人員或首長在選才時，可以有好的參考，而不是透過很制式的概念處理這個問題。第四，績效與年資彈性調和，從很多學理或報告都提到，功績制是公務人員制度一個非常重要的支柱，但是我們怎樣在這個功績制之外提供一些彈性，與一些實務上的考量，可能是我們未來發展很重要的思考點，這個部分我覺得所謂的「快速晉升」的必要性，可以提供我們重要的參考，怎樣透過這個特殊管道的提供，讓真正優秀的人才能夠升遷到所需要的位置。最後就是培訓的重要性，從澳門的經驗，我覺得所謂的「特定工作經驗」這樣的機會，包括企業部門、第三部門這種見習或體驗的機會，如果在晉升到高階文官之前，能夠到偏





遠的離島或是到平常可能不會接觸的工作環境有歷練的機會，對他們未來視野或決策會有更大的幫助。

最後，我提出四個台灣與澳門比較不一樣的部分，第一，政務官與事務官的分際，早上副總統與院長也提到政務官與事務官的區隔，或許我們可以在現在的基礎上更加強化，澳門的經驗或許可以參考，但是從台灣長期以來對事務官的重視，我覺得可以繼續去強化。第二，績效評量的部分，我們都可以理解信度與效度是績效評量最核心的概念，但怎樣設計一個更好的績效評量的機制，是未來可以考慮的重點。第三，職務歷練的部分，以台灣的狀況來說，特別是強化中央與地方間的職務歷練是非常重要的。第四，考試技術的多樣化，從剛才題庫的概念，除了教科書的考試的內容外，怎樣去納入其他方面的知識同樣重要。

我們今天談高階文官的進用，誠如剛才院長所提到，在我們進入到 21 世紀新的時代中，整個政府要面對的除了是公共行政的問題外，可能同時面對環保、生態、公安等等各方面的問題，與其說是高階文官的進用，不如說是培育或是所謂的「舉薦」的機制，就像院長提到如都能用「不能沒有我」這樣的思維來舉薦或是培育有「不能沒有我」思維的高階文官，我相信下一個 80 年，我們在辦理考試院的院慶時，勢必會有更不一樣的成果出現，謝謝各位。

## 六、綜合討論

### 歐委員育誠：

謝謝呂育誠博士，在場各位貴賓有很多是學者，很多是實務工作的同仁，相信對這兩個研究的題目都有高度的興趣，有很多的意見，在有限的時間，恐怕很難暢所欲言，但是今天機會很難得，還是要請各位多表示意見，按照時間的分配，現在剩下 10 分鐘，所以一個子題只能夠有 5 分鐘的時間，最後還要預留 60 秒給本主席做結論，現在請就請引言人來回應。

### 陳主任漢宣：

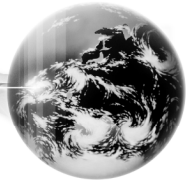
（現場口譯部分）

我很同意兩個與談人的意見，尤其是我們看到非常多績效的改善，基本上我們的與談人講同樣的東西，我並不想要講太多有關於論文本身，但是我相信在未來中國的這個背景，並不是所有中國的官員都知道他們必須要符合政治條件的任用，也就是他們實際上需要建立一個系統，能夠解決各種不同的問題，這個全面性政府的想法現在正在發展中，但是我們有更多的問題，我了解這些資深文官現在正在建立一些這樣的意識形態，來解決各種不同的問題，這是已經被廣泛討論的一個議題，在高階文官和黨派高階人士中已經有進行這樣的討論，我們學者可能可以從中學到一些經驗，胡錦濤也講到一些新的政策，建立一個全面性的新政府，我們知道我們有政治的任務需要達成，但是同時也發現，我們必須要做這些 OECD 國家對我們的期待，我們要提供服務，必須要對我們的人民、我們的顧客負責，因為人是整個政治體系的核心，這是最重要的，謝謝。

### 劉主任伯龍：

謝謝三位評論人對這篇文章的評論。

（現場口譯部分）



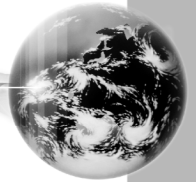
泰國、馬來西亞學者有關這個文章的意見，我很同意他們某些建議，他們提出的一些問題，在澳門選擇高階文官有沒有一些標準？這個標準還是比較模糊的，像拉丁美洲的文化一樣，所有的努力都放在行政的強化上，它並沒有制定法律，這是澳門的問題，並不是像美國或英國的政治文化，所有的東西都是白紙黑字，有法源的根據，所以澳門在這方面還有非常大的改進空間，我必須要這麼說，怎樣來選擇一些標準，不然的話這個政策可能會是錯的。

第二個問題就是從馬來西亞的角度來看，看起來什麼事情好像都很好，可是如果你離開澳門的話，你就會發現這個傳統、舊的系統有非常多的困難，讓澳門在未來很難進行發展，因為根據舊系統來看，有很多的缺點沒有辦法以新的方法解決這些缺點，因為舊系統有非常好的標準的系統，可是它沒有考慮到民衆的需要，政策制定上是一個很大的問題，所以政策制定的能力是一個考量的，同時對於商業投資並不是一個很友善的環境，公司、商業、企業去政府部門感覺好像隨時都可能會有坐牢的風險，他們可能隨時都會碰到一些困難、挫敗，這需要被改變，不可能繼續存有這個舊的制度。

因為時間有限，(口譯結束)呂老師談到高階文官制度的選拔、多方面的考慮、培訓的重要性，我很同意這對台灣來說有發展，但是每個地方發展的階段不一樣，有自己的國情，像台灣就發展到高階文官的選拔，有多方面的考慮。我覺得澳門目前的階段是一個正規化的階段，就是需要建立各種規章制度，讓高階文官的選拔有法可依，有標準可以遵循，不然的話，如產生任人唯親、裙帶關係就更糟糕，所以我覺得台灣與澳門情況不一樣，培訓的重要性是大家都一樣，我聽說台灣要成立文官學院，我覺得台灣把培訓放在很重要的位置，這是造福於人民。

## 七、主持人結語

今天兩個子題引言人的報告非常精彩，很具有深度，各位與談人的論述也非常的精闢，對我國高階文官進用制度的改革具有相當參考的價值，提供我們主政單位在未來制度改革規劃時很重要的參考資料，今天上午研討的場次就到此結束，非常感謝各位貴賓的蒞臨參加，也非常感謝各位引言人、與談人的報告，謝謝各位。



# THE SENIOR CIVIL SERVICE EXAMINATION AND RECRUIEMENT SYSTEM IN THE PEOPLE'S REPUBLIC OF CHINA

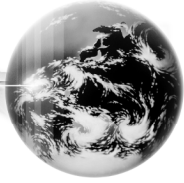
Hon S. Chan  
Professor & Head  
Department of Public and Social Administration  
City University of Hong Kong

## Introduction

This presentation examines the recruitment of senior civil servants in the People's Republic of China. It shows that under the principle of "party control of cadres" (*dangguan ganbu*), political appointments and internal negotiation dominate the recruitment, selection and promotion of senior civil servants, particularly those at and above the departmental/bureau level. The Chinese Communist Party (CCP) has recently implemented a series of performance-based examination and recruitment policies for officials at the middle and junior levels in order to improve the efficiency of the Chinese bureaucracy. These measures open new channels to recruit or promote junior civil servants and competent talents outside the government to leadership positions at certain levels. However, the primary objective of implementing these new policies is to guarantee the party's control over the talents rather than building a more efficient and customer-oriented administration (*guanren weizhu, guanshi weifu*). In this regard civil service recruitment in China greatly differs from its western counterparts which place performance and public accountability at the core of civil service management.

## Twelve Years of Chinese Civil Service Reform: From "Depoliticization" to Repoliticization

The People's Republic of China established a civil service system in 1993 when it promulgated the *Provisional Regulations on State Civil Servants*. Before that, China only had a more encompassing cadre personnel management system. The term "cadre" represents a status conferred upon an individual by the party-state. The acquisition of cadre status is a prerequisite for appointment in the public sector. The Premier, at the pinnacle of the hierarchy, and a clerk at the base are both called cadres. As such, the concept of cadre not only provides a basis for, but in fact necessitates, a unified structure of personnel management. Under this system, an athlete who had won medals in important tournaments was managed in the same way as an official in ministries of the State Council. Similarly, there was little difference in the ways that managers in state enterprises and officials in state agencies were managed (Lam and Chan, 1996).



Civil service reform was mainly driven by the need to resolve serious defects of the unified cadre personnel management system. As Zhao Ziyang's report to the 13<sup>th</sup> CCP Congress in 1987 indicated, "the concept of the 'state cadres' is too general and lacks a scientific classification; the power of cadre management is overconcentrated" (Zhao, 1987, 37). These issues became a major hindrance to the development of a more differentiated framework of personnel management that could cater to the specific needs and requirements of different types of cadres, and of a proper responsibility division between the party and the state administration. In this context, civil service system reform was initiated in the late 1980s and established in 1993. The 1993 Provisional Regulations sought to differentiate civil servants (personnel serving in administrative organizations) from cadre personnel serving in, for example, service entities such as hospitals, libraries, schools, and research organizations or in state enterprises. Article 3 stated that the regulations apply to all personnel in administrative organizations of the state at all levels, except for manual workers. According to the 1993 Provisional Regulations, "state civil servants" referred only to the personnel employed in administrative organizations that hold administrative power and conduct public service according to law. Although there was still no division between politicians and careerists, the civil service system had developed a relatively distinct personnel management framework. Only a small portion of the cadres fell into the civil service. The rest would be managed by different frameworks yet to be developed.

However, this distinction was blurred twelve years later when the National People's Congress approved the *State Civil Service Law* (CSL) in 2005. Chan and Li's article (2007) offers a critical comparison between the 1993 Provisional Regulations and the CSL. It indicates that the CSL signifies a repoliticization of the Chinese civil service. First of all, the CSL adopts an expanded definition of the scope of civil servants. The 1989 Tiananmen Incident deterred Chinese central leaders from making any groundbreaking moves that might make the party lose control over the cadre corps. The civil service was no longer considered as capable of addressing the problems of the cadre personnel management system. As an internal official report published in 1995 indicated, the restricted definition in the 1993 Provisional Regulations in fact excluded many service "institutes" that, to various degrees, hold administrative power and, by legal definition, engage in public service (People's Republic of China, 1995). The definition also excluded personnel in offices related to state power, as well as judicial and procuratorial organizations that hold administrative power and conduct public business. Such a definition could not concretize the principle of party control of cadres, nor could it effectively integrate the civil service into the existing cadre personnel management system. Therefore, the definition of civil servants needed to be redefined. The modified definition needed to concretize the principle of party control of cadres, and effectively integrate the civil service into the existing cadre personnel management system. Under this context, central leaders redefined the scope of the civil service and used it in the CSL. Under this definition, the civil service refers to personnel other than manual workers who are brought into an established post (*bianzhi*), are paid by state funds, and exercise policy making, executive, and supervisory powers in state and public affairs are all categorized as civil servants. The new definition did not limit the scope of the civil service to administrative organizations. Following the definition of the 1993 Provisional Regulations and using statistics from 2003, there were about 4.9 million civil servants nationwide before the reform. With the adoption of the expanded definition, the number jumped to 6.3 million. The additional personnel came from CCP organizations, people's congresses, people's political consultative conferences, people's courts and procuratorates, mass organizations and the democratic party organizations.