

Direction for Reforming Reward Policy for Veterans in Korea*

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South Korea had numerous fatalities and wounded soldiers during the Korean War and the Vietnam War, and the country is still losing soldiers to a considerable number of injuries and deaths to accidents caused by perilous conditions for conscripted soldiers. Those 'highly devotional individuals' who sacrificed their lives and well-being for the welfare of their state are the very subjects of the veterans' affairs policy. The soldiers of war and public casualties are compensated under the Military Pension Act, the Military Service Law and the Courtesy Law. Putting aside the basic idea, the benefits that the primary subjects (the soldiers of war and public casualties) of the veterans' policies receive is far inferior than those civilians receive in compensation for accidents. It is necessary to review the Country Compensation Law, which has excluded soldiers from the Country Compensation Claim Right. And medical care and educational support is essential.

Keywords: *veterans affairs, national merit, reward commission, system improvement, compensation and honorable treatment*

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Introduction

Soldiers of war and public casualties¹ refer to soldiers who are killed or injured while serving their country in armed forces during both peacetime and wartime. South Korea had numerous fatalities and wounded soldiers during the Korean War and the Vietnam War.² And the country is still losing soldiers to injuries and deaths to accidents caused by perilous conditions for conscripted soldiers.

The constitution of South Korea states that the duty of a soldier is “to pledge the country’s security and serve for the defense of the state.”³ Hence, on veterans affairs, it is the most fundamental duty of the nation to provide relevant and reasonable compensation to those and the families of those who have sacrificed their lives or well-being for the country’s defense. Generally, veterans affairs is defined as national compensation, in both physical and mental forms, for those who have sacrificed themselves for the cause of communal welfare and development, and as the promotion of public remembrance of and reverence for these people (Jong-sung Kim 2005). The purpose and beliefs of Framework Act on Veterans Affairs are as follows: (1) to commemorate the noble spirit of the selfless soldiers of war and public casualties; (2) to guarantee their welfare, as well as the welfare of their family members; and (3) to promote the patriotic spirit of the public. The basic ideology of veterans affairs is to pay tribute to the spirit of those patriots who gave up their lives for their country.

Reflecting the purpose and beliefs of Country veterans, its policy-making is meaningful in three aspects. Firstly, the policies of Veterans affairs serve a symbolic function, which is that of maintaining the unity of the country’s people. Public knowledge of the compensation and reverence for sacrifice of soldiers is crucial in the development of patriotism throughout the country, especially in today’s climate of growing multi-culturalism.

¹ Article 4 of Act On The Honorable Treatment And Support Of Persons, etc. Of Distinguished Services To The State categorizes soldiers, police officers and public casualties who have participate in warfare as follows: (1) Those killed in the line of duty or in action; (2) those discharged after suffering injuries in battle or in the line of duty; (3) those killed during training or in the line of duty; and (4) those discharged suffering injuries during training or in the line of duty.

² Official data shows that 137,899 South Korean troops were killed in action while 450,742 were wounded during the Korean War. Meanwhile, according to Institute for Military History, MND, South Korean soldiers killed numbered 5,099 while 10,962 were wounded.

³ Constitution Of The Republic Of Korea, Article 5 Section 2: “The national armed forces whose mission is to implement the sacred duty of national defense and national security..”

Realizing respect for the sacrifice for the state provides a foundation of the country's unity and further, a national, collective value.⁴

Secondly, veterans affairs is at the core of the welfare state. It is undoubtedly a country's responsibility to guarantee the mental and physical well-being of its soldiers of war and public casualties, as well as those of their family members. Ignoring the future well-being of those who have sacrificed themselves for the state is a direct violation of the country's most fundamental duty. Thus, welfare policies for soldiers of war and public casualties are the benchmark by which to assess the quality of the welfare system of a state.

Thirdly, the veterans affairs policy consolidates national security, as it is becoming ever more difficult to maintain a patriotic, communal altruism in the midst of intensified materialism and individualism.⁵ Sacrifice for the country is only possible when citizens are aware of the consequent, guaranteed compensations from the state in return for their sacrifice. If they are concerned with the consequent situation of their family members, they would obviously be hesitant in committing themselves fully when fulfilling their duties and in fear of risking their family member lives. Hence, the state's active implementation and involvement in veterans affairs is the determining factor of a citizen's patriotic spirit, especially in times of a national crisis.

Considering the ideology and purpose of the veterans affairs, the primary subjects of the policy are the soldiers of war and public casualties. The main purpose of this paper is to explore veterans affairs policies for soldiers who are killed or wounded for the country. It is composed of three parts. First part is to figure out the subjects of veterans affairs. South Korea has been expanding the subjects of veterans affairs. We will study the status of highly devotional individuals among the subjects of veterans affairs system through comparing other countries' cases and analyzing South Korean veterans affairs history. Second part is to examine the support system of the soldiers of war and public casualties, and to check the distinctiveness of those compared to other subjects of veterans affairs; unique circumstances and difficulties. Third part is to suggest the way to improve the veterans affairs

⁴ The ideology of the Veterans affairs of USA, a typical multi-cultural nation, is well-known for its principle, "the nation takes full responsibility for those who have sacrificed for the nation". The principle has been symbolically well proven by the movie, "Saving Private Ryan", and the repatriation program of the dead American soldiers killed in North Korea during the Korean War.

⁵ As the period of conscription service shortens over time, recruiting talented professional soldiers is becoming more of an essential issue than ever; however, the heavy burden of tasks and the long period of service are the major causes that are disturbing active recruitment.

system of the soldiers of war and public casualties. This paper will contribute to clarifying the ideology and the subjects of the national veterans affairs policy, and to developing comprehensive veterans affairs policy to men of national merit focusing on the soldiers of war and public casualties.

The stature of the soldiers of war and public casualties as Veterans affairs subjects

After the establishment of its government on April 15th 1950, South Korea initiated the veterans affairs policy as a form of assistance. The policy began with The Military Assistance Act and The Police Assistance Act, but those acts had become a mere scrap of paper owing to the postwar reconstruction. Only after five relative laws, including The Military Assisted Compensation Law, were legislated on November 1st, 1961, was the proper veterans affairs policy implemented and involved compensation, healthcare, job education, educational protection and subsidies for settlement.⁶

The primary subjects of this first pan-governmental reward program were the soldiers of war and public casualties, as well as the bereaved. Later, the boundary of subjects expanded in 1962 to include the patriots and the participants killed or disabled in the 4.19 Revolution, and expanded again to include the public officials killed or disabled on duty in 1974. The boundary has continuously expanded and now Act on the Honorable Treatment and Support of Persons, Etc. of Distinguished Services to the State acknowledges 18 kinds of patriots and veterans.⁷

⁶ Just after the Korean War, there were 150-170 thousands of injured soldiers left behind. Only after this law was legislated did the soldiers benefit from systematic governmental protection.

⁷ There are 18 major types of patriots and veterans. (1) meritorious war veterans; (2) patriots; (3) soldiers and police officers killed on duty; (4) soldiers and police officers disabled on duty; (5) soldiers and police officers killed in action; (6) soldiers and police officers disabled in action; (7) honorees of orders of military merit; (8) honorees of orders of national security merit; (9) Korean student volunteer soldiers from Japan; (10) war veterans; (11) the participants killed in the 4.19 revolution; (12) the participants disabled in the 4.19 Revolution; (13) the special contributors of 4.19 Revolution; (14) public officials killed on duty; (15) public officials disabled on duty; (16) the special contributors to national and social development who are deceased; (17) the special contributors to national and social development who have been disabled; and (18) the special contributors to national and social development. Besides these, there are a few more kinds, including the contributors to the independence of Korea, war veterans, contributors to the 5.18 Democratic Movement, Agent Orange victims, special mission unit personnel, and ex-service members, that have also been acknowledged by further legislation of relevant laws. Meanwhile the total number of Veterans affairs subjects by March, 2015 was 858,111. The number of soldiers of war and police

TABLE 1
THE HISTORY OF THE EXTENSION OF COURTESY VETERANS SUBJECTS

Order	Year	Subjects
1	1961	Soldiers and police officers killed or disabled on duty, and their bereaved families
2	1962	Patriots killed and participants disabled in the 4.19 Revolution. Defectors
3	1968	Korean student volunteer soldiers from Japan. Disabled anti-communist prisoner of War
4	1974	Public officials killed or disabled on duty
5	1975	Honorees of order of military merit (Taegeuk, Eulji)
6	1984	Honorees of order of military merit (Hwarang, Chungmu, Inheon), Honorees of order of national security merit, Special contributors to national and social development, Long-term service members
7	1993	Agent Orange victims. War veterans
8	2001	Contributors to the 4.19 Revolution
9	2002	Contributors to the 5.18 Democratic Movement, War veterans
10	2004	Special mission unit personnel
11	2006	Korean War POWs in North Korea

SOURCE.—Sung-boo Kang 2008.

Many have wondered what caused the boundary of the subjects of veterans affairs in South Korea to be more extensive than in other countries. The most convincing reason is that South Korea had to implement a limited veterans policy, as it could not properly develop a general social security system, and in the process of economic growth and democratization, the so-called “politics-dependent policies” or “constituent-dependent policies” prevailed and were concerned only with winning of elections or the interests of particular groups (Kwang-seok Cheon 2005). It seems to be fair to say that

officers and public casualties was 242,072, making up one-fourth of the total.

TABLE 2
THE SCOPE OF THE SUBJECTS OF VETERANS AFFAIRS POLICIES

Category	On duty										
	Soldiers		Police Officers				Public Officials		Civilians		
	War Dead	Peace Dead	War Veterans	Ex-Service	KIA/DIA	KIA/DIA	KIA/DIA	Independence Movement	Citizen Campaign	Victims of Violence	War Victims
USA	○	○	○	○							
UK	○	○									○
Canada	○	○	○	○							
Australia	○	○	○	○							
France	○	○	○	○				○			○
Germany	○	○								○	○
Russia	○	○	○	○							○
Japan	○	○									
China	○	○	○	○							
Taiwan	○	○	○	○							
Israel	○	○								○	
Korea Republic	○	○	○	○		○	○	○	○		○

SOURCE.—The Ministry of Patriots and Veterans Affairs, 2007.

the South Korean government has inevitably decided to focus primarily on coping merely with their living difficulties, which were the result of their devotion.

In other countries, it is obvious that the soldiers of war and public casualties are at the center of veterans' policies. These policies are mainly formed to cover two aspects: 'veterans management' and 'aid for war victims.' In those countries, the veterans affairs subjects of priority under the management of the veterans affairs institutions are generally the soldiers, and the boundary of the subjects varies depending on the historical and environmental backgrounds of each country. In Britain, France and Germany, the majority of the subjects, besides the independence-activists, are the soldiers of war and public casualties (Young-bok Kwon 2009). Compared to such cases abroad, the boundary of subjects is overly extensive in South Korea.

Article 32 Section 6 of Constitution of the Republic of Korea states: "Under this law, the bereaved families of the honorees of national merit, and the soldiers and police officers killed or disabled on duty shall be given preferential employment advantage." This Section implies that the state considers them the most primary subjects of the Country veterans policy. In the light of the basic principles and purposes of the Country veterans policy, the soldiers of war and casualties are the core subjects. Thus, the boundary of the subjects ought to be articulated with the soldiers as the center. Indeed, those 'highly devotional individuals' who sacrificed their lives and well-being for the welfare of their state are the very subjects of the veterans affairs policy. The provision of adequate rewards and respect towards the subjects is the foundation for promoting public unity and cooperation within our society, and is the benchmark by which to assess the quality of the welfare system and the national security system of the state.

The features of soldiers of war and public casualties, and related policies

Military organizations have organizational characteristics, such as socio-cultural peculiarities of absoluteness of purpose, stratified lines of authority and group solidarity, for the purpose of national security. Such features lead to a working environment that enforces a uniform lifestyle along with a military hierarchical system, and requires the wholeness through re-socialization. The distinctiveness of the military profession from other

TABLE 3
COMPARISON OF THE ACCIDENTAL DEATH RATES BETWEEN SOLDIERS AND
CIVILIANS

Category	Professional soldiers	Civilians	
		Public officials	Private enterprise employees
Annual death rate	0.081%	0.04%	0.036%

SOURCE.—KIDA, 1999.

jobs can be identified by the following (ROK Army Headquarters 2010).

First, the national military forces are responsible for national security and its goal is to neutralize any threat in the case of an emergency. Therefore, military operations always require very tough training and involve risks. Above all, since training also involves dangerous operations, military personnel sometimes are subject to accidents. The accidental death rate of soldiers is twice as much as that of public officials.⁸

Second, the military profession often requires frequent residential moves and separation from family, creating severe psychological burdens. The average number of residential moves of a soldier is 14.7, and the average separation is 32%, which bring a host of burdens not only in economic terms, but also in terms of the education of the soldier's children. Third, most of the professional soldiers serve in rural areas. Most of the military bases are located around farming and fishing villages, or on islands, so that approximately half of all soldiers and their families reside in rural areas throughout the country (National Human Rights Commission of Korea 2014). In the case of public officials, even if some of them work in small towns or villages, their actual workplace and residences are located relatively near to where there is a denser population, while the soldiers are deployed regardless of the locations of their hometowns. Their military bases are usually in the rural areas of the regions where the soldiers are deployed. Fourth, military service hour is very unstable. On account of regularly scheduled training(RST) on daily time period, it is restrictive to get to and from work on normal business hours. Soldiers also have to stay in their barracks even after the completion of their daily work and on public holidays for emergency stand-by and guard duty. Furthermore, in order to be able to

⁸ Considering that the retirement age of soldiers is younger than that of public officials, the actual rate of accidental death of soldiers may be more than the twice as much as that of public officials.

TABLE 4
COMPARISON OF WORKING ENVIRONMENT OF SOLDIERS AND CIVILIANS

Category	Professional soldiers	Civilians	
		Public officials	Private enterprise employees
Average number of residential moves	Commissioned officer: 9.2 times (Lieutenant colonel: 53.5%, Colonel: 21.4%)	Workplace	
Service area	Small towns, villages: 47.8% (Rural areas: 41.9%)	Small towns, villages: 33.5%	Mostly in cities
Labor-management Consultation	Impossible	Partially operational	Actively operational
Task	Military operation (extremely tensed)	Public service	Producing goods and services
Active degree of freedom	Very low	Normal	Very high
Level of hazardous occupation	Level 3	Level 0	Level 0
Re-employment rate	Around 20%	No need	Favorable
Hours of work per day	24 (irregular)	8 (regular)	8 (regular)
Dismissal (discharge)	In accordance with military law (at the risk of one's life)	Random	Random
Education for children	Transfer to another school when moving to another area	The schools are nearby	
Job popularity	12/12	2/12	(Office work) 1/12

SOURCE.—The Ministry of National Defense, 2003.

mount an expeditious operational reaction in the case of a military confrontation, they are not allowed to leave their bases. Fifth, the military profession compels early retirement due to the characteristics of its operations and pyramid-like organizational structure. Presently, in the case of

officers, the retirement ages of majors, lieutenant colonels and colonels are 45, 53, and 56 years, respectively. These are much younger ages than the retirement ages of public officials and ordinary employees. The average age of discharge of professional soldiers is between 40 and 50, which is also about 12 years earlier than those in other jobs.

Sixth, it is usually difficult for soldiers to acquire the skills necessary in other professions, and the connectivity between their military career and civilian society is viewed as insufficient. The long-term service in the military isolates one from the outer world, and the professional workers and technicians in the military are often considered incompetent, because what they had learned while in service does not meet the social demand (The Ministry of Patriots and Veterans Affairs 2013).⁹

Due to the uniqueness of the military organization, the wives of professional soldiers have different lifestyles than do non-military wives, it may fairly be said that military wives are also on duty just like their spouses. They are in great distress caused by frequent moving, exposure to potentially dangerous environments, regional isolation and a rigorous hierarchical community within the military. Above all, when wives are bereaved due to the loss of their husbands, their lives are more distressing in particular (Yoon-soo Lee 2010).

First, military wives experience bereavement earlier than do non-military ones. As their husbands are young soldiers, junior non-commissioned officers and junior officers who are assigned to deadly missions, the bereaved wives become mothers, and face much difficulty readjusting to society and rearing their children. Second, the wives of professional soldiers reside in the official military housing during the early days of the service terms of their spouses when their children are yet preschoolers. Most of the bereaved have sacrificed themselves as well as their spouses. Hence, not only do these wives experience the loss of their spouses killed in action, but also the loss of their membership and position in civic society. What is worse, the wives find it much harder to readjust themselves to society than a civilian single mother would, because they have lived in social and cultural isolation, and are accustomed to a hierarchical community. Third, the death of professional military personnel in action is fairly predictable considering the nature of military operations. The bereaved,

⁹ The re-employment rate of dispatched soldiers in South Korea is 52.6%, which is far behind the 90% re-employment rate of the developed countries (USA 95%, Japan 98.3%, Germany 90%). It is necessary to examine if a military career is unhelpful in meeting the needs of South Korean society.

however, tend not to think of the event of the deaths of their spouses, which brings even greater grief when hearing of the sudden death of their spouses in action. Such news may cause trauma to the bereaved wives.

For the conscripted soldiers who are obliged to serve, the military service means no more than the great tension caused by the rigorous hierarchical system, the isolation from society, the lack of self-development, the loss of economic opportunities, and the limitations on basic human rights. Whether they were conscripted or professional, most of the soldiers of war and public casualties who were killed or disabled in the line of duty were still quite young (*Segye-Ilbo* July 19, 2011).¹⁰ Soldiers disabled on duty or in action in particular were discharged from the military due to their injuries, which has taken away from them the better opportunities of employment, and has imputed burdens on both themselves and their families. Therefore, it is the obligation of the state to take care of them. This is why Article 32 Section 6 of Constitution of the Republic of Korea emphasizes preferential civilian job opportunities for the bereaved of the soldiers and police officers killed on duty, and for the soldiers and police officers disabled on duty.

The soldiers of war and public casualties are compensated under Military Pension Act, Military Service Act and Act on the Honorable Treatment and Support of Persons, Etc. of Distinguished Services to the State. Military Service Act stipulates the rewards in accordance with the authority given by Act on the Honorable Treatment and Support of Persons, Etc. of Distinguished Services to the State. Meanwhile, Military Pension Act also stipulates the rewards. Therefore, in practice, the soldiers of war and public casualties are being rewarded by Military Pension Act and Act on the Honorable Treatment and Support of Persons, Etc. of Distinguished Services to the State. However, the benefits based on Military Pension Act are applicable only to officers and noncommissioned officers, while the conscripted soldiers are provided only with death and disablement benefits. In fact, Act on the Honorable Treatment and Support of Persons, Etc. of Distinguished Services to the State is a reasonable and effective compensation system for soldiers of war and public casualties.¹¹

Based on Framework Act on Veterans Affairs, and with the basic idea that the men of merit and their bereaved families should be given practical

¹⁰ 95% of the honorees of Disablement Level 1 are those who were injured while in service during their twenties.

¹¹ Article 31 of Military Pension Act sets the amount of death benefits for a soldier killed on duty. The compensation for a bereaved family accounts for 100 million won, which is 57.7 times larger than the standard average monthly income of all soldiers.

rewards in order to “maintain and ensure a honorable livelihood”, Act on the Honorable Treatment and Support of Persons, Etc. of Distinguished Services to the State categorizes the rewards in detail as follows: Reserve Fund for veterans’ Benefit; educational support; employment support; medical care support; the loans; etc.¹² As stipulated in the 22th of Enforcement Ordinance of Act on the Honorable Treatment and Support of Persons, Etc. of Distinguished Services to the State, the soldiers and police officers disabled on duty are classified into 10 levels (from First Class 1st cause to Seventh class) according to the extent of their injuries and receive differentiated compensation, while the bereaved families of those killed on duty or in action are given certain amounts of compensation.

Since the extra reward, unlike compensation, is offered upon consideration of further conditions in regards to one’s contribution, the extra compensation for disabilities is paid only to the soldiers and police officers injured in the 6.25 War, and the extra compensation for nursing is selectively paid to a limited group of those who are in need of immediate help due to blindness and amputations. The extra compensation for livelihood is provided only to the applicants after the investigation of their living standard is done, and the extra compensation for elderly care is provided to those who are aged over 60 and do not benefit from any dependency allowance.

The additional support besides the Reserve Fund for Veteran Benefits is as follows in table 5. The educational support, which is intended to help subjects be productive members of society, provides them with tuition for the primary, secondary and tertiary education for their children. The employment support is intended for the stable living and self-realization of the beneficiaries and to help them find jobs for the subjects themselves and their spouses, or for the children. When taking examinations for employment, 10% extra points of are added for the subjects themselves or to their bereaved spouses and children, and 5% to the spouses of the disabled on duty of those at Level 6 (over the 6 Class) or to their children. The medical care support is intended to help beneficiaries maintain healthy lives and obtain the necessary medical treatment. Full medical support is provided to those disabled on duty or in action who are of Classes 1-6, 80% to those of Class 7, and 60% to the spouses or to one authorized member of a bereaved

¹² Act on the Honorable Treatment and Support of Persons, Etc. of Distinguished Services to the State categorizes the rewards in detail as follows (Article 11 and 20): Reserve Fund for Veteran Benefits (Article 11 and 20); educational support (Article 21 and 27); employment support (Article 28 and 39); medical care support (Article 41 and 45); the loan (Article 46 and 62); and additional support (Article 64 and 68).

TABLE 5
ADDITIONAL SUPPORT OF THE RESERVE FUND FOR VETERANS' BENEFITS

The courtesy law	Disabled soldiers / police officers	Disabled public officials	Spouses / bereaved	Honorees of order
Education	Middle, high school and university tuition for their children (but limited support for those of Class7)	Taekeuk, Eulgee: 3 grades under Chungmu Honorees: 6th Grade		
Employment	Job opportunities and extra points (5-10%) to the subjects themselves, and their bereaved spouses and children (until the age of 35) The children of those deceased in the 6.25 War and of those killed on duty/in action: until the age of 55 ※ Except for the children of those of Class 7 and of the non-disabled			
Medical care	Subjects themselves	Full government support (but for the 7 Class disabled there is 20% coinsurance)	60% discount at veterans' hospitals	
	Spouses and one preferential beneficiary	Prosthetic devices and vehicles		
Loans				
Funerals and burials in national cemeteries		Housing, farming, business		
		Only spouses are allowed to be buried together	Only spouses are allowed to be buried together	Honorees of order of military merit (object) Honorees of order of national security merit (non-object)
Etc.		Elderly care services, child-rearing, transportation services, national park service		

SOURCE.—The Ministry of Patriots and Veterans Affairs, 2014.

family. The loan, intended to support self-independence and stable living of the beneficiaries, is offered with 2-3% annual long-term interest rates for improvements in standards of living. Additional rewards provided are funeral costs for burial in national cemeteries, public transportation services, elderly care services and nursing services.

The realities of compensation and means for improvement

Framework Act on Veterans Affairs has stipulated the principles of reverence and compensation with the following statement: "The state and local governments shall treat the veterans affairs subjects with respect, and provide them with the rewards for their devotion and contribution." Furthermore, Article 2 of Act on the Honorable Treatment and Support of Persons, Etc. of Distinguished Services to the State manifests the basic idea of reverence with the following statement: "Practical rewards shall follow the devotion and contribution of the veterans and honorees in order to maintain and ensure honorable livelihoods for themselves and their families." Putting aside the basic idea, the benefits that the primary subjects (the soldiers of war and public casualties) of the veterans' policies receive is far inferior than those civilians receive in compensation for accidents.

There are some instances that exemplify the realities of the veterans' policies in South Korea. First, the bereaved wife of the late Mr. Sang-Kuk Han, a chief petty officer killed on duty at the outbreak of the second Yeon Pyoung naval battle, left her home country and immigrated to the USA in 2005 after her husband's funeral was held with indifference by the government (*Dailian* June 29, 2012), saying, "What soldiers would dare to fight in battles for this kind of country?" Second, a group of people who were injured on duty and were classified as Disablement Level 1 are urging at Central Government Complex on Sejong Street for their compensation to be raised at least up to that of the amount of compensation for civilian accidents (*Hankook-Ilbo* June 14, 2011). Third, the bereaved of the soldiers of war and public casualties are lamenting that their plus-and-minus ₩1 million pension is far smaller than that of the beneficiaries of the National Basic Living Security Act (₩1.63 million for a family of four) (*The Maeil Shinmun* April 12, 2010).

One may recognize well the poor realities of the compensation the soldiers of war and public casualties by the complaints of the members of the Wounded Warriors Association as seen above. Two hundred members at

Disablement Level 1 participated in a demonstration despite their impaired mobility, and asked for nothing but the raising of their reward at least up to that of the compensation for civilian accidents. The honorees of Disablement Level 1 refer to the soldiers and police officers who have been discharged by severe injuries experienced on duty. They have completely lost their labor abilities as a result of their physical and psychological injuries. They also need the help of the people around them, because of amputations, spinal damage and highest level of psychological disability. Most of them are not able to enjoy a stable life or a long one. According to 2014 statistics, the pensions received by the honorees of Disablement Level 1 and which include the compensation, extra allowances and nursing allowances that total ₩2.47 million per month when their case appertained to 1 of Art, Level 1, and ₩2.23 million when appertaining to 2 of Art, and ₩2.04 million to 3 of Art. Meanwhile, the civilians at Disablement Level 1 who have experienced an industrial accident receive pensions of ₩4.32 million, including the nursing expenses. That is, the support for the civilian victims of industrial accidents was approximately twice as much as the one for those who had been injured while serving the state. Considering the devotion and desperate conditions of the honorees of Disablement Level 1, the existing standards of compensation are evidently inadequate (*Segye-Ilbo* July 19, 2011).¹³

Second, the compensation for the bereaved is also inferior. In 2014, the bereaved spouses of the honorees killed or disabled on duty received ₩1.16 million per month, and the bereaved parents received ₩1.14 million. In the case that an honoree acknowledged at Levels 1-5 or Level 6 died from his injuries, his bereaved family would receive a pension of ₩1.10 million or ₩0.40 million, respectively. This plus-and-minus ₩1 million-pension is much smaller than that of the beneficiaries of the National Basic Livelihood Security Act (₩1.63 million for a family of four). Such policies have resulted in the bereaved families worrying about their living expenses and have deserved the criticism that the bereaved are just being able to survive.

Third, the death benefits also pose further problems when compared to the benefits received by civilians. When a conscripted soldier dies on duty, the death benefit, based on Military Pension Act, is provided as

¹³ 95% of the honorees of Disablement Level 1 are ones who have been injured on duty in their early twenties. Due to their severe injuries, they need to be looked after for their whole life. They are often unable to have a happy marital life. According to the statistics, 50% of those married have divorced within 3 years after their marriage. As a result, 90% of the honorees of Disablement Level 1 are childless. Moreover, they are unable to undertake what everyone else in this country enjoys, such as trips, alumni gatherings, family reunions, and even their own hobbies.

compensation to his family.¹⁴ The monthly veterans pension is provided pursuant to Act on the Honorable Treatment and Support of Persons, Etc. of Distinguished Services to the State when the dead soldier is acknowledged as a man of merit.¹⁵ Moreover, State Compensation Act compensate the civilian victims of accidents and their bereaved families with amounts of money that are much larger than the death benefits for the soldiers and police officers. For example, when comparing the death benefits between a soldier or a police officer (soldier or police officer killed on duty standard, about ₩100 million) and a civilian (lost profits and earnings ₩300 million plus compensation, insurance and so on)¹⁶ of 23rd age, the benefits for the former are less than one-third of the latter. Recently, the Ministry of National Defense has announced its plan to provide an extra ₩100 million in insurance to conscripted soldiers (in addition to the death benefits) by purchasing accident insurance (Government of the Republic of Korea 2014), but it is more desirable that the case of a dead soldier be treated under the aegis of the veterans affairs, rather than a matter of procuring accident insurance.

Therefore, it is necessary to review State Compensation Act, which has excluded soldiers from the Country Compensation Claim Right. Article 2 of State Compensation Act (compensation responsibility) excludes soldiers from the Country Compensation Claim Right with the following statement:

¹⁴ The death benefits for soldiers are calculated using multiply average of standard monthly income of all public officials by provision percentage. Calculating the death benefits by the standards of 2015, it is as follows. According to the Ministry of the Interior announced May 4th 2015, it is 4.67 million that average of standard monthly income of all public officials in 2015.

Division	Provision percentage	Death benefits
Soldier killed during the war	577 in 10	₩269,459 million
Soldier killed on special mission	422 in 10	₩197,074 million
Soldier killed on duty (except killed during the war)	234 in 10	₩109,278 million

¹⁵ The death benefit for a soldier or a police officer accounts for veterans' pension of ₩1 million is paid to his family every month once he is acknowledged, under Act On The Honorable Treatment And Support Of Persons, etc. Of Distinguished Services To The State, as a soldier or a police officer of war and a public casualty.

¹⁶ The country compensation is included lost profits and earnings, compensation, insurance and so on. Therefore the real the country compensation is more than ₩300 million. For reference, lost profits and earnings is calculated by monthly income × Hoffman method during future income period × 2 in 3(except 1 in 3, the cost of living).

“When a public official or an individual who is entrusted with public affairs (hereinafter referred to as ‘a public official’) whether on purpose or by mistake violates the law and causes damage to others or is responsible for compensation by Guarantee of Automobile Accident Compensation Act, the state or the local governments have the responsibility to grant compensation. However, in the case that a soldier, a civilian working in the military, a police officer or a member of the reserve forces is killed or disabled on duty, and if he or his bereaved family is to be provided with accident compensation, the bereaved compensation, and annuities for wounds by other laws, then the Compensation Claim Right based on this law or Civil Act shall not be approved.”

State Compensation Act has granted much larger amounts for bereavement and injuries to civilians than to soldiers of war and public casualties. This is an unfair deal for those soldiers who have merely been given the death and disability benefits as consolation. It is wrong to disqualify soldiers of war and public casualties from the Compensation Claim Right, despite being compensated by other laws.¹⁷

The inadequate support for medical care is also a major issue. Currently, Seoul Central veterans Affairs Hospital is serving 47% of all treatments for honorees of national merit in South Korea. The hospital is overcrowded, resulting in treatments being delayed usually for 1 to 3 months. It is not surprising that many are complaining about the poor service of the hospital (*DailyMedi* June 17, 2014). Indeed, about 930 thousand veterans affairs subjects from the Seoul-Incheon region visited Seoul Central Veterans Affairs Hospital last year, and only one out of every 894 patients was given a bed. In addition to the declining quality of clinical services, Seoul Central Veterans Affairs Hospital recorded 31.1 hours of hospitalization, which was the worst record of all, at the ‘Evaluation of Emergency Medical Facilities’ conducted by the Ministry of Health and Welfare in February, 2013. In South Korea, there are currently four more local Veterans Affairs Hospitals located in Busan, DaeJeon, DaeGu and GwangJu. The problem is that 55.8% of all veterans affairs subjects live in Seoul, so that Seoul Central Veterans Affairs Hospital is always overworked. Thus, appropriate modifications and the service improvements are required that consider the spread of the subjects.

What is also needed is further support for the education of family of

¹⁷ For instance, soldiers killed in a transport vehicle accident should fall under the Veterans affairs Claim. Despite the controversy whether this is constitutional or not, it is desirable to remove the exclusion of soldiers from the veterans affairs Claim Right.

soldiers and public casualties in addition to the tuition for middle, high school and university education currently being provided. Most of soldiers who were disabled on duty or in action are in the middle of university education or had already graduated from university before registering on the list of veterans affairs subjects. Therefore, additional support programs should be made that help reserve the money paid for their tuition, or considering that the university education in South Korea is no longer privileged, it may be significant to discuss providing the tuition for their graduate school education.

The following are the proposals for improvement. First, wide-spread recognition of the soldiers of war and public casualties in forming the core veterans affairs subjects should be given. The veterans affairs has to represent the three following symbolical principles: 'the simplicity', 'the distinguishability' and 'the reverence' (Hyo-jong Park 2004). The simplicity means that the definition of veterans affairs should be limited only to those values that are so simple that they would come easily and immediately to the minds of people when hearing the term, 'veterans affairs'. The distinguishability aims to grant the title of 'honorees of national merit' to only those who have sacrificed for the state at the risk of their lives. The reverence signifies that in terms of veterans affairs, the sacrifice has to be one worth of exemplary universal admiration. Under the current stipulation, there are several unreasonable cases being recognized as an issue of veterans affairs, such as the case of a public official whose spine was damaged while carrying office furniture or the cases of one who was slightly inebriated and suffered a fracture when disembarking from a taxi in front of his residence (Jin-young Oh 2009). The well-promoted recognition of the soldiers of war and public casualties has to be widespread, and their status as subjects of veterans affairs also has to be elevated.

Second, the principles of the treatment of the soldiers of war and public casualties have to be defined with better clarification. The current laws stipulate to provide rewards in accordance with the devotion and sacrifice of the subjects, but that is too vague. In practice, the standard of rewards is decided by comparisons among the precedents of the men of merit or with other kinds of compensation. In England, the government offers larger amounts of compensation for veterans affairs than for industrial accidents. Discussions on the status of veterans affairs hat were held in England after the First World War gained the common consent to set higher amounts of payment for veterans affairs compensation upon consideration of the greater danger of their tasks, the larger mental and physical distress experienced

while in action, and the longer working-hours (The Ministry of Patriots and Veterans Affairs 2009). Despite the details of this stipulation never having been clarified in any specific texts or numbers, it has won public approval and referred to when veterans affairs policies are established. England's experience is influencing similar policies in other countries. In South Korea, as seen from the judgment of the court, the compensation for the bereaved of the subjects of veterans affairs has been so poor that it has not even been judged to be as compensation, but rather as consolation. Now, it is the time to review some examples from abroad and implement active application.

Third, it is important to frame a more comprehensive plan for the issues of the soldiers of war and public casualties. In the USA, for example, the Department of Veterans Affairs, which is the main institution of veterans affairs management, is an independent ministry with its own minister. It is the second largest governmental department next to the Pentagon, and is in charge of 58 regional agencies, 163 veterans affairs hospitals, 850 outpatient clinics and 120 national cemeteries. The Department runs several regional institutions all over the country, including the Veterans Health Administration, the Veterans Benefits Administration and the National Cemetery Administration. It is also consulting the minister by operating a number of separate agencies, including the Support Office for Small-Medium Businesses, the Mediation Office for Employment Discrimination, the Office for Women Veterans, the Office for Veterans of Ethnic Minorities, and the Appeals Committee of Veterans Issues (The Ministry of Patriots and Veterans Affairs 2009). South Korea's average number of Subject to the veterans Affairs per public official of national merit are 610, which is the highest compared to other countries, including the U.S.A. (87), Canada (57), Australia (173), Israel (436) and Japan (490) (Tae-yeol Kim 2013). However, the ratio of South Korea's veterans affairs budget to the government's budget is ironically far below the standard at 1.76% when compared to other countries' budgets, such as the U.S.A. (2.8%), Australia (5.5%) and Taiwan (7.7%) (Sung-dae Kim 2012).

The Department of Veterans Affairs in the USA carries out comprehensive assistance in the field to support the dispatched soldiers and their families. It serves the rehabilitation of the wounded veterans, helps the readjustment of veterans to civilian society, conducts campaigns to promote the status of veterans in regard to their devotion, and manages additional tasks, such as public health care, emergency control and the local economy. South Korea also needs to carry out such comprehensive programs in addition to partial assistance, and establish a more systematic policy. For example, the influence

of veterans affairs policies may be extended when associated with other social welfare services, including the promotional activity for enhancing the pride of the bereaved families, the support program for readjustment, or the encouragement of patronage programs for the bereaved.

Conclusion

South Korea's current system of compensation for soldiers of war and public casualties is highly sub-standard and insufficient in providing both financial and non-financial compensation. To summarize, the veterans affairs system started with the consideration of soldiers of war and public casualties, but if the state's compensation and reverence for other subjects are prioritized over those for soldiers of war and public casualties, the initial purpose and belief of veterans affairs is entirely undermined.

It is essential to articulate and limit the boundary of men of national merit in order to distinguish the subjects of veterans affairs more accurately and therefore prioritize the rewards and respectful privileges for soldiers of war and public casualties over the rest of the other subjects. Also, South Korea must further develop more systematic veterans affairs compensation programs to improve the current, and rather insufficient, compensations, such as financial compensations, medical and educational support, as well as veterans to assure that the lives of soldiers of war and public casualties are respected.

Above all, increased awareness and an increased budget are crucial to act upon improving today's veterans affairs system. The state's attention to certain policies is often reflected through its budgets. Considering South Korea's ceasefire with North Korea, and hence its security issues, it is important to strengthen the veterans affairs policies to provide even broader and better compensation for men of national merit.

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Act On The Honorable Treatment And Support Of Persons, etc. Of Distinguished Services To The State

Constitution Of The Republic Of Korea

Enforcement Ordinance Of Act On The Honorable Treatment And Support Of Persons, etc. Of Distinguished Services To The State

Framework Act On Veterans Affairs

Guarantee Of Automobile Accident Compensation Act

Military Pension Act

Military Service Act

State Compensation Act

The Military Assisted Compensation Law

The Military Assistance Act

The Police Assistance Act

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