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Explaining the Development and Adoption of Social Policy in Korea: The Case of the National Basic Livelihood Security Act

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In 1999, social assistance in Korea which had a Poor Law tradition for about forty years, was finally reformed and a new social assistance law, the National Basic Livelihood Security Act that aims to protect fundamental human rights, was enacted. It is evaluated as an epoch-making law elevating the level of the Korean social welfare one-step. However, given that most social policy initiatives in Korea came from the top rather than from below, it is quite noteworthy that the law-making process of the National Basic Livelihood Security Act was led by NGOs and not by the government administration. This article therefore explicates the driving forces behind social assistance reform in Korea after the 1997 economic crisis, focusing on the enactment process of the National Basic Livelihood Security Act. This case study shows a pattern of policy development primarily driven by NGOs' 'interests', with President's 'interests' and 'environmental' factors (the outbreak of the 1997 economic crisis) playing a supplementary role.

Keywords: Social Policy Development/Adoption, Social Assistance Reform, NGOs, 1997 Economic Crisis, Productive Welfare

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I. Introduction

Since the economic crisis of 1997, social welfare reforms have been executed in South Korea (hereafter Korea) and, in particular, social assistance which had a Poor Law tradition for over thirty-five years, was finally reformed in 1999. As a consequence of social assistance reform, a new social assistance law, the National Basic Livelihood Security (NBLS) Act of 1999 that aims to protect fundamental human rights, was enacted. It is designed to secure minimum standards of living to those eligible regardless of their age and ability to work. Thus the NBLS Act is often referred to as a representative of social welfare reforms in Korea and it is evaluated as an epoch-making law elevating the level of the Korean social welfare one-step. However, given that most social policy initiatives in Korea came from the top (Ahn, 2000; Kwon, H., 2003; Moon, 2008) rather than from below, it is quite noteworthy that the law-making process of the NBLS Act was led by NGOs and not by the government administration. This article therefore explicates the driving forces behind social assistance reform in Korea after the 1997 economic crisis, focusing on the enactment process of the NBLS Act. It begins with the economic crisis and social assistance reform in Korea, followed by a comparison of previous and current social assistance in Korea. It then examines the policy formulation process of the NBLS Act and the driving forces behind the policy development and its adoption.

The existing literature on social policy change developed in the Western or Third World context offers several competing accounts of the characteristic sources of policy development and some potentially transferable elements to the East Asian experience including Korea, such as schemes for understanding the main types of policy change. With regard to the causes of the policy change, Hood (1994: 3~18) classifies four possible forces prompting policy development. First, policy change often results from the 'legacies of previous policies' (policy as its own cause). Second, policy change may come from 'changes in environments', which make new policies necessary. Third, policy change comes from the force of new 'ideas', which succeed in changing the situation through experimental evidence, logical force or rhetorical power (the primacy of ideas argument). Here, 'ideas' primarily means 'policy ideas' proposed by the actors including state and administrative elites, interest groups, and independent experts. Fourth, policy change often arises from the pressure of 'interests', which

succeed in achieving changes that satisfy their purposes (the primacy of interests argument). Inevitably, actual policy changes seem likely to be caused by a complex combination of these factors, including grey areas between the factors (for example, policy rhetoric lies between interests and ideas, and institutional effects lie between interests, ideas, and previous policies). Nevertheless, the four explanatory factors are still significant for our systematic understanding of the causes of the development and adoption of social policy (Joo, 1999).

Following Hood's (1994) view, Joo (1999) identified the explanatory factors and variables that made an important impact on the adoption of two major Korean social policies, i.e. the National Health Insurance Law and the Minimum Wage Law, implemented during the period of the authoritarian military regimes, i.e. a period when the governments' wholehearted emphasis was on economic growth. Joo (1999) concluded that the Korean case study showed a pattern of policy development mainly driven by particular 'interests' (state elites' perceived political survival needs and their reputation in international society), with 'environmental' factors and 'policy legacies' playing a supplementary role.

As mentioned above, this study will examine what are the driving forces behind the development and adoption of the social policy, i.e, what are the factors and variables that made a particularly significant impact on the enactment process of the NBLs Act. Thus, the

Table 1. Explanatory factors and variables considered in the studies of social policy development

Factors	Variables
Policy as its own cause	<ul style="list-style-type: none"> • Momentum of policies themselves • Impact of previous policies (policy legacies)
Changes in environments	<ul style="list-style-type: none"> • Market failure • Demographic change • Growth of social groups and social instability • Labour force affected by industrialization • Pressure from international environmental movement
Primacy of ideas	<ul style="list-style-type: none"> • Impact of social research, policy ideas, and policy discourse • Learning effects • Institutions (regime types, state bureaucracy, parties, election system, social organizations) • Policy entrepreneurs
Primacy of interests	<ul style="list-style-type: none"> • Labour/middle classes • State elites (re-election, social control, national prestige)

Source: Adopted from Joo (1999, Table 1).

four proto-typical explanatory factors and variables classified by Hood (1994) will be applied in the study, since it obviously coincides with the research purpose to explain social policy development under the more democratic governments after the authoritarian military regimes ended in 1993. Table 1 presents the various explanatory variables according to the four factors. The number of explanatory factors and variables enumerated in Table 1 appears to be large. Therefore, the next step that should be taken is to identify the factors and variables that had an important affect on the enactment process of the NBLS Act, and to order them according to their relative weight in explaining the case (Joo, 1999).

II. Economic Crisis and Social Assistance Reform in Korea

The Korean welfare state was laid down by the authoritarian regimes, which began in the early 1960s and lasted until 1987. Between 1961 and 1996, Korean economy performed one of the highest growths in the world - over eight per cent of economic growth, more than three times of the world average growth rate of 2.4 per cent between 1990 and 1998. During the past four decades, Korea grew to become the world's 11th largest economy and exporter, with a per capita gross domestic product (GDP) exceeding US\$ 10,000, and became the twenty-ninth member of the rich nations' club, the OECD. This economic performance was achieved under the 'developmental state' (Gough, 2001), which placed almost exclusive emphasis on economic development, while making relatively little commitment to develop social welfare system and using social policy as an instrument for economic growth. The developmental state used social policy to build political legitimacy, which is a characteristic noted in the development of European social policy in the 1800s (Joo, 1999; Gough, 2001; Kwon, H., 2003). Unemployment and poverty had never been important issues in Korean society. Thus, although Korea had come into effect nearly all types of social security programmes, with the exception of family allowance, many of them still remained rudimentary (Kwon, S., 2001; Kwon, H., 2003; Shin, 2000).

The Livelihood Protection (LP) Act of 1961 was the first statutory provision of social assistance in Korea, though the budget for the assistance scheme was not allocated until

1969. It was mainly a rewrite of the Chosun Poor Relief Order of 1944, which provided subsistence assistance only to those categorically poor and unable to work. The LP programme lasted for about forty years until 1999, while there had been partial changes in its contents. It had the aim of providing a minimum level of relief, having a very strict entitlement condition and providing a living allowance, medical care and educational costs etc. only for those unable to work and aged under 18 and 65 and over. Thus the LP was based on the residualist approach (Yi and Lee, 2005) and covered only a small segment of the poor.

Compared to European countries, the issue of poverty had not been an important one in Korean society, due to the high economic growth, with relatively low-income inequality¹⁾ and full or nearly full employment combined with great employment stability (e.g. lifelong employment). Indeed, the average unemployment rate was 3.2 per cent between 1977~1997 (NSO, 2001a), and the average Gini coefficient explaining domestic income inequality, which was calculated on the basis of urban household expenditures, was 0.29 between 1975~1995 (Park and Kim, 1998). Coinciding with this, the poverty rate for households based on the minimum living standards was only 3.1 per cent of the total population of Korea in 1996 (Figure 1). Moreover, according to the National Family Income and Expenditure Survey, the percentage of households living below the relative poverty line of 50 per cent of the median income in 1996 was 11 per cent (Park et al., 2002). Thus it is generally agreed that the problem of absolute poverty had considerably been resolved²⁾ and the issue of relative poverty had yet to be addressed in Korean society.

However, the Korean economy, which had been a model for economic development, was shocked by the economic crisis in December 1997 and bailed out by an emergency rescue loan from the International Monetary Fund (IMF). Yet, as conditions for the emergency loan, the IMF requested the Korean government to carry out economic reforms and much of the structural reforms were undertaken from public sector (bureaucratic structure), financial sector and corporate governance to the labour market. The IMF demanded a high interest rate

1) According to national family income and expenditure surveys, income inequality in three East Asian countries, i.e. Korea, Japan and Taiwan, is about average among industrialized countries, and less severe than in Britain (Jacobs, 2000). It is, however, a unique feature that the factor influencing the lower income inequality in the Asian countries is the relatively equal distribution of earnings between households, compared to social security in Britain.

2) The problem of absolute poverty was believed to have been reduced to an insignificant minimum affecting only a small proportion of vulnerable groups, such as older people and disabled people (Ku, 2004).

to stabilize the Korean currency and avoid capital flight, discourage consumption and firms' investment, and restrain inflation pressure (Kwon, S., 2001). While the high interest rate, 22 per cent at one point in 1998, increased savings, it also led to the bankruptcy of a great number of firms and banks,³⁾ most of which were small and medium-size ones. Traditionally Korean firms had maintained a high-debt-equity ratio, relying on bank loans. This made the Korean firms vulnerable to the abrupt rise in interest rate (Kwon, S., 2001).

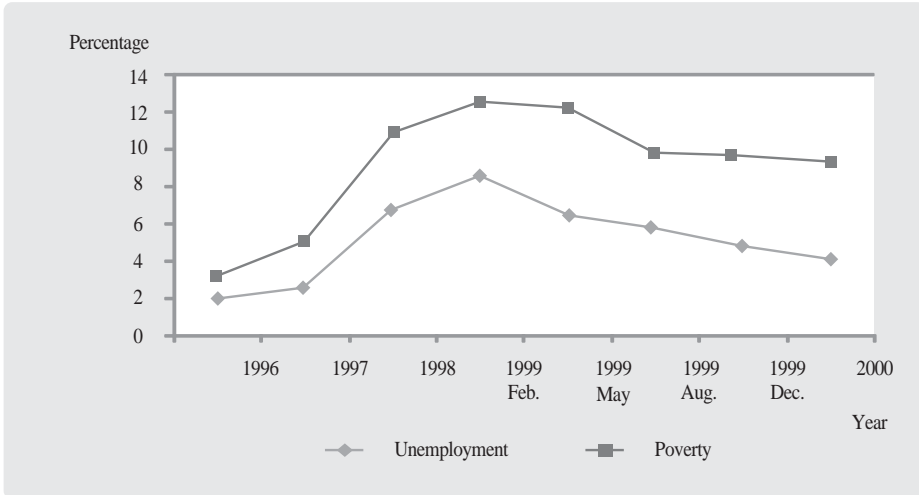
The outbreak of the economic crisis was followed by a contraction of the economy by 6.7 per cent in 1998, which meant an 11.7 per cent contraction from the positive 5 per cent for 1997. Consequently, per capita gross national income (GNI), which mirrors real purchasing power, fell from US\$ 10,307 in 1997 to US\$ 6,723 in 1998 (BOK, 2000). It is acknowledged that this severe recession resulted from the universal action taken in accordance with the prescription of the IMF, which requested high interest rates artificially set to stop capital flight from the country, and significant cuts in government expenditures (Kwon, S., 2001; Kwon, H., 2003; Mathews, 1998).

The economic crisis has had a great social impact on Korea, and it had an important role in provoking public awareness of the poverty problem and the necessity for reform of the existing social safety net. First of all, the country that since industrialization had been used to full employment was faced with high unemployment. A huge number of firms went into the bankruptcy due to the high interest rate, as stated above, and this resulted in huge unemployment. As can be seen in Figure 1, the unemployment rate as measured by the NSO using the standard of ILO definition, jumped to 8.6 per cent in February 1999 from 2.6 per cent in 1997, with the number of jobless people counted at 1.8 million. Second, as a result of the economic crisis, the poverty rate for households based on the minimum living standards, which was just below 40 per cent of the median income in 2000, soared dramatically to 9.4 per cent in 2000 - more than a three fold increase than that in 1996. The poverty rate for households based on 50 per cent of the median income in 2000 also increased rapidly to 15.8 per cent from 11 per cent in 1996 (Park et al., 2002).

Despite the far higher rates of absolute and relative poverty before the crisis, however, the numbers of recipients covered by the LP programme, in fact, remained at only around three

3) The number of banks decreased from 29 in 1997 to 20 in 1999 and 17 in 2001 (Park et al., 2003).

Figure 1. Trends in unemployment and poverty in Korea



Note: Poverty rates are based on the minimum living standards, which have customarily been accepted as an official poverty line in Korea.

Source: NSO (2001b); Park (2000).

percent of total population between 1996~1998, as shown in Table 2. This means between 7 and 12 per cent of the people on low-income (around four million people), seem not to have been supported by a basic and final social safety net, social assistance, which is responsible for protecting the poor from hardship.

Third, through the economic crisis, income distribution became more unequal. As can be seen in Table 3, the income share of the lowest decile groups decreased to 13.1 per cent in 1999 from 14.6 per cent in 1997. At the same time, the income share of the highest decile groups grew from 49.7 per cent in 1997 to 52.6 per cent in 1999. Income inequality for families measured by the Gini coefficient⁴⁾ also increased from 0.28 in 1997 to 0.32 in 1999.

In the wake of the 1997 economic crisis, the problem of high rates of unemployment and poverty has come to the fore in the Korean context as one of the main social agendas needing urgent resolution. There was also a sharp increase in crime, divorce and suicide in 1998 due to these social problems, and the number of homeless people increased considerably (Ku,

4) It ranges from 0, which corresponds with perfect equality (where all households have the same income), to 1, which corresponds with perfect inequality (where one household has all the income, and the rest have zero income).

Table 2. Number of Livelihood Protection/National Basic Livelihood Security beneficiaries (in thousands, rounded), 1996~2003

	1996	1997	1998	1999	2000	2001	2003
Total beneficiaries (A)	1,506	1,410	1,470	1,920	1,490	1,420	1,374
Cash assistance beneficiaries (B)	370	370	440	540	1,490	1,420	1,374
Total population (C)	45,525	45,954	46,287	46,617	47,008	47,343	47,925
A/C (%)	3.3	3.1	3.2	4.1	3.1	3.0	2.9
B/C (%)	0.8	0.8	0.9	1.2	3.1	3.0	2.9

Note: LP became NBLS in 2000.

Source: MOHW (2004), Moon (2003).

Table 3. Income distribution in Korea (per cent)

	1 st ~3 rd	4 th ~7 th	8 th ~10 th	Gini coefficient
1995	14.7	35.3	49.8	0.284
1996	14.3	35.3	50.4	0.291
1997	14.6	35.8	49.7	0.283
1998	13.2	34.6	52.1	0.316
1999	13.1	34.3	52.6	0.320

Source: NSO (2001a)

2004: 25; Kwon, H., 2003: 74; Moon, 2008; SENBLSA, 1999). These social problems might themselves have been a threat to socio-political instability since Korea had never suffered from them during the past three decades (Kwon, H., 2003: 74; Shin, 2000: 90).

Consequently, the outbreak of the 1997 economic crisis triggered reform of social security in Korea. The social and economic consequences proved that the negative social impact has become greater due to the relative neglect of the development of institutions for social protection during the decades of economic development. Thus the Korean government was continually and strongly requested by civil society and the IMF⁵⁾ to establish an adequate social safety net to cope with these unprecedented social problems produced by the shock of globalization.

5) The IMF made agreements with the Korean government focused on three agendas: a conventional IMF agenda; a US trade- and investment-opening agenda; and a Korean-imposed institutional reform agenda (Mathews, 1998). But they included measures to strengthen and expand the social safety net, though the IMF's overall policy orientation in terms of social policy was not to place emphasis on developing a universal social security system (Shin, 2000: 100).

In response to the demand from NGOs to introduce a comprehensive social safety net, the Kim Dae-Jung government, inaugurated in 1998 just after the economic crisis, made clear its departure from the previous pre-crisis developmental state model with the family and economic growth as the best welfare policy. Instead the Kim Dae-Jung government announced the 'productive welfare' aiming to secure a minimum living standard for all citizens. In order to cope with the problems of soaring unemployment and poverty, the government gave priority to the strengthening of social protection systems by the establishment of a social safety net - by reforming the Employment Insurance (EI) and the social assistance programme. In 1998, coverage of unemployment benefit under the EI was expanded to cover all workplaces including temporary or part-time workers but excluding day workers. In 1999, the previous LP Act was replaced by a new social assistance law, the NBLS Act, which aims to secure minimum living standards for those eligible regardless of their age and ability to work, and the NBLS scheme was put into effect in 2000.

III. A Comparison of Previous and Present Social Assistance in Korea

Compared to the previous LP Act which had lasted over thirty five years since 1961, the NBLS Act of 1999 has some progressive elements. First, the NBLS scheme is designed to guarantee a right to a minimum income, while previous social assistance simply served as a beneficial protection. The Korean government recognized the idea of welfare as a social right for the first time in Korean history. The term Protection has therefore been changed to Security, which shows the state's responsibility for poverty and welfare. Second, there was a shift in the form of social assistance in Korea - from categorical assistance to general assistance. The demographic condition 'under 18 and 65 and over, or unable to work' was abolished from the contents of the NBLS Act, and all the people earning less than the minimum standards of living have right to be guaranteed the minimum standard of living by the state. Third, as a measure to stabilize housing for people with low-income, Housing Benefit has newly been established in the NBLS scheme. Enforcement of housing benefit, which has resulted in adoption of a minimum

housing standard and an increase in public housing, can be seen as an opportunity for strengthening housing policy in Korea. Fourth, the main beneficiaries under previous categorical assistance were those non-working aged or unable to work, but under new general assistance, working age able-bodied people are included as a recipient group. To prevent long-term dependency and to enhance financial incentives to work for those able to work, the NBLs scheme places emphasis on promotion of self-support, and earnings disregards are partially applied to social assistance clients.

In terms of work incentives, claimants of NBLs benefits have to be available for work and actively seeking it, and are required to accept offered training or work in order to gain entitlement to benefit, unless they are exempt from this requirement. Until 1999, the requirement relating to work remained dormant, because people receiving social assistance benefit were mainly non-working age or those considered as unable to work. With the enactment of the NBLs Act of 1999, work incentives have become one of the main areas of policy debate on social assistance.

Recipients capable of work are required to participate in activation measures. In 1996, re-insertion measures for social assistance recipients and other people with low-income took a first step with the establishment of the self-reliance aid centers, but until 1999, these activation measures remained latent and targeted at non-recipients. By the NBLs Act, working age recipients capable of work are required to participate in the Self-Reliance scheme. The aim of the scheme is to help with low-income get out of poverty and to prevent unnecessary dependency of the employable poor on social assistance (Lee, 2004: 294). As measures to provide Self-Reliance benefit for those having the ability to work and working less than 18 hours per week for over a month, a self-support aid plan for each household depending on the recipient's working ability, employment situation, desire for self-support and living condition is provided from 2000. The municipalities are given the responsibilities to provide the Self-Reliance scheme and the self-support aid plan. The direction and services necessary for recipients' self-reliance are first determined by the welfare official at the local welfare office, and employment promotion measures such as job search activities, job training, public works, community-based employment programmes and self-reliance loans are provided under the Self-Reliance scheme (Moon, 2003). The current Self-Reliance scheme is provided mainly for unemployed people

including both NBLS recipients and low-income non-recipients, and a large number of employed recipients (including full-time/part-time workers and wage earners in unstable jobs such as temporary or daily workers) are excluded from it, because the scheme is still underdeveloped. The role of the scheme is thus limited to a welfare-to-work measure for unemployed social assistance recipients.

Some claimants may be excluded from entitlement to social assistance due to the level of their own resources. Disregards for earned income and assets may contribute to the effectiveness of social assistance schemes and enhance incentives to work. The NBLS scheme thus adopts earnings disregards and they are now partially applied to the recipients. Students are allowed to keep 30 per cent of earned income. 30 per cent of the earned income by the disabled in the Job Rehabilitation programmes and all recipients taking part in Self-Reliance scheme are also disregarded. But the current earnings disregards do not include earnings from general paid work (full-time or part time) (MOHW, 2005).

In relation to the social infrastructure for the NBLS scheme, the number of social welfare officers administering the NBLS scheme and the Self-Reliance scheme increased to 7,200 in 2003 from 4,200 in 1999. A single welfare officer took the responsibility for an average of 188 recipients (98 households) in 2003 from 457 recipients (173 households) in 2001 (Moon, 2003: 16). Furthermore, in order to motivate the social welfare officers and to establish an efficient working system for the NBLS scheme, they have been promoted to the position of regular government officer.

In Korea, social assistance benefit scales are based on the customarily accepted official poverty line, i.e. the minimum living standards. They are set according to a budget standard on the basis of a social survey since 1989. Before 1989, the minimum living standards were determined according to a food share method (or Engel) on the basis of a social survey, which were first calculated by the Committee for Social Security in 1974 and subsequently in 1978 (Kim, 2000: 9~10). From 1989 to 1999, the minimum living standards based on budget standards were calculated every five years by the Korea Institute for Health and Social Affairs (KIHASA). Until 1994, under the previous LP programme, it had not legally been required to announce the results of the calculation of the minimum living standards. From 1999, however, a public announcement is required by 1 September every year by the law (Kim, M. G., 2000: 6). From 2004, the minimum living standards based on a budget standard

Table 4. Expenditure on LP/NBLS, 1997~2003 (billion won)

	1997	1998	1999	2000	2001	2003
LP/NBLS (A)	927	1,121	1,945	2,409	3,270	3,523
Social security (B)	4,207	4,576	6,105	8,074	10,746	11,572
Gov. budget (C)	67,579	75,583	83,685	88,736	99,180	118,132
A/B (%)	22.0	24.5	31.9	29.8	30.4	30.4
A/C (%)	1.4	1.5	2.3	2.7	3.3	3.0
A/GDP (%)	0.2	0.3	0.4	0.5	0.6	0.6

Source: MOHW (2004)

are calculated every three years by the KIHASA (NBLS Act, Art. 6). They are set nationally and updated annually on the basis of the consumer price index, by decisions of the Minister of Health, Welfare and Family Affairs, through consultation and deliberation of the Central Committee for Livelihood Security (Moon, 2003: 4).

The benefit rates for the LP programme had been set at a maximum of 60 per cent of the minimum living standards. From 2000 after the establishment of the NBLS scheme the benefit rates are to be set so that the total income of each household receiving social assistance benefits - including any earnings and other forms of assistance - reaches the minimum standards of living (OECD, 2001: 72~77). In 2001, the benefit level, i.e. the minimum living standards, was 49 per cent of the average consumption expenditure of urban households (MOHW, 2001).

By the establishment of the NBLS scheme, as shown in Table 4, the expenditure on social assistance rose from 927 billion won in 1997 to 3,523 billion won in 2003. The budget for social assistance as a share of the social security budget increased from 22 per cent in 1997 to 30.4 per cent in 2003, and its share of government budget also rose from 1.4 per cent in 1997 to 3 per cent in 2003. As a proportion of GDP, expenditure on social assistance was 0.2 per cent in 1997 and 0.6 per cent in 2003.

As shown in Table 2, the number of social assistance beneficiaries receiving cash benefit increased from 370 thousand in 1997 to 1.49 million in 2000, decreased slightly to 1.42 million in 2001 and to 1.37 million in 2003. The number of beneficiaries in 2003 represented 2.9 per cent of the total population in Korea.

IV. The Enactment Process of the National Basic Livelihood Security Act

The first section describes the policy formulation processes of the NBLS Act. The second section explains the main causes of the policy adoption.

1. Policy Formulation Process

The unique enactment process of the NBLS Act, which was led by civil society, can be presented in three stages. The first stage can be identified as the issue attention/agenda setting from 1994 when a civil rights NGO, People's Solidarity for Participatory Democracy (PSPD) was established, until December 1998 when a bill of the law passed the Legislative Bill Screening Small-Committee under the National Assembly Health and Welfare Committee. The second stage is the organizational process and providing alternative from January 1999 to May 1999 when the PSPD formed a coalition of 64 NGOs and attempted an organizational approach to persuade state elites⁶⁾ and the general public. The third stage can be identified as the policy decision from June 1999, with President Kim Dae-Jung announcing the establishment of the NBLS Act, to August 1999 when a bill of law was passed by the National Assembly on 12 August.

Stage 1: Issue Attention/Agenda Setting

At this stage, the PSPD attempted to raise the public's, government's and politicians' awareness about the issue of the enactment of a National Basic Livelihood Security Act by the 'National Minimum Movement' from September 1994 when the civil organization was set up. It also tried to place the issue of enactment of the law on the policy agenda by petitioning legislation and pressing political parties and government to enact the law from the end of 1997 just after the economic crisis.

6) State elites means those mostly at the peak of the executive branch of the state institutions that determine and implement state policies and regulations related to collective goods and state resources (Joo, 1999).

With the foundation of the PSPD in 1994, the Social Welfare Committee, which is one of the most active action bodies under the PSPD, has pursued gradual, practical, and policy-oriented approaches instead of radical and ideological class-based approaches, to raise concrete points of issues. In particular, a series of successful public litigations had drawn the attention of the general public and those in power to the PSPD.⁷⁾ The social movement, 'national minimum movement', was at that time one of the main activities on which the committee laid emphases, aiming clearly at securing the minimum standard of living for all citizens through a sweeping revision of the existing social assistance programme, the LP. The strategy for attaining its goal was the development of a professional-centered movement rather than the mobilization of the public (Moon, 2008: 94). It thus aimed at procedure control in administration as well as investigation into the legal systems of social security programmes; and judicial proceedings for realizing constitutional social rights. In that sense, it can be said that the spirit and the point of the NBLs Act originated from the national minimum movement (Moon, 2008).

Yet, the movement for securing national minimum was not successful: first, its discussion remained at an abstract, social ethical, and declarative level, and the concept and logic of the term was not clear; second, the concept of it did not become a principle for reform of social welfare. The movement thus did not become a social issue in the mid-1990s, rather it brought about social and political interests in terms of the problem of securing the minimum living standard for low-income groups, facing with poverty. The economic crisis at the end of 1990s was, however, a turning point for drawing the attention of people, both those in power and the general public who tended to subscribe to principle of 'economic growth first and distribution later', to the strong necessity of reform of the social safety net including the social assistance provision of the time.

In 1998, the negative socio-economic impact from the economic crisis of the previous year became apparent, as shown in the previous section. Despite the IMF rescue packages, the Korean economy was in severe recession. Under these socio-economic conditions, the atmosphere surrounding the enactment process for the NBLs Act was altered. Low-income

7) The public litigations by the Social Welfare Committee under the PSPD at issue attention level are as follows: claim for compensation against the loss of the National Pension Fund; complaints against abuse of authorities of the Minister of Health and Welfare, and the chairman of Medical Insurance Association (present National Health Insurance); claims nullification of levying allowances for old people, and unreasonable medical insurance premiums (Moon, 2008: 94). Of those public litigations, the former three litigations attained the desired ends.

groups were suffering more from the economic crisis as income disparities among classes were accelerating. One social issue that rapidly emerged was that resources should be distributed first to people with low-income who were economically and socially excluded even during the period when dramatic economic growth had been maintained (Joo, 1999), and it was felt by civil society that people who live in poverty should be entitled to a Basic Livelihood Security scheme provided by the state (Ahn, 2000; Kwon, H., 2003: 76; Moon, 2008: 95).

The Kim Dae-Jung government, inaugurated on 26 February 1998, acknowledged the seriousness of the situation. It thus actively expanded and strengthened the social protection programmes and allocated a large amount of the budget to the programmes. However, it became clear that temporary and stop-gap measures, such as the Public Works Projects, job training and special loan programmes for unemployed workers were not enough to stabilize living standards of low-income households facing with the social problems (Korea Herald, 5 March 1999; Kwon, S., 2001: 102; Kwon, H., 2003: 76; MOHW and KLI, 1999; Moon, 1999; SENBLA, 1999: 8; Shin, 2000). Moreover, the LP programme had very strict entitlement conditions and limits, i.e. those under 18, and 65 and over, and unable to work. To be entitled to the LP, claimants had to meet the following three main requirements at the same time: income, assets, and absence of private supporter. The benefit levels were also low. As mentioned in the previous section, the benefit rates for the LP programme had been set at a maximum of 60 per cent of the minimum living standards. In spite of the strengthening of the social assistance programme by the government, therefore, not only were a large proportion of poorer people not entitled to benefits, but also the unemployed worker with the capacity to work did not receive any benefits at all (Shin, 2000: 94).

In this situation, the policy initiative came from the PSPD which had been continuously interested in the sphere of social welfare and explored alternative policies in terms of social welfare policy in its role as a leading civil organization. After the economic crisis, through a method of appealing to the general public, the organization attempted to develop the problem of enactment of a NBLS Act into a social policy issue. The Social Security Policy Discussion Meeting, consisting of representative Korean NGOs centering around the PSPD, was formed in June 1998. The meeting opened with a forum for exploring 'A Plan for the Enactment of a NBLS Act and Stability Measure for Low-Income Unemployed People', in which an official

of Ministry of Health and Welfare (MOHW), several politicians, a social policy expert and a lawyer from the meeting, and a research institute participated (Moon, 2008). A loose network among NGOs centering on the PSPD was formed as a result of the meeting. In spite of the NGOs' efforts, however, the media showed a lukewarm attitude toward the enactment of the NBLA Act, and political parties and government departments including the MOHW were not concerned about reform of the social assistance programme and enacting a NBLA Act (Ahn, 2000: 6).

The PSPD, however, deployed a new attempt to improve the situation. 19 civil and worker's organizations with the PSPD as a central figure produced their own NBLA Act bill, and submitted the legislative petition to the National Assembly. An assemblyman for the first opposition party, the Grand National Party introduced the bill on 23 July 1998, and together they urged the government to hasten to enact the law. One notable thing here was that NGOs petitioned the legislation for a NBLA Act,⁸⁾ whereas previously the Executive of the government made such petitions (Ahn, 2000; Joo, 1999; Kwon, H., 2003, Moon, 2008), and the bill presented on 23 July became the present NBLA Act without substantial revision.

Subsequently, a series of social movements for passing the NBLA Act bill produced by the NGOs through the National Assembly continued, centering around the PSPD. The PSPD along with a major labour organization, the Korean Confederation of Trade Unions (KCTU) issued a statement on 11 November saying 'the most important policy for a society with high unemployment is to enact a NBLA Act', and 18 civil and labour organizations including the PSPD, KCTU declared the 'National Right to Welfare' on 26 November (SENBLA, 1999: 6). In these circumstances, mainly owing to such social movements, the bill passed the Legislative Bill Screening Small-Committee under the National Assembly Health and Welfare Committee on 28 December 1998.⁹⁾ This was the first official and visible result, and a valuable outcome for the movement for the enactment of the NBLA Act. The bill, however, had not yet been laid before the National Assembly Standing Committee, since the chief control ministry, the MOHW had not expressed its position toward the bill, since it thoughts

8) In the process of the determination of the design and concrete content of the NBLA Act bill produced by the NGOs, Mi-Gon Kim of KIHASA, which established on a legal basis and susceptible to the MOHW, played a crucial role.

9) In the process of passing a bill for the law, Sung-Jae Lee, an assemblyman of the government party, National Congress for New Politics, who was active in establishing a new social assistance programme, had an important role within the party and the National Assembly.

the delivery system for a NBLs scheme was not in place (Lee, H., 2000, quoted in Kwon, H., 2003: 77). The economic ministries also clearly opposed the introduction of the act owing to the policy idea of avoiding welfare dependency and to the underlying difficulties in financing the new social assistance programme (Ahn, 2000: 7; Kwon, H., 2003: 77; Moon, 1999: 21~23). Therefore, the bill was delayed at the Small-Committee stage.

Stage 2: Organizational Process and Providing Alternative

This stage is the most active, important stage of the whole process of the enactment of the NBLs Act. In this stage, the PSPD formed a coalition of 64 NGOs in order for a more systematic and organizational approach to state elites, general public and the press.

Although the PSPD failed to pass a bill through the Standing Committee, the civil organization did not stop demanding enactment of the law, and in order to overcome the difficult situation, it decided to form a new coalition including civil, labour, religious, and grassroots organizations, not just retaining the present loose network (the Social Security Policy Discussion Meeting). In particular, the PSPD identified religious groups as an essential force of a new joint cooperative body. The civil organization thought that religious groups, which had a moral and political influence on the low-income groups, who would be the real beneficiaries of the NBLs Act and on the Korean society, definitely needed to join and to be active in a joint cooperative body (Ahn, 2000: 8).

A coalition of NGOs, the Solidarity for Enactment of National Basic Livelihood Security Act (SENBLSA) was formed, and a priest of the Anglican Church (Rev. Kyung-Yong Song), and Professor Jin-Young Moon from the PSPD were chosen as chairmen of the executive committee and the policy committee respectively. The coalition, SENBLSA was composed of 64 NGOs centering around the PSPD and religious organizations (such as the Christian Academy Social Education Center) as the two central figures and included labour organizations (such as the KCTU), women's groups (such as the Association of Korean Women's Organizations), low-income group organizations (such as the Association for Unemployment of Low Income Labourers) at the national level and many local level organizations. The PSPD, hereafter, acted as a coordinating agency for the coalition of 64 NGOs.

The coalition aimed at securing the minimum standards of living for all citizens and

establishing a social safety net for a society with high rates of unemployment and poverty, by enacting a NBLS Act, and presented detailed action plans such as simultaneous legislative petition for Local Basic Livelihood Security Regulation all over the country, the unemployed street march, and launching a national signature-collecting campaign (SENBLSA, 1999: 7). The coalition thereafter began to conduct an organized nation wide movement for the enactment of a NBLS Act at national level by taking advantage of the capacity for public mobilization, which many organizations making up the coalition had. On 4 March 1999, the SENBLSA held a joint press conference and urged on the government and the National Assembly as follows: first, a NBLS Act should be enacted without fail within the first half of the year; second, the government should announce an adequate level (as opposed to the low level at that time) of a minimum living standard; third, the government should increase the number of professional welfare officers in order for effective implementation of the NBLS Act (SENBLSA, 1999: 7).

Following the press conference, the coalition opened a public forum entitled 'Points of Issue and the Prospect of Enactment of a NBLS Act', where there was a heated discussion encompassing enactment of the law between the Executive of the government and the coalition. First, as noted earlier, the NBLS Act was expected to provide living allowances for all people whose monthly income was less than the minimum living standards and to require increasing government subsidies. Based on that, the influential economic ministry, the Ministry of Planning and Budget (MOPB) still tried to block the implementation of a NBLS scheme. An estimated expenditure on a new social assistance programme was between 3.6 billion won (the maximum) and 2.7 billion won (the minimum) at that time (Moon, 1999: 25): this was less than 0.8 to 0.6 per cent of GDP. However, as shown in Table 5, even the maximum proportion of 0.8 was not a high level of social assistance expenditure, compared to the other OECD countries (the OECD-24 average was 2.3 per cent in 1992). In addition, those who urged the introduction of the law demonstrated that difficulties of financing could be solved if the management failure of the government in the social safety net programmes was improved and if the temporary and emergency measures of the economic crisis such as the Public Works Projects and job training programmes for unemployed people were adjusted (Moon, 1999; SENBLSA, 1999).

Second, the conflict between the coalition and the Ministry of Labour (MOL) was mainly

Table 5. Total social assistance expenditure as a percentage of GDP, 1992~2003

	Australia	Germany	Ireland	Japan	Spain	Sweden	UK	USA	OECD average
1992 ¹⁾	6.8	2.0	5.1	0.3	1.1	1.5	4.1	3.7	2.3
2003 ²⁾	7.3	1.1	2.6	0.4	1.5	0.7	2.2	1.3	1.5

Notes: 1. Including general assistance, categorical assistance, housing assistance, and other tied assistance
2. Excluding specific housing subsidies, spending on Active Labour Market Policies, or income-tested medical support.

Source: Eardley et al. (1996: 35, 37, Table 2.3, 2.4), OECD (2007).

due to difference of policy ideology. The MOL stressed that low-income groups whose monthly income is less than the standard income decided by the government should participate in the Active Labour Market Policy programmes such as Public Works and job training, and then within the frame of workfare policy, these people could maintain a minimum standard of living by receiving a living allowance later (KLI, 1999). By contrast, the coalition and MOHW urged that living allowance should be provided for all people with low-income earning less than the minimum standards of living, and then Self-Reliance scheme should be provided later for those poor who are employable. The policy ideology of MOL was basically founded on a workfare ideology, i.e. creating income by work, while the coalition pursued a policy of creating a stable living standard for the people in poverty by legal entitlement, so there was enough ground for controversy between those who supported the introduction of the NBSL Act and those who opposed it (Ahn, 2000).

In the mean time, even though the MOHW was the main department of the government involved in the NBSL Act, it had not shown a strong positive concern until the enactment of the NBSL Act was assured by determination of the President. It, at first, showed little support for the law, stating that social infrastructure for a NBSL Act should be extended prior to its implementation, i.e. expansion of the allocation of professional welfare officers, and improving their restricted position to the position of regular government officer, which would mean they would have prospects for promotion (Moon, 1999).

The coalition of 64 NGOs confirmed the gap between the government departments and the coalition and turned the focus of its approach from mainly the public to a combination of approaching the general public and state elites such as the government and political parties (Moon, 2008: 97). The public-oriented detailed action plans mentioned above, such as

simultaneous legislative petition for Local Basic Livelihood Security Regulation all over the country, or the unemployed street march were unsuccessful or at least not enough to generate public awareness. The plan of pressing the government by a mass mobilization movement thus needed to be modified at that time. The executive committee therefore concentrated on the approach to state elites. In its early stage, the executive members of the coalition met core state elites such as those close to the President, i.e. personages of the Korean Presidential Mansion, the MOHW, the ruling party, and explained and persuaded them of the necessity of the law and the concrete contents of the programme (Ahn, 2000: 10). Formal and informal interviews with core state elites were accomplished with the two chairmen of the coalition, Song and Moon as the central figures.

Coinciding with the approach to the state elites, organizational efforts of the SENBLSA at a mass movement level continued along the lines of the initial public-oriented action plans, however, slightly revised. First, many statements were issued by the coalition from March to May 1999. The statements were issued by each of the organizations participating in the SENBLSA and also at local level. Second, leaflets were produced to strengthen publicity activities. Third, education for residents living in low-income areas who would be the real beneficiaries of the NBLs scheme was steadily enforced all over the country by local organizations who were members of the coalition.

Stage 3: Policy Decision

This stage is that coinciding with President Kim's announcement to establish a national basic livelihood security act, a bill of the NBLs Act finally passed the National Assembly on 12 August 1999.

Coinciding with that the coalition strengthening their organizational ability by approaching state elites, the general public, and the press, President Kim Dae-Jung announced the adoption of a NBLs Act in order to secure the living standard of the middle class and low-income groups on 21 June 1999. That was rather unexpected even for the SENBLSA since public opinion for the NBLs Act was not as high as expected, and moreover the government and governing party had not shown a positive attitude toward enacting the NBLs Act notwithstanding the coalition's efforts. Nonetheless, the President's announcement acted as one of the most influential

powers on the enactment of the law and the coalition was much encouraged by the President's determination (Ahn, 2000: 11; Kwon, H., 2003; Moon, 2008: 98).

Given the President's announcement, all resistance had to be withdrawn, and it created enthusiasm for the enactment of the NBLS Act. In this process, the economic ministries did not oppose the law because of the President's firm position and intention. The chief control ministry, the MOHW showed a positive and active attitude toward it after the decision of the President Kim, and the law-making process progressed rapidly. The bill submitted by the SENBLSA passed both the Small-Committee and Standing Committee for Health and Welfare on 9 August, and the Legislation and Judiciary Committee on 11 August, and finally passed the National Assembly on 12 August.

2. Explaining the Policy Adoption

The main driving force behind the enactment of the NBLS Act was the NGOs' interests in the law. The SENBLSA played a leading role in the process of policy-making and the pivot of the coalition of 64 NGOs was the PSPD. Since the PSPD was established in 1994, it conducted the National Minimum Movement and enactment movement of the NBLS Act, and played a crucial role as a coordinating body after establishment of the coalition on 4 March 1999. In general, aspects of the PSPD were rather progressive and faithful to principle, whereas the coalition tended to be gradual and flexible. The relationship between the PSPD and the other organizations within the coalition was on the whole one of mutual cooperation and understanding but did not show a strong solidarity since there was a large number of organizations gathered (Ahn, 2000). As noted earlier, the SENBLSA was composed of various organizations such as civil rights NGOs, as well as major labour, religious, local, and pauper organizations. Organizations at the local level mainly consisted of local pauper and religious organizations, and they played an important role in mobilizing the general public as they had an aspect of popularity.

As noted earlier, the PSPD and SENBLSA attempted organizational efforts through mass mobilization in order to gain the support of the general public and the media and raise the issue of enactment of a NBLS Act in the first place, but mass mobilization was difficult: first, the issue (or policy agenda) of the NBLS Act was not general and common but rather special

and professional, so it was not easy to increase public awareness of the issue; second, as the nature of Korean press tended towards a middle class-oriented, neoliberal and conservative bias and the issue was not popular (Ahn, 2000), the media did not show special interest in the enactment of the law. Therefore, the coalition, maintaining the method of mass mobilization, accessed the state elites such as the Presidential Mansion, the political parties and the government. In fact, the main cause for which the coalition could succeed in their approach to the state elites, was the latent force of mobilization and popularity of the coalition.

The President Kim Dae-Jung's interests in the NBLs Act and his determination also triggered the enactment of the law. In Korea, the president's decisions on the orientation of government administration have been the most important, influential and deterministic factor in the overall policy-making process since political power is concentrated on the president (Ahn, 2000; Joo, 1999; Kwon, S., 2003). This was also proved through the law-making process of the NBLs Act.

President Kim Dae-Jung has been recognized as a very rare influential political leader who has a proponent of progressive policies toward solidarity and fair distribution (Moon, 2008). A series of social welfare reform in Korea after the 1997 economic crisis¹⁰⁾ proves President Kim has a progressive political ideology and takes a deep interest in social policy and social welfare. The fact that the president exactly understood the necessity of the NBLs Act and announced the adoption of the law resulted from his policy ideology. His announcement provided vital support for the coalition at an important point of time (Kwon, H., 2003; Moon, 2008). In that sense, President Kim Dae-Jung also contributed to the enactment of the NBLs Act as the most influential high-level policy-maker in the policy-making process in Korea, although he was slow to participate in the policy-making process.

Besides the NGOs, a few politicians both from the governing and opposition parties and research institutes demanded or recommended the introduction of a NBLs Act. The research staff from the KIHASA, which played a supporting role for the MOHW, contributed to the determination of the design and detailed content of the draft bill of the law as a policy idea provider. The research staff, however, did not play a key role in either the initiation of the

10) A series of social welfare reforms after the 1997 economic crisis include social assistance reform, establishment of a single health insurance system, expansion of coverage of four major social insurance schemes, and separation of dispensary from medical practice.

NBLS scheme or the development of a NBLS Act, as specialists have only a limited influence over policy-making inside the Korean government (Joo, 1999), and the institute was not an exception.

The MOHW officials did not play a crucial role in policy initiation though the MOHW was most deeply involved in the NBLS scheme. They participated positively in the policy-making process only after President Kim announced the adoption of a NBLS Act. The passive attitude toward the enactment of a NBLS Act was understandable considering that the MOHW had traditionally lacked political influence among the government departments, compared to economic ministries (Joo, 1999; Ahn, 2000). This was the legacies of the Korean authoritarian regimes who placed almost exclusive emphasis on economic development during the previous developmental period with the strategy of 'growth first and distribution later'.

Although the relationship between the coalition and the MOHW was in fact cooperative after the President's announcement, there had been discordance between those who supported the NBLS Act (such as the coalition and the MOHW) and those who opposed it (such as the MOPB and MOL) because of different policy ideas, leadership struggles with respect to social policy, and financing difficulties. In relation to the above difference of policy ideology, those who participated in the enactment movement of the NBLS Act such as the SENBLSA can be said to have critical viewpoint of neoliberalism and deep interest in public life and distributive social justice, and their ideology and policy aspects were rather radical or progressive (Ahn, 2000: 28). By contrast, those who opposed the enactment of the law, on the whole, tended to advocate neoliberalism and the logic of unlimited competitiveness by market, and a principle of unlimited individual responsibility. Representative examples were business people and economic organizations and economic bureaucrats of economic ministries.

V. Conclusion

The most salient feature of the social policy development analyzed in this article is that NGOs played a leading role in the whole enactment process of the NBLS Act. In practice, the coalition of 64 NGOs was the main driving force behind the reform of social assistance in Korea, which reflects the remarkable development of NGOs in Korean society. Social

demands coordinated and concurred by NGOs have been embodied in the social welfare reform represented by the enactment of the NBLA Act. Notably, the government departments in charge of operation of the NBLA scheme did not play a key role in the enactment process, instead, they have been reluctant throughout the law-making process. This is a notable change in the policy-making process in Korea considering that the Executive of the government had generally played a leading role in the previous law-making process, that is, a thoroughly government-centered process, and thus there had been no rooms for NGOs (Moon, 2008). It means that the civil society under the more democratic governments has been considerably mature, compared with that under the previous authoritarian regimes when the state elites' interests in their political survival were the most important explanatory factor in the development of social welfare policies (Joo, 1999). In short, the prime cause of the policy development was the NGOs' interests in the law.

In addition to the above main explanatory factor, the following ones also contributed to the development and adoption of the social policy. First, the President's interests in the enactment of the NBLA Act played a supplementary role. Second, changes in the economic environment, i.e. the outbreak of the 1997 economic crisis triggered the NBLA Act because it had an important role in provoking public awareness of the poverty problem and the necessity of reform of the social safety net. Third, though in a very limited way, the policy ideas of the IMF rescue packages and social policy experts played a role in the development of the policy.

In fact, the NBLA Act has been evaluated as a landmark in the history of Korean social welfare. It is designed to protect fundamental human rights and to secure the minimum living standards for all citizens. However, as the contents of the law are reformative and based on a rational model compared to the previous LP programme, many problems for the government to solve still remain, in terms of measurement of the official poverty line, i.e. the minimum living standards, benefit levels and generosity, the effectiveness of the NBLA benefits on poverty reduction, conditions of eligibility and entitlement (e.g. strict means and work-test and strong family obligations), administration and delivery mechanism, and a workfare policy which the NBLA Act has adopted for able-bodied recipients. In particular, the Self-Reliance scheme, which are closely linked with the NBLA scheme, has not been satisfied yet since the previous LP programme had targeted mainly on non-working age or those

considered as unable to work. Therefore whether the NBLS scheme would turn out to be an epoch-making social assistance programme, elevating the level of the Korean social welfare remains to be seen.

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한국사회정책의 발전과 채택에 관한 연구: 국민기초생활보장법을 중심으로

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우리나라는 1997년 말 한국사회를 강타한 IMF 경제위기 이후 경제·사회 전반에 걸쳐 대대적인 구조조정과 개혁이 진행되었고, 사회복지분야에서도 많은 변화와 확충이 이루어졌다. 특히 공공부조 개혁의 결과 40년 가까이 인구학적 기준과 구빈법적 전통을 유지해 오던 생활보호법이 1999년에 폐지되고, 새로운 공공부조법인 국민기초생활보장법이 제정되어 국민기초생활보장제도가 시행된 지 올해로 10년째를 맞이하고 있다. 국민기초생활보장법은 기존의 생활보호법과는 달리, 국가가 국민의 최저생활을 권리로서 보장한다는 점에서 한국사회복지의 수준을 한 단계 끌어올리는데 기여한 것으로 평가받고 있다. 그러나 기존의 법제정과정이 행정부의 주도 하에 이뤄졌던 것과는 달리, 국민기초생활보장법의 제정과정은 시민사회단체(NGOs)의 주도 하에 이루어 졌다는 점에서 더욱 주목을 받고 있다. 따라서 본 연구의 목적은 IMF 경제위기 직후 국민기초생활보장제도라는 사회정책이 한국사회에서 발전하고 채택된 주요 원인과 원동력(driving forces)을 밝히는데 있다. 이를 위해 본 연구는 1970년대와 1980년대에 도입된 의료보험법(현재의 건강보험법)과 최저임금법의 제정에 영향을 미친 요인들을 분석하기 위해 Joo(1999)의 연구에서 사용됐던 사회정책의 발달 및 채택을 설명하는 “네 가지 설명변수(Hood, 1994)”를 본 연구에 적용시킴으로써, 과거 군사독재정권 하에서 입법과정에 영향을 미친 요인들과 이전과 비교할 때 훨씬 민주화된 정부라고 평가받는 1990년대 후반의 김대중 정부 하에서 입법과정에 영향을 미친 요인들을 비교 분석했다.

연구결과는 다음과 같다. 과거 군사독재정권 시기에 정책의 발전 및 채택의 가장 중요한 원동력은 청와대, 정부, 여당 등 대통령주변 상층엘리트의 정치적 생존에 대한 관심(state elites' interests in their political survival)이었으며, 환경적 요인(changes in environments)과 기존정책의 영향 또는 정책유산(policy legacies)이 보조적인 역할을 했다(Joo, 1999). 반면에 김대중 정부시기에 도입된 국민기초생활보장제도의 발전 및 채택의 주요 원동력은 시민사회단체의 법제정에 대한 관심(interests)이었으며, 최고정책결정권자인 김대중 대통령의 법제정

에 대한 관심과 법제정을 둘러싼 경제적인 환경(economic environment), 즉 1997년 말에 불어 닥친 경제위기가 보조적인 역할을 했다.

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