
Seeking Truth after 50 Years: The National Committee for Investigation of the Truth about the Jeju 4.3 Events

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Abstract

Between 1948 and 1954, a communist-led uprising in Jeju, South Korea, and the subsequent counterinsurgency campaign by the new anticommunist government resulted in an estimated 15,000 deaths. The massacres were systematically hidden from the general public and the victims' demands for truth and justice were totally suppressed during consecutive anticommunist military regimes for some 50 years. However, with democratization in 1987, a movement was started by local students, activists and journalists to find the truth about civilian massacres. After a long and painstaking journey, the first South Korean truth commission was established in 2000 to investigate the massacres and restore the dignity of victims and their family members. The advocacy movement process and the truth commission itself have gone largely unnoticed by scholars and practitioners around the world. Based on interviews and archival research, this article provides the first close examination of the South Korean transitional justice movement.

Introduction

Over the last three decades, many states have experienced transitions from authoritarian regimes to democracy. With the development of the global rights and justice framework, states are increasingly being held to their obligations to address past human rights violations during a transition. One common avenue for seeking accountability for past political crimes is the establishment of a truth commission, a temporary government body mandated to investigate a violent past.¹ To date, some 37 countries have established such commissions, including recently established commissions in Kenya and the Solomon Islands.² Well-known examples of countries that have had truth commissions include Argentina, Chile and South Africa, but there are many lesser-known cases, such as the National Committee

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¹ Priscilla B. Hayner, *Unspeakable Truth: Facing the Challenge of Truth Commissions* (New York: Routledge, 2002).

² David Backer, 'Cross-National Comparative Analysis,' in *Assessing the Impact of Transitional Justice: Challenges for Empirical Research*, ed. Hugo van der Merwe, Victoria Baxter and Audrey R. Chapman (Washington, DC: USIP Press, 2009).

for Investigation of the Truth About the Jeju 4.3 Events (4.3 Committee) in South Korea.³

The Jeju 4.3 events refer to a series of armed uprisings and counterinsurgency that occurred between 1948 and 1954 on Jeju Island, the largest island in the southernmost part of South Korea. The conflict resulted in an estimated 15,000 to 30,000 deaths, which accounted for approximately 10 percent of the total population of Jeju in 1947.⁴ After 52 long years, the South Korean government established its first truth commission in 2000, primarily to collect evidence, publish a report and establish an archive, and secondarily to identify and honor the civilian victims and their family members. The report, which initially announced 14,028 victims, was published in 2003. The following year President Roh Moo-Hyun made an official apology and in 2006 he participated in a memorial service held in commemoration of the events.⁵

The efforts to find the truth and restore justice in South Korea have gone largely unnoticed by the rest of the world. However, an in-depth case study of this advocacy process would make three significant contributions to the study of transitional justice. First, despite the fact that the study of truth commissions has noticeably increased, much of the work has been done on the African and Latin American cases.⁶ There are relatively few studies on the Asian experience in general and very few on the South Korean process in particular.⁷ In part this reflects the fact that there are relatively small numbers of truth commissions in Asia, but it also suggests

³ An official translation of the 4.3 Committee is the National Committee for Investigation of the Truth about the Jeju 4.3 Incident, <http://www.jeju43.go.kr/english/> (accessed 7 July 2009). The use of 'incident (*sageon*)' is a mistranslation as it reduces the scope and duration of not only the guerrilla warfare and counterinsurgency campaign over seven years but also grave human rights violations. In Korean, *sageon* literally means an event which causes social problems and attracts social attention, and does not have the English connotation of a minor or subordinate event. It is most appropriate to understand *sageon* as 'an event' in this context, and I use 'events' to stress that the 4.3 events are complex and multifaceted events encompassing a series of human rights violations. In Korea, major historic events are remembered by their date of occurrence. For example, the Korean War, which broke out on 25 June 1950, is referred to as the '6.25 War.' Within this tradition, the armed conflicts in Jeju are commonly referred to as the 4.3 events.

⁴ Provincial 4.3 Committee, *Report of the Jeju 4.3 Victims* (Jeju Provincial Council, 1997).

⁵ 4.3 Committee, *Official Report of the National Committee for Investigation of the Truth about the Jeju 4.3 Events* (Seoul: 4.3 Committee, 2003).

⁶ See, David Weissbrodt and Paul W. Fraser, 'Report of the Chilean National Commission on Truth and Reconciliation,' *Human Rights Quarterly* 14(4) (1992): 610–622; Thomas Buergenthal, 'The United Nations Truth Commission for El Salvador,' *Vanderbilt Journal of Transnational Law* 27(3) (1994): 497–544; Audrey R. Chapman and Patrick Ball, 'The Truth of Truth Commissions: Comparative Lessons from Haiti, South Africa, and Guatemala,' *Human Rights Quarterly* 23(1) (2001): 1–43; Christian Tomuschat, 'Clarification Commission in Guatemala,' *Human Rights Quarterly* 23(2) (2001): 233–258; Hayner, *supra* n 1; Joanna R. Quinn and Mark Freeman, 'Lessons Learned: Practical Lessons Gleaned from Inside the Truth Commissions of Guatemala and South Africa,' *Human Rights Quarterly* 25(4) (2003): 1117–1149; Joanna R. Quinn, 'Constraints: The Un-Doing of the Uganda Truth Commission,' *Human Rights Quarterly* 26(2) (2004): 401–427; Robert I. Rotberg and Dennis Thompson, eds., *Truth v. Justice: The Morality of Truth Commissions* (Princeton, NJ: Princeton University Press, 2000).

⁷ There are a handful of studies on Sri Lanka, and, more extensively, on East Timor. See, Chandra Lekha Spiram, 'Dilemmas of Accountability: Politics, the Military and Commissions of Inquiry During an Ongoing Civil War – the Sri Lankan Case,' *Civil Wars* 5(2) (2002): 96–121; Carla Bongiorno, 'A Culture of Impunity: Applying International Human Rights Law to the United Nations in East Timor,' *Columbia Human Rights Law Review* 33(3) (2001–2002): 623–692; Michael J. Matheson, 'United Nations Governance of Post-Conflict Societies: East Timor and Kosovo,'

a lack of awareness and interest in those cases which do not get much attention from the Western media.⁸ It is therefore important to pay attention to the Asian cases to ensure that our questions, analyses and conclusions are not biased due to weighted case selection.

Second, a study of the South Korean process may contribute to a greater understanding of one of the important debates in transitional justice literature: that is, the timing of mechanisms designed to address past crimes.⁹ Unlike many prominent commissions created immediately after political transition, it was only 13 years after South Korea's transition and 52 years after the massacres that Koreans established their first truth commission. The question of 'how soon' is still an unresolved and controversial issue among scholars and practitioners. This article seeks to contribute to this debate by examining how timing positively and negatively affected the transitional justice process in South Korea.

Third, the Korean experience is unique in terms of the length of operation. The 4.3 Committee started its work in 2000 and is still in operation nine years later, screening victims and carrying out various reparation and commemoration projects. This is exceptional, considering the fact that the general tendency is for truth commissions to be in operation for between six months and two years.¹⁰ The 4.3 Committee is by far the lengthiest truth commission ever.¹¹ A close look at the Committee is relevant because some recent truth commissions (as in South Africa, East Timor and Sierra Leone) have tended to operate longer than five years. This article explores the pros and cons of longer-term commissions.

Jeju 4.3 Events and Human Rights Violations

Jeju 4.3 Events

The major event broke out on 3 April 1948, when the armed uprising against the South Korean Interim Government (SKIG) and the US occurred under the leadership of the South Korean Communist Party Jeju Committee.¹² Approximately 350

in *Post-Conflict Justice*, ed. M. Cherif Bassiouni (Ardsley, NY: Transnational Publishers, 2002). There are two English articles on the Korean experience: Park Won-Soon, 'Bringing Justice to an Unjustified Past in Korea' *Human Rights Dialogue* 1(8) (1997); In-sup Han, 'Kwangju and Beyond: Coping with Past State Atrocities in South Korea,' *Human Rights Quarterly* 27(3) (2005): 998–1045.

⁸ So far, six countries in Asia have established truth commissions: the Philippines (1986), Nepal (1990), Sri Lanka (1994), Indonesia (1999), Korea (2000) and East Timor (2001).

⁹ Hayner, *supra* n 1.

¹⁰ *Ibid.* Brahm et al. find that 28 out of 36 truth commissions are in operation less than two years. See, Eric Brahm, Geoff Dancy and Hunjoon Kim, 'Truth Commission Database Project: What Is a Truth Commission and How Can We Understand It?' (paper presented at the annual meeting for the International Studies Association, San Francisco, CA, 26–29 March 2008).

¹¹ One exception is the Commission of Inquiry into Violations of Human Rights in Uganda. The Commission stayed in operation for eight years, although it was suspended for some of this period due to a lack of funding and minimal political support. See, Quinn, *supra* n 6.

¹² The US set up the military government and officially ruled the southern part of the Korean peninsula until the establishment of the SKIG on 3 June 1947. However, the SKIG was under the effective control of the US. Scholars generally agree that the US had direct military rule over South Korea from 8 September 1945 to 15 August 1948. See, Bonnie B.C. Oh, ed., *Korea under the American Military Government, 1945–1948* (Westport, CT: Praeger, 2002).

left-wing guerrillas attacked police stations and killed prominent right-wing political figures around the island.¹³ The government initially underestimated the armed uprising and sent only 100 police reinforcement forces, which was not sufficient to stabilize the situation. The government then mobilized the members of anticommunist paramilitary groups who were deeply involved in Korean politics, using violence in favor of the right-wing leaders and the US military government.¹⁴ But the armed resistance went beyond control and major responsibilities were soon transferred to the military. Civilians were therefore murdered and abused by a range of perpetrators: police, military, paramilitary groups and armed guerrillas.

Studies of the 4.3 events have been appearing since the democratic transition in 1987.¹⁵ Most studies have focused on the causes and consequences of the 4.3 events and have led to three major debates. The first is around the characteristics of the armed uprising which began on 3 April 1948. Before 1987, the 4.3 events were mostly understood and referred to as ‘communist rebellions (*gongsan pokdong*)’ in all public records, including government documents, mass media and textbooks. By defining the key event as a communist rebellion, civilian massacres and human rights abuses were easily justified as collateral to, and a necessary part of, the efforts to prevent communization. However, scholars and activists have recently begun proposing alternative definitions such as ‘popular uprising (*minjung hangjaeng*)’ or ‘democratic movement (*minjuhwa-unong*).’¹⁶ These scholars commonly agree that the armed uprising was both widely supported by the general public and an inevitable response to the oppression and misrule of the US military government and the incompetence of the Korean government. There are also moderate and more cautious scholars and activists who refer to the ‘4.3 events (*sageon*)’ or ‘4.3 (*sa-sam*)’ without expressly defining the characteristics of the uprising.

There is also debate on the starting date of the 4.3 events. The orthodox view prior to 1987 was that 4.3 started on 3 April 1948, when the communist guerrillas launched an attack. With democratization, however, a revisionist view has emerged, arguing that events began on 1 March 1947, when dissatisfaction with the US military government exploded into a demonstration and the local police, under

¹³ In the late 1940s, Korean politics was sharply divided along the left–right ideological cleavage. Some key points of contention between the two groups were: First, the right-wingers were generally forgiving to traitors and collaborators during Japanese colonial rule (1910–1945), while the left-wingers wanted strict punishment. Second, the right-wingers were pro-American and anti-Soviet Union, while the left-wingers were the opposite. Third, the right-wingers were more reluctant to carry out a revolutionary land reform which the left-wingers actively supported. See, Research Institute for Korean Politics, ed., *Modern Korean Politics 1945–1948* (Seoul: Seoul National University, 1993).

¹⁴ Bruce Cumings, ‘American Policy and Korean Liberation,’ in *Without Parallel: The American–Korean Relationship since 1945*, ed. Frank Baldwin (New York: Pantheon Books, 1974).

¹⁵ Ho-Joon Huh, ‘A Study on the Process of the Jeju 4.3 and Counter-Strategy of the US Military Government’ (MA thesis, Jeju National University, 2003); 4.3 Research Institute, ed., *Study on the Jeju 4.3* (Seoul: Yeoksa Bipyeong, 1999); Sung-Hyun Kang, ‘Sociological Study on the Jeju 4.3 Massacre’ (MA thesis, Seoul National University, 2002); Han-Kwon Yang, ‘A Study on the Jeju 4.3 Rebellion’ (MA thesis, Seoul National University, 1988).

¹⁶ Chang-Hoon Ko, ‘The Process and Characteristics of the 4.3 Uprising,’ in *Study of the Era of Korean Liberation*, ed. Chang-Jip Choi (Seoul: Hangilsa, 1989); Myung-Lim Park, ‘A Study on the Jeju 4.3 Uprising’ (MA thesis, Korea University, 1988); Jung-Sim Yang, ‘A Study on the Jeju 4.3 Uprising’ (MA thesis, Sungkyunkwan University, 1995).

the control of the US military, opened fire, severely injuring six and killing a further six. This incident led to a general strike in Jeju, followed by a series of confrontations that resulted in the government and local police drastically losing support of the residents. According to this perspective, the armed uprising on 3 April 1948 was one of several instances of public resistance to the US military government, which originally commenced on 1 March 1947.

The debate on the starting date of the process is closely related to a third debate around responsibility for civilian massacres. The traditional argument is that the communist guerrillas were mainly responsible for the disruptions, including the massacres and human rights violations.¹⁷ In contrast, others have recently argued that since the armed protest was actually a response to oppression and misrule, it is the US military government and nascent Korean government that are in fact responsible for the massacres and abuses.¹⁸ A few scholars and activists have even argued that the US government should apologize and make reparations to the victims,¹⁹ however, others disagree, noting that in the end analysis the Korean police and army hold primary responsibility for the massacres and abuses.

Human Rights Violations

The armed uprisings and the counterinsurgency strategy led to a prolonged confrontation of guerrilla warfare in the rugged and precipitous region of Mountain Halla until 1954. The counterinsurgency strategy was extremely brutal; it included mass arrest and detention, forced relocation, torture, indiscriminate killing and the large-scale massacre of civilians. Most local elites with either right-wing or left-wing ideological inclinations were killed, disappeared or fled.²⁰ In addition, hundreds of villages were razed when residents were suspected of providing food and shelter to the guerrillas, and many more villages in the mountains were systematically burned and residents forcibly relocated to the coast.

The most severe human rights abuses, including disappearances and mass killings, were concentrated in the earlier period between May 1948 and March 1949. According to the most recent report from the 4.3 Committee, 15,100 victims have been identified, among which 10,729 (71%) were deceased, 3,920 (26%) missing, 207 (1.4%) injured and 244 (1.6%) imprisoned.²¹ The committee also

¹⁷ Seok-Kyun Jung, 'The Truth of Jeju 4.3 Events,' *Military* 41 (2000): 1–49; Committee on Korean Police History, ed., *Korean Police History* (Seoul: Korean National Police, 1972).

¹⁸ 4.3 Reporting Team, *4.3 Speaks* (Seoul: Jeonyewoon, 1997); Bruce Cumings, 'The Question of American Responsibility for the Suppression of the Chejudo Uprising' (paper presented at the 50th Anniversary Conference on the Jeju 4.3, Tokyo, 1988); Chang-Hoon Ko, 'US Government Responsibility in the Jeju April Third Uprising and Grand Massacre – Islanders' Perspective,' *Study of Regional Government* 8(2) (2004): 123–140.

¹⁹ Hae-Gu Jung, 'Jeju 4.3 Uprising and the Policies of the US Military Government,' in *Study on the Jeju 4.3*, ed. 4.3 Research Institute (Seoul: Yeoksa Bipyeong, 1999).

²⁰ The extent of the killings amongst educated elites in particular is reflected in a self-deprecating cultural saying: 'The [s]mart ones were all killed during the 4.3 events and only illiterate persons like me survived.' Jong-Min Kim, '50 Years after 4.3,' in *Study on the Jeju 4.3*, ed. 4.3 Research Institute (Seoul: Yeoksa Bipyeong, 1999).

²¹ The 4.3 Special Act defines a victim as 'anyone who is deceased, missing or injured due to the 4.3 events,' <http://www.jeju43.go.kr/english/index.html> (accessed 7 July 2009).

identified 32,403 family members of the victims. If the population of Jeju, which was approximately 28,000 in 1948, is considered, the 4.3 events affected almost every family in Jeju. Of all the individual cases, 78 percent were attributed to state agents such as police, military and paramilitary groups, and 12 percent to guerrillas. By this contrast, the report explicitly shows that the tragic consequences resulted from the abuse of state power. Most victims were in their teens and twenties, but 12 percent were civilians under 10 years old (5.8%) or over 60 (6.1%), which is a clear indication of the indiscriminate nature of the killing. The report also identified material damages: 300 villages were razed and 20,000 houses destroyed in the course of the events.²²

Testimonies and evidence are summarized in four categories in the report: massacre, imprisonment, torture and suffering related to the guilt-by-association system. The 4.3 Committee read 14,000 applications from victims and collected 500 additional testimonies from victims, police/military personnel, guerrillas and scholars. The report confirms systematic civilian massacres in places like Bukchon (300 victims) and Pyoseon (148), and found evidence of indiscriminate and sweeping arrests, illegal detention and summary executions. Many civilians were arrested and sentenced to death or to life imprisonment in makeshift martial courts. Torture was widely used to extract false confessions, which in turn were used to justify summary executions and illegal detentions.

One crucial aspect of the report is that it includes suffering related to the guilt-by-association system. This system had long been used to punish grave crimes like treason or rebellion in traditional Korean society. Not only the direct family members of the convicted but also more distant relatives were inflicted with punishment or disadvantages. It was a convenient tool for cracking down on the independence movement under the oppressive Japanese colonial rule and continued to be used during military regimes. The 4.3 Committee filed many cases where the family members and relatives of victims received unfair treatment in employment, promotion or travel opportunities. The examples illustrate how the past continues to haunt the present, as well as the future, for these families. The report implicitly makes an argument that past abuses of state power, if not properly addressed, can be reproduced and repeated over and over again in different forms of human rights violations.

Transitional Justice Advocacy

Although studies of the 4.3 events have been increasing, most of them focus on the events themselves and not on the transitional justice processes or the advocacy movement that led to these processes. Only two studies examine the advocacy movement: one is a chapter written by Kim Jong-Min titled '50 Years after 4.3'; the other is an unpublished manuscript by Kang Duk-Hwan, 'Overview of

²² 4.3 Committee, *supra* n 3.

the 4.3 Movement.²³ These are important works that trace the transitional justice movement in detail from a journalistic viewpoint.²⁴ Based on these two studies, I conducted a year-long field research study, examining archives and interviewing activists, scholars, politicians and victims and their family members.

As a result of my field research, I divide the advocacy process into four stages based on the main actors and characteristics of the movement. In the first stage (1954–1987) discourse on and memory of the 4.3 events were totally suppressed by the dictatorial and military regimes. However, a few courageous individuals made sporadic attempts to find the truth, and these pioneers laid the foundation of the movement. In the second stage (1987–1992) local activists, victims and journalists first openly advocated transitional justice. The movement focused on finding alternative memories, encouraging the testimony of victims and challenging public opinion. The third stage (1993–1998) began when the Provincial 4.3 Committee was created under the Jeju Provincial Council in 1993. Since then, the Provincial 4.3 Committee has taken leadership of the movement and focused on two projects: the first official investigation of the massacres and a mass petition. In the final stage (1998–2000) victims and activists pursued the passage of the 4.3 Special Act, which finally established the 4.3 Committee in 2000. The main locus of the activism thus moved from Jeju to Seoul – from the periphery to the center of national politics – thereby gaining nationwide recognition and support.

From Oblivion to Social Attention (1954–1987)

Although the enormous civilian death toll of the 4.3 events was unprecedented, the truth of their occurrence had been totally suppressed by consecutive anticommunist regimes. The path toward the establishment of a truth commission was a long and painstaking journey. The Rhee Syng-Man dictatorship, which was responsible for the massacres, lasted six years after the events until Rhee was ousted in 1960. Although a short-lived democracy followed, it was soon overthrown by Park Chung-Hee in 1961. Under these dictatorial regimes no one publicly uttered a word on the 4.3 events for over 25 years.²⁵ The suppression continued when Chun Doo-Hwan seized power in another coup after the death of Park in 1979. Chun's authoritarian regime lasted until 1987, when his proclaimed successor, Roh Tae-Woo, agreed to have a direct presidential election.

The most important breakthrough occurred in 1978 when a writer, Hyun Ki-Young, published his novel *Aunt Suni*. This was the first public mention of the 4.3 events and massacres after two decades of total silence. Almost all activists and scholars agree that this was the key moment in South Korea's transitional justice

²³ Kim, *supra* n 18; Duk-Hwan Kang, 'Overview of the 4.3 Movement' (unpublished manuscript, April 2006).

²⁴ Kim Jong-Min was a reporter for a local newspaper, *Jemin-Ilbo*, and is currently a senior staff member of the 4.3 Committee. Kang Duk-Hwan was also a reporter and is currently director of the Office for 4.3 Victim Registration under the Provincial 4.3 Committee.

²⁵ Personal interview, Jo-Hoon Yang, Seoul, Korea, 15 March 2006. Yang Jo-Hoon is a chief staff member of the Task Force for the Report of the 4.3 Committee and was a reporter for *Jemin Ilbo*.

history, and Kim Jong-Min described the appearance of Hyun's novel as the 'hole in a dam' moment for the movement.²⁶

Aunt Suni is a first-person narrative in which the main character tells his story as he flies back to Jeju for his grandfather's memorial service. The novel contains two stories – one is a story of the dead (the narrator's grandfather and many other villagers) and the other is a story of the living (Suni). The novel begins with the news that Suni committed suicide in her sweet potato field by poisoning herself. On the same day, the narrator learns that a massacre of 300 villagers, including his grandfather, was perpetrated by the military and police during the 4.3 events. The only survivor of the massacre was Suni. The massacre occurred at her farm and she lost consciousness as the police opened fire. When she revived, she found that her two daughters were dead. From that point on, Suni lived alone, working at her farm, now and then harvesting the remains of the dead. She lived a miserable life, suffering from nervous prostration and hallucinations, and finally committed suicide. The narrator ends his story by saying: 'Aunt Suni's death is not a recent one but a 30-year-old death. Although she lived on after the massacre, Suni was killed in her sweet potato field with her two daughters 30 years ago.'²⁷

Aunt Suni attracted attention not only from the locals but also from readers and critics nationwide. Hyun himself was surprised by the unexpected attention and admitted that he was afraid of the popularity that his novel was gaining.²⁸ Hyun was soon arrested and tortured by government agents and *Aunt Suni* was banned from publication. Nevertheless, Hyun's novel had a significant impact in underground student movement circles and among social activists. As a result, the time between 1978 and 1987 became a period of preparation. Underground activists and scholars slowly and secretly rediscovered the lost memories and repressed discourses of the 4.3 events and massacres. Although there were no manifest actions and tangible achievements, this nine-year period was a time of silent change. Secret and private memorial services were held, and a small number of concerned people started to gather together to remember, discuss and study the 4.3 events. These few became the igniters of the movement, creating various organizations and fully devoting themselves to the movement.

The first breakthrough from absolute silence thus took place in the realm of cultural expression, where state control and surveillance was relatively weaker than in the political and social realms. Poems, novels and traditional plays were crucial in evoking long-forgotten or suppressed memories and encouraging intimidated and hesitant victims to tell their stories.²⁹ This was a key element of the movement,

²⁶ Kim, *supra* n 18.

²⁷ Ki-Young Hyun, *Aunt Suni* (Seoul: Changbi, 1979).

²⁸ Ki-Young Hyun, 'The Motive of My Novel: 4.3 Uprising,' *Critical Review of Korean History* 20(1) (1993): 163–170.

²⁹ Personal interview, Seung-Kook Oh, Jeju, Korea, 7 April 2006. Oh Seung-Kook is secretary-general of the 4.3 Research Institute and former president of the Jeju Cultural Movement Association.

since the truth had been systematically suppressed for such a long time. The impact of cultural expression was not manifest but 'gradually accumulated over time.'³⁰

Initial Local Mass Movement (1987–1992)

With democratization, a mass and public movement started at the local level. The power and resources that had been accumulating underground after the publication of *Aunt Suni* now came to the surface. Actors gathered around three major activities – memorial services, media coverage and research. First, students and social movement groups organized the first public memorial service in 1989. The memorial service was not simply a one-day ceremonial event but had a lasting and significant impact on both activists and the public. On the one hand, it provided an arena where activists could discuss the 4.3 events and share information, expertise and strategies. This network of individuals and groups became a crucial asset of the advocacy campaign that took place over the next 10 years. This in turn made possible the formation of two solidarity organizations in Seoul and Jeju in 1999 that maximized the effectiveness of the movement. On the other hand, memorial services were always accompanied by a month-long cultural festival that included local artists and cultural activists. Festivals consisted of picture and art exhibitions, traditional plays, testimony hearings, films, concerts and traditional exorcism rituals.³¹ All these activities contributed to making the 4.3 events and massacres known to the general public.

Second, local newspapers played a key role in discovering and spreading the testimonies and evidence of the massacres. The *Jemin-Ilbo* published a series of special reports on the massacres over nine years by interviewing 3,000 witnesses. This special coverage was remarkably effective in convincing victims who were still afraid of state violence and social stigmatization to tell their stories. The special reports and victims' testimonies had an escalating effect. As the series continued, the number of witnesses willing to share their stories grew and their testimonies became more accurate and comprehensive. In turn, as witnesses and testimonies increased, media coverage also became more frequent and reliable.³²

Finally, research was an indispensable factor in the movement, since a half-century had passed since the massacres took place and past governments had intentionally destroyed evidence about the events. Research activities in general and the 4.3 Research Institute specifically played an essential role. The Research Institute was created in 1989 to find evidence of the massacres and disseminate information. Much of its work was carried out by scholars and activists, most of whom worked in schools, the public sector or private firms and who volunteered

³⁰ Personal interview, Kyung-Hoon Kim, Jeju, Korea, 5 April 2006. Kim Kyung-Hoon is a poet and staff member of the 4.3 Working Committee in Jeju.

³¹ The ritual of exorcism (*gut*) is a shamanistic way to cure illness by exorcising evil spirits. This ritual was also used to appease spirits by inviting them, communicating with them and guiding them to heaven. Local cultural activists believe that it is necessary to appease the souls of the dead and also bridge the dead with the living. Young-Bum Kim, ed., *Struggle for Memory and the Development of Cultural Movement* (Seoul: Yeoksa Bipyong, 2004).

³² Personal interview, Jong-Min Kim, Seoul, Korea, 25 March 2006.

for the Research Institute during their weekends and free time. Besides its main research activities, the Research Institute played an active leadership role among the other organizations in the movement.

All these efforts reached a climax with the excavation of the Darangshi cave and the discovery of the skeletal remains of 11 corpses in 1992. The cave was discovered by the members of the 4.3 Research Institute who were on a trip to interview victims. The police hurriedly announced that the dead were all guerrillas and the cave was a secret hiding place. However, the *Jemin-Ilbo* discovered that 19 civilians who took refuge in the cave were killed by the military and police. The police and military had lit a fire on a heap of dried grass in front of the cave and closed the exits, suffocating everyone inside. The dead included three children and four women. It was the first time evidence of a massacre was vividly presented to the general public.

The excavation and national coverage of the Darangshi cave was certainly the most significant event since the publication of Hyun's novel. Kim Dong-Man, the former secretary-general of the 4.3 Research Institute, notes that the Darangshi cave brought transitional justice advocacy to 'another level.'³³ First, it changed the nature of the advocacy from an activity limited to activists and victims to a public movement, by revealing evidence of real, brutal and gruesome state violence. Second, it not only affected the general public but also deeply influenced activists themselves by strengthening their belief and commitment and empowering their voices in Jeju society.³⁴ In sum, it actually had a more significant impact on the movement than 'one hundred publications or one hundred rallies.'³⁵

The Struggle of the Periphery (1993–1997)

Although elected as South Korea's first civilian president in 1993, Kim Young-Sam gained power by a merger of his party with the old ruling party in 1990. A few attempts were made to push the issue of 4.3 events into national politics, but most such efforts during this period were frustrated by a lack of will among leaders at the center. However, the Kim Young-Sam administration made an important advancement in democracy by decentralizing state power and instituting a local government and council system. With the revival of this system of self-government, elected council members brought forward the 4.3 events as the first issue at the first council meeting. Council members who had their constituency in local counties and cities were more attentive to the demand for truth and justice, which was at its peak due to the discovery of the Darangshi cave. The Provincial 4.3 Committee was created within this political context under the Jeju Provincial Council.

³³ Dong-Man Kim, 'The Darangshi Cave Should Be Recovered,' *Jeju Writers* 8 (2002).

³⁴ Personal interview, Chang-Hoon Ko, Jeju, Korea, 24 March 2006. Ko Chang-Hoon is a professor at Jeju National University and former director of the 4.3 Research Institute.

³⁵ This was a remark made by the former chief of Jeju police while he was dissuading activists and victims from organizing a public rally immediately after the incident. Chang-Hoon Ko, 'A Story of Discovering the Darangshi Cave' (unpublished manuscript, 1992).

The first step of the Provincial Committee's action plan was to investigate the truth. The Office for 4.3 Victim Registration was created under the Provincial Committee to collect applications from victims, and 17 investigators were appointed to conduct interviews and document evidence. Based on a year-long investigation, the Provincial Committee published its final report in 1995 and announced a list of 14,504 victims. This investigation, which culminated in a 585-page report, was a landmark in four respects. First, an official investigation of the massacres was conducted by a branch of government for the first time. Second, the investigation was complete and thorough. Third, the investigation provided an exact number of victims based on an empirical methodology. It was no longer approximately 15,000 or 30,000 but 'at least 14,504.' Finally, it provided the first analysis of the abuses by presenting the composition of perpetrators. The percentages were similar to the findings of the 4.3 Committee investigation: 84 percent of victims were killed by state agents and 11 percent by the guerrillas. Therefore, it was this local investigation that first revealed the fact that the massacres and abuses during the 4.3 events were mainly committed by state agents, not by the guerrillas.

This report later became a stepping stone in creating the first national truth commission in Korea. It helped the transitional justice movement by providing official and reliable evidence of state violence and civilian sacrifice. In the course of the later advocacy, activists and victims encountered many people who argued that only a small number of civilians were killed during the 4.3 events, and mostly by the communists. The report was manifest counterevidence to this kind of argument and it was distributed to any individuals or organizations making this argument.³⁶ Second, it helped the activities of the 4.3 Committee in a practical way by laying down the groundwork for national investigations.³⁷ The initial year-long investigation and continued revisions over four years clearly illustrated that the investigation by a national committee would not be an easy process.

However, the investigation was the first step among many action plans. Since the Provincial Committee initially set the goal as 'first, to find the truth, and then urge the national government to act,' the council members knew that their activities at the local level should not be the final stop.³⁸ The first attempt to bring the issue into national politics was made in the form of a petition signed by victims and members of the general public and submitted to the National Assembly, entreating lawmakers to include the 4.3 events on the agenda. However, after three years of procrastination and lip service, the petition was finally dismissed with an excuse of lack of time. With this huge disappointment, activists and victims realized that they needed a new and more effective approach.

³⁶ Personal interview, Duk-Hwan Kang, Jeju, Korea, 21 March 2006.

³⁷ 4.3 Committee, *supra* n 3.

³⁸ The Office of the Secretariat of the Jeju Provincial Council, 'A Minute of the 82nd Extraordinary Session (No. 2),' (1993).

The Enactment Movement (1998–2000)

In 1998, President Kim Dae-Jung, whose political constituency was based in Jeju and who had pledged several times to investigate the truth, was inaugurated. Activists and victims genuinely believed that any sort of settlement could only come into being during his tenure.³⁹ In order to maximize the effectiveness of the movement, activists, victims and politicians decided to concentrate their activities and energy into two solidarity organizations which would incorporate all individuals and organizations working on this issue. The Pan National Committee for the Jeju 4.3 Events (Pan National Committee) was created in Seoul, and the Provincial Solidarity for the Jeju 4.3 (Provincial Solidarity) was set up in Jeju.

From the onset, the situation looked highly promising. A special committee was set up within the ruling party – the National Congress for New Politics – and public hearings and conferences were held to discuss the 4.3 events. However, even after a year, these were the only efforts made by the ruling party, and they fell short of what people in Jeju had expected. Activists and victims realized that the resolute political will of President Kim Dae-Jung alone could not lead to success in securing justice. By early 1999, activists started to focus on enacting a binding special law that would guarantee the establishment of a truth commission.

The local council members along with 90 victims and activists carried out a national campaign and made several visits to the National Assembly. Upon their visits, floor leaders of both the ruling and opposition parties verbally committed to enact a special Act by the end of the year. In each visit, council members and activists stressed that the investigation of the massacres was a pledge that President Kim Dae-Jung had made more than 10 times. In addition, they reminded politicians that so far there was no noticeable policy or action other than establishing a small committee within the ruling party. The words ‘President’s pledge’ or ‘will of the President’ had been frequently used to push politicians, and many recalled that this – holding politicians accountable for their commitments – was the most effective strategy.⁴⁰

In addition, activists organized weekly rallies, which were effective tools to ‘push politicians forward whenever there was a delay or deadlock.’⁴¹ Thus, activism existed at two levels: on the one hand, activists and local politicians lobbied national elites and lawmakers for the enactment of the special law and, on the other hand, grassroots organizations made the 4.3 events and massacres known to the local and national public and tried to gain support from outside sympathizers. The levels of activism closely interacted with and reinforced each other. For example, there were several occasions when activists in Seoul encountered an impasse, since politicians in Seoul would not or could not move forward because of the pressure from former high-level police and military officers. In those cases, activists in Seoul

³⁹ Personal interview, Dong-Yoon Yang, Jeju, Korea, 22 March 2006. Yang Dong-Yoon was chairperson of the Provincial Solidarity.

⁴⁰ Personal interview, Young-Hoon Kim, Jeju, Korea, 7 April 2006. Kim Young-Hoon was chairperson of the Provincial 4.3 Committee.

⁴¹ Personal interview, Dong-Yoon Yang, Jeju, Korea, 22 March 2006.

asked leaders of local organizations to organize a political rally in Seoul to show the force of public opinion behind the advocacy.⁴²

Despite the verbal promise of floor leaders, there were no tangible advancements. Leaders were hesitant to move forward, claiming that more prudence was needed in addressing an ideologically controversial issue such as the 4.3 events. One congresswoman from the ruling party – Choo Mi-Ae – played a significant role in bringing the 4.3 events into national politics and urging the ruling party to fulfill its commitment. Choo released an official document containing a 200-page list of 1,650 persons who were court-martialed during the 4.3 events. The document was initially discovered by researchers from the 4.3 Research Institute.⁴³ However, activists strategically handed the list over to Choo because they believed that it would be much more effective for a newly elected young congresswoman who was at the center of public attention to announce the list.⁴⁴ It contained detailed personal information along with 5- to 20-pages of description of the military trials.⁴⁵ Previously, evidence of the massacres relied exclusively on testimonies of victims and old news reports. This was the first time any document of the government had been discovered.

The release of the document was important in three respects. First, it provided undeniable evidence of the execution without due process of a large number of people in a short period of time. The document provided evidence showing that most detainees were executed within a month after initial trials and that at some point 132 prisoners were executed in one day. Since the document was created by state officials, it was indisputable evidence of mass killings in the name of the law. Second, the list was meaningful to the bereaved families who wanted to know whether their family members were killed or missing. The list provided personal information and the place of execution. With the release of the list, many families finally decided to have a funeral or build a tomb for the deceased. Some even visited the old or current prison sites hoping to find the remains of the dead. Third, the timing of the release was crucial in the enactment of a special Act since many right-wing and conservative lawmakers up to this point had objected to this move based on insufficient evidence.

In previous regimes, right-wing lawmakers had opposed any political and legal measures for transitional justice because they believed the 4.3 events to have been 'communist rebellions.' However, since President Kim Dae-Jung's inauguration, not many right-wing lawmakers relied on this logic anymore. In discussions of the 4.3 events, words representing this viewpoint – 'reds,' 'communists' or 'rebels' – were now seldom used. The basis of objection now veered toward 'insufficient evidence' and 'a historic event that cannot be tailored with the current political

⁴² Ibid.

⁴³ Personal interview, Chan-Sik Park, Jeju, Korea, 6 April 2006. Park Chan-Sik is the current director of the 4.3 Research Institute.

⁴⁴ Ibid.

⁴⁵ Chan-Sik Park, 'A Massacre of Court-Martialed Persons Related to the 4.3 Events,' *4.3 and History* 1 (2001): 17–51.

perspective.’ Nevertheless, timely release of the document silenced all these arguments and made it possible for the concerned lawmakers to proceed without much resistance.

The Establishment of the 4.3 Committee

Since the release of the document, the process in the National Assembly noticeably accelerated. Ironically, the first move came from members of the opposition Grand National Party. Three congressmen from Jeju proposed the draft of a bill in October 1999. The limitation, however, was that it was the action not of the opposition party but of three individual congressmen. Many activists and victims expressed concern about the bill since it lacked any party platform or concrete action plan. Some even criticized the bill as merely a calculated political move aimed at the upcoming election. Nevertheless, the bill was meaningful because it was the first detailed bill to address the 4.3 events by proposing the establishment of a special investigatory body. Moreover, it later became the bill of the opposition party with only a minor change.

The bill included the establishment of an independent committee under the Office of the Prime Minister. Also, it was the first time the 4.3 events were redefined in the political realm as an event other than a ‘communist rebellion.’ The 4.3 events were defined using a cautiously chosen neutral term as ‘a *disturbance* that occurred from 3 April 1948 in Jeju Island and the subsequent processes of governmental suppression.’ By using ‘disturbance (*soyo*),’ authors of the bill tried to avoid mentioning parties responsible for the atrocities. Although lawmakers argued that their definition was neutral without any ideological inclination, it was at the center of debate since activists and victims strongly disagreed with this definition. The basic skeleton of a special Act started from this bill, including the structure of an investigatory committee, publication of the report, institution of the local executive committee, building a memorial site and providing financial and medical support for the victims. This bill provided a basic frame of reference since all later bills originated from it, and arguments were made for and against this bill. Thus, it was a timely and important element in the trajectory of the establishment of the 4.3 Committee.

Within a month, activists and victims came up with their version of the bill, which was later taken up by the ruling party. The most important difference was its definition of the 4.3 events, which was

events which occurred in Jeju Island from 1 March 1947 to 27 July 1953 when civilians were abused without good cause during the armed conflicts and governmental suppression by the police, military and paramilitary groups of the US military government and Korean government.

This definition reflected a revisionist view of the 4.3 events and differed from that of the opposition party in its characterization and periodization of events and its identification of the party responsible for the massacres. Victims and activists

wanted to go beyond the definition of a 'disturbance' and redefine the 4.3 events as acts of grave human rights violations by the state.

Another difference concerned monetary support, including financial and medical assistance to the victims. As mentioned, an article on a financial and medical subsidy was included in the bill of the opposition party. Nevertheless, the word 'reparation (*baesang*)' did not appear and the term 'subsidy (*bojo*)' was used instead. The opposition party refrained from using the word 'reparation' because the term itself implied that the state was responsible for the massacres and abuses. For right-wing lawmakers who strongly believed that the 4.3 events started as a communist rebellion, it was extremely difficult to admit that the state was mainly responsible for the massacres and abuses. In contrast, the bill put forward by victims and activists clearly defined the responsible actor as the state, and articulated that the state should make reparations to victims and families.

Two different bills had to go through the negotiation process and these two points – definition and reparation – formed the center of debate. For the ruling party and activists, the definition of the events was the single most important aspect. It was achieved through 50 long years of research, activism and investigation. Activists and victims have fought throughout this period to clear themselves from being characterized as 'reds.' In addition, most victims were also victims of the guilt-by-association system. The only way to redress the issue was to redefine the 4.3 events as, at least, human rights violations and state violence and, at most, a popular uprising or democratic movement. On the other hand, the opposition party refused any transitional justice measures beyond the investigation and constantly eschewed any possibility of including the clause on reparations. Thus, activists and victims held fast to definitions and the opposition party held fast to the principle of no reparations, and this provided a window of opportunity for negotiation.

For victims and activists, reparations were a secondary matter compared to the investigation of the massacres and redefinition of the 4.3 events so that the honor of victims and their family members could be restored by clearing them from being 'reds.' In addition, activists believed that it was possible to achieve reparations later through activism after the official investigation was completed. Based on their experience with the investigation of the Provincial Committee, activists and victims strongly believed that the truth of state violence would be revealed again in the course of the national investigation, which would provide the grounds to push further for reparations or other transitional justice measures. For activists and victims, the compromise was 'a strategic and provisional concession in order to enact a special law.'⁴⁶

A bipartisan bill was a compromise between the ruling and the opposition party. First, the definition of the 4.3 events was the same as the one proposed by activists and the ruling party. Second, an article on a financial and medical subsidy, not reparation, for the victims was included. The only transitional justice measures that

⁴⁶ Ko Hee-Bum, the leader of the Pan National Committee, mentioned this 'strategic concession (choice)' during a conference held by the 4.3 Research Institute in 2006. It was also confirmed by many leaders, including Yang Dong-Yoon.

were further guaranteed by law beyond the establishment of a truth commission were commemoration projects, including building a memorial cemetery, museum and memorial park. Although victims and activists retreated on the reparation issue, the most important groundwork – the definition of the 4.3 events – was successfully laid. On 16 December 1999, the bipartisan bill was finally passed without a vote, by virtue of the chairman's authority.

The 4.3 Special Act established three central institutions – the 4.3 Committee, the 4.3 Working Committee and the Task Force for the Report. The 4.3 Committee is the highest deliberative organization and was designed to '(1) investigate and reveal the truth, (2) screen and identify victims, and (3) deliberate and make decisions on matters related to restoration of the honor of the victims.' The prime minister was the commissioner, and members of the committee included the governor of Jeju, victims, and others with the recommendation of the president. The 4.3 Working Committee, instituted under the governor of Jeju, was designed to carry out practical business entrusted to it by the 4.3 Committee, such as accepting applications from victims, conducting an initial screening process of victims and administering a financial and medical subsidy to victims. The Task Force for the Report was in charge of collecting and analyzing domestic and foreign evidence to investigate the 4.3 events and publish a report. Nevertheless, it took another nine months to launch the 4.3 Committee and 13 months to constitute and launch the Task Force for the Report. These delays indicate that the establishment of the 4.3 Committee in particular and of transitional justice processes in general was neither smooth nor without obstacles after the enactment of the special law.

Conclusion

Four lessons can be drawn from the examination of the first truth commission in Korea. First, various actors played an important role in different phases, but local social justice and human rights activists, students and scholars, and journalists were the pillars of the advocacy. These people were motivated mainly by the sense of justice, pursuit of the truth, compassion and empathy, and historical consciousness. One interesting aspect is that victims were not the most active group in the process; rather, it was activists who initially tried hard to encourage victims to tell their stories and induce their participation. In part, this had to do with the fact that victims had been closely associated with a very strong taboo – communism – under consecutive anticommunist regimes. Victims were not only abused by brutal state violence but also had to go through implicit social discrimination. Family members also suffered from a guilt-by-association system which left victims in constant fear of the government. The role of activists was extremely important because victims were much more intimidated by state violence than was the general public.

Second, the development of democracy and its consolidation was an important precondition for the 4.3 movement. The movement gradually achieved its purported goal as democracy consolidated in South Korea. As stated in the report, transitional justice advocacy has been developed 'in conjunction with the

advancement of democracy.⁴⁷ A key breakthrough occurred in 1993, when the self-governing system, which marked the localization of state power, was instituted. The creation of the important Provincial 4.3 Committee was possible within this political context. The Provincial Committee was a stepping stone for the national truth commission. Moreover, the very existence of the Provincial Committee marked a new era because many believed that the 4.3 events and massacres were now officially no longer a taboo. This strategy of using local government to introduce interim transitional justice measures could be a lesson applicable to other contexts where there is little political will initially for transitional justice measures at a national level. Local government tends to be more attentive to the demands of activists and victims, and it can be easier to move local politicians than national politicians and lawmakers. In addition, findings from local investigations can be used as evidence in other fora and the local process may provide a pilot or gauge of what should be expected in a future national process.

Third, it was the strength of evidence of the 4.3 events and massacres that tipped the scale in favor of activists and victims whenever there was a deadlock or confrontation. As the events were over 50 years old and previous regimes had systematically destroyed evidence and intimidated victims and witnesses, finding evidence was difficult. Under these conditions, even the testimonies of victims and witnesses were ineffective because the general public has been consistently socialized to accept the government's perspective and not that of the 'communist agitators.' In other words, Korean society itself had been built on the grounds of forced oblivion and a distorted understanding of the 4.3 events for more than half a century. Thus, indisputable evidence was an indispensable critical element in the advancement of the movement for justice. The revelation of concrete and indisputable evidence was the most effective way to defeat the endless objections and threats to the movement.

This indisputable evidence was found in two sources – the Darangshi cave and the list of court-martialed persons. First, the Darangshi cave provided the momentum to create the Provincial 4.3 Committee, which symbolized the transfer of accumulated societal activism into the public sector. The cave and the skeletal remains publicized the crimes of the past and forced the public to reconsider the arguments and testimonies provided by those advocating for redress. Second, the list of court-martialed persons effectively silenced remaining objections. The timing of the release was extremely important in this case because the list made politicians act in the National Assembly. This shows that three aspects of evidence are important: the content of the evidence, the timing of its release and the person or institution who releases the evidence. The release of the list of court-martialed persons was more effective because it was Choo who announced the list in a press conference and continued to press for political action. The strategic calculation of the members of the 4.3 Research Institute to let Choo announce the document was successful in making the issue more attractive to the national media.

⁴⁷ 4.3 Committee, *supra* n 3 at 15.

Finally, the role of culture was extremely important in bringing to light the hidden and suppressed issue of the 4.3 events. Cultural activism brought the forgotten discourses and lost memories back to life. The commencement of the transitional justice movement was difficult and slow due to the wholesale repression under the dictatorships of Rhee Syng-Man and Park Chung-Hee. It was the courageous act of one writer, Hyun Ki-Young who first publicly mentioned the 4.3 events and massacres, that reopened the floodgate of transitional justice advocacy. Only after reading *Aunt Suni* did concerned individuals begin to gather together and act together. New generations learned of the 4.3 events and decided to devote themselves to finding the truth and restoring justice. Although Hyun did not foresee or intend having this impact, his novel had large-scale repercussions and arguably led to some measure of healing for more than 15,000 victims and their family members. It was the relative distance of the cultural sector from governmental suppression and surveillance which provided the conditions that made such a breakthrough possible.

These lessons hold relevance for civil society organizations mobilizing to support truth and accountability in other contexts, in particular in countries where the time elapsed since the actual crimes may have diminished hopes for achieving these objectives. Strong and persistent activism was the single most important basis of the transitional justice movement; and ensured in the end analysis that there has been some measure of acknowledgement and accountability for the 4.3 events.