

# **Beneath the Tip of the Iceberg:** ***Problems in Historical Clarification of the Korean War***

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## **Prologue**

In January 2000, U.S. President Bill Clinton officially recognized that American troops had committed a massacre around the village of Nogeun-ri in the early stages of the Korean War. His recognition was based on the final report by the Bilateral Coordinating Group for Investigating the Nogeun-ri Incident. However, by denying that the soldiers were under orders to kill civilians fleeing the advancing North Korean army, he insisted that the U.S. was not responsible for the deaths of innocent civilians at Nogeun-ri.<sup>1</sup> Enraged survivors and relatives of the victims who had petitioned the U.S. and ROK governments for several decades protested this decision, calling it a transparent and intentional evasion of responsibility.

Although the AP report which first broke the story to the foreign press and the testimonies of the victims themselves had informed the world that U.S. troops killed many civilians during the Korean War, this incident constitutes only the tip of the iceberg. More than fifty incidents committed by U.S. troops, such as the massacre at Nogeun-

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1. New York Times, 11 January 2000.

ri have already been reported and similar mass killings by ROK troops who were under U.S. command have been revealed. The representative cases are the Jeju Insurgency of April 3 (1948) and the Geochang Massacre (1951). These two incidents are relatively well known among Koreans because intellectuals from Jejudo had long petitioned the government regarding the former case and the latter was revealed just after it occurred. Following repeated appeals by the victims of Geochang over the last fifty years, the Special Act on Honor Restoration of the Victims of the Geochang Incident (Geochang Incident Act) was finally enacted in 1996. Encouraged by this, intellectuals and victims of the Jeju Insurgency of April 3 demanded the legislation of a special law for uncovering the truth behind the Jeju Insurgency. In 1999, the Special Act on Fact-Finding and Honor Restoration of the Victims of the Jeju Incident was passed in the Korean National Assembly.

Other massacres before and during the Korean War, however, have not been made public or openly discussed. The official naming and remembering of the Korean War, which was labeled a “holy war” or “police action” safeguarding the “free world” against communist invasion, have not permitted discussion of the alleged U.S. and South Korean war crimes. Since much of what happened during the Korean War has been hidden or unexamined, these official versions have remained unchallenged until now. Unlike the Vietnam War, the Korean War is the “forgotten war” not only for Americans but even Koreans. However, many older Koreans who experienced the war firsthand, especially the eyewitnesses of the mass killings, know its true face. The individual memories of ordinary Koreans differ from, or even contradict, the official one. While official memory functions to justify the present regime (Hirsh 1995, 25), an alternative memory may threaten the existing political power or transform war “heroes” into war criminals.

Over the last few years, family members of the victims have tried to inform the public about the war massacres and to petition the government to investigate them. Under the harsh Cold War animosity, the extreme right-wing government labeled those killed by U.S. and

ROK troops as “Reds.” The family members left behind have been treated as “second-class citizens” in Korean society through guilt by association. Most of those whose parents and relatives were killed in the course of war by friendly forces—however unfair the deaths were—have remained silent themselves and buried the history of their family in order to survive in Korean society. However, the demise of military regime in 1987 opened up a space for war victims to tell their tragic stories. In the 1990s, many victims’ associations began to appear, aiming to release pent-up grievances, and uncover the truth, and recover the victim’s dignity. But their petitions have been repeatedly rejected because of a lack of hard evidence, as we saw in the case of Nogeun-ri. The U.S. and ROK governments have systematically denied that such mass killings occurred. As such, historical clarification remains distant.

There are no universal rules or steps in providing historical clarification. Crucial issues involve uncovering of the truth, the acknowledgement and compensation of victims, public apologies of those responsible, reconciliation between opposing factions, and prevention of repetition of the past (Adam 2000, 89). Finally, historical clarification may be more or less accomplished when past “crimes against humanity” have been thoroughly investigated and the conditions foregoing such war crimes could be removed by prosecuting the criminals or obtaining an apology from the offenders. As political massacres or wartime killings are generally legitimized as actions of self-defense, defining them as war crimes or genocide may be very difficult.<sup>2</sup> In approaching historical clarification of the Korean War, however, shared historical consciousness is much more important than the mechanisms to prevent war crimes. Establishing a complete picture of the war crimes and knowledge about true history of the war constitutes the first step in this process.

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2. Only permanent peace can guarantee a society free of violence, but removing the possibility of genocide—its instrument and mechanisms—can prevent atrocities in the real world (Hirsh 1995, 194-195).

## **Prerequisite: Naming and Characterizing the Korean War**

Following the Korean state's official definitions of the Korean War—June 25—textbooks for primary and middle school students have been written, national holiday selected, museums subsidized, and the speeches of politicians delivered celebrating and mourning the past. During the last half century, South Koreans have grown so accustomed to the official title and characterization of the Korean War, it has been rarely disputed. Furthermore, no deviation has been permitted in characterizing that war.

In South Korea, the outbreak of the Korean War is known as “June 25” for the day that North Korea under the sponsorship of the Soviet Union invaded South Korea. Thus the official designation and memory of the war immortalizes the date of North Korea's “sudden invasion.” However, as the government has monopolized this memory, shaping the nature of the war over the last half century of Cold War politics, other views and memories of the war have been suppressed or ignored. The origins, process and consequences of the war have been explained by the simple axiom of a “communist conspiracy,” and newly released documents from postcommunist Russia support this argument. All the casualties and devastation of the war have been blamed on this imperialist policy (Oliver 1950, 1-22). As in other nations, this one-sided war memory was formed in South Korea through a careful selection of information or willful neglect of aspects that opposed the official narratives. The end result was an overemphasis of the North Korea's responsibility or the invasion. The major reason why successive Korean governments have not responded to the victims' demands or have actively investigated civilian damages from the war is their political dependence on the U.S. since the ceasefire in 1953.

The Korean War has been ignored or relatively forgotten by Americans and remembered in a one-sided way by Koreans. For Americans, the facts and meaning of the war were never clearly defined (Kaufman 1999). For them, the Korean War was chronologically located between World War II and the Vietnamese War, and

emotionally balanced between a war of principle and a war of imperialism. It was not supported as World War II was, nor did it suffer the condemnation of the Vietnam War (Edwards 1986, 16). Officially the American government called the Korean War a "police action." However, by calling U.S. involvement a police action, not only are the brutal aspects of the war easily lost but the mass killings carried out by U.S. troops also easily legitimized. The really "forgotten" aspect of Korean War seems to be related to this point.

On the basis of newly released information and uncovered stories, the Korean War should be viewed differently and be eventually renamed, taking three points into consideration. First, the Korean War originated from an internal conflict on the Korean peninsula. 25 June 1950 was not a point when the war suddenly broke out; rather it was a turning point when regional guerrilla conflicts that had been going since 1948 became an all-out war (Cumings 1990). calling it as "June 25" conceals this crucial aspect because it presupposes that belligerent North Korea abruptly invaded a peaceful South Korea. It also ignores Syngman Rhee's several attempts to attack North Korea, and the deaths or disappearances of more than a hundred thousand civilians before 25 June 1950. South Korea's official view is to memorialize June 25 to remind the world of the day when communists attacked the "free world," in which both ROK and U.S were situated as "blood" allies. To the people who lived in the southern part of the Korean peninsula at the time, the appearance of the North Korean People's Army was a sign that full-scale war had broken out. For the residents of Jeju, 25 June 1950 was a continuation of the April 3 Insurgency of 1948. Even ordinary southerners are often confused as to whether the combats they experienced between ROK troops and guerrilla forces occurred before or after 25 June 1950.

Second, the Korean War from the perspective of Westerners was not so much a confrontation between the communists and the liberals as it was "a substitute for World War III" (Stueck 1995). The conflict between the two Koreas served in many ways to entrench the Cold War while victimizing indigenous people, devastating their territory, and failing to resolve the political division (Stueck 1995). Even

though both leaders of the two Koreas succeeded in strengthening their power base immediately after the war, the real losers were not the U.S. or the Soviet Union. Considering that the war eventually consolidated the national division and the antagonism between the two Koreas, the Koreans themselves lost the most. U.S. decision for immediate involvement was not made to “safeguard” the Korean people, but to maintain its stance against the communist world. Contrary to the official line towed by Korea’s ruling class, Korea’s urgent need for U.S. involvement was to defend Japan and the East Asian capitalist frontline more than save South Korea and Syngman Rhee.

Third, the tragedies of the war should not be exclusively attributed to North Korea, but also to the seeming lack of readiness, U.S. indifference as well as quick collapse of ROK forces. Whether or not America intentionally appeared uninterested in the crisis of the Rhee regime remains uncertain, but the limited liberation of 15 August 1945 and the American installation of an extreme right-wing government already portended a future of bloody conflict. America’s plan to inaugurate Rhee, who was supported by former Japanese collaborators and the supervision of ROK armed forces in the suppression of the dissidents created a fierce conflict on the Korean peninsula (Johnson 2001, 98). Because communists and many patriots disapproved of Rhee, only police force and army trained by the U.S. could sustain him. The atrocities committed after the outbreak of Korean War looked like a repetition or intensification of the Jeju Insurgency of April 3.

Whatever brought the North Korean government to initiate a full-scale war, it cannot evade the responsibility created by the war itself. Thus, until now, war crimes that occurred during the war have been attributed to North Korea. But South Korea’s self-righteous claim of self-defense cannot legitimize the atrocities committed by U.S. and ROK troops. The argument that the U.S. and ROK troops committed numerous mass murders would cast doubt on the existing dogma of “police action” or a “just war.” Though this viewpoint died out in the outside world long ago, it is still alive in South Korea. How a war is remembered and what it is officially called always

depend on political conditions. Thus, renaming the war after thoroughly conducting historical studies of it is a starting point of historical clarification.

### **Massacres before and during the Korean War**

War creates conditions in which soldiers are willing to kill even the innocent, especially when they feel they are surrounded by the enemy in combat. Because civil war creates a situation where enemy and friend cannot easily be distinguished, mass killings by military forces are inevitable. Any civil war results in countless deaths not only of soldiers but also civilians who are not even aware of what the war is about (Edward 1986, 2). Basic training in the military is designed to teach recruits to act instinctively and to follow orders without thinking in order to cope with the confusion of the combat situation. The ROK army inherited the organizational and cultural traditions of the Japanese imperial army that taught their soldiers to obey orders absolutely and not to treat the enemy as human beings.

It is estimated that more than two million unarmed civilians were killed or disappeared during the war (Halliday and Cumings 1988, 200). While modern war waged with weapons of mass destruction generally brings massive civilian casualties, this exceptionally high number for the Korean War should first be explained by the fact that it was a civil war resulting from serious political conflict since 1945.

The Jeju Insurgency was both the beginning of war and massacres to follow it. When left-wing activists fled up Hallasan mountain in the center of the island, the ROK army under the direction of U.S. Korean Military Advisory Group (KMAG) burned villages and killed those suspected of collaborating with the enemy. The estimated number killed reached 30,000, about ten percent of the island's population. Some 70 percent of the island's 230 villages were burned to the ground. Starting with the Jejudo massacre, the police and right-wing organizations indiscriminately arrested, tortured, and

killed left-wing activists. The “dirty war” between left-wing guerrillas and the ROK government intensified. Ordinary villagers who were thought to be helping the left-wing guerrillas were treated as enemies. Similar rebellions and massacres ensued in Yeosu when the 14th Regiment refused to go on the counterinsurgency mission to Jejudo. This unorganized rebellion of soldiers was suppressed under the supervision of the KMAG, but it resulted in another tragedy like the one in Jejudo. The revenge of the police on those who were under even the slightest suspicion of cooperation with the communist uprising was relentless. Though the total number of civilian casualties has not been verified, it is calculated to be several times greater than the number of victims of the Jeju Insurgency.

The initiation of total war on 25 June 1950 meant the beginning of full-scale massacres. Deadly threats that Rhee faced in the early period of the war pushed him to resort to deadly means to eradicate it. The political response to the North’s attack was immediate, resulting in the total removal of those who had ever opposed Rhee government. He began to purge anyone of whom he was suspicious by labeling them “internal enemies.” Although this purging of the left could be called a “secondary war,” in some sense it was much more nightmarish for Koreans than the official war against the left, defined as the enemy of the state. Rhee was afraid that the former communists of the National Guidance League (Bodo Yeonmaeng, hereafter NGL) would rebel. The members of NGL, who had been involved in left-wing activities or protests against Rhee’s government and were “rehabilitated” in 1949, were regarded as potential traitors.<sup>3</sup> The most ruthless atrocities committed during the Korean War would be these mass killings by Rhee government under the guise of legal executions (Kim 2000).

To wipe out the suspected enemy, South Korea, which was under U.S. command, wanted to dispose of all figures affiliated with the left. To do this, the department of internal affairs and the Korean

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3. Not all members of NGL were ex-communists or political dissidents. In the beginning, it was organized by the rehabilitated communists under the direction of Rhee’s government. However, the membership was enforced later.

Counter-Intelligence Corps (CIC) ordered all police stations to detain members of the NGL. According to a CIC report, "these prisoners are considered enemies of South Korea and [should be] disposed of accordingly before the arrival of North Korean forces." Most of the members of NGL obeyed orders to check in with the police, because the call seemed like nothing more than a regular inspection. Even if some of them had a sense of foreboding, they told themselves that they had not committed any crime. Although some who had been arrested under preventive detention were ex-communists or anti-Rhee activists, a large number of them were innocent peasants who did not even know about communist ideas. However, Rhee indiscriminately treated all of them as traitors under a war situation, and executions were carried out in almost every county of South Korea from early July to late August.<sup>4</sup>

Those who had once been affiliated with the left, and thus became prisoners were targeted. The most well known case was the massacres in Daejeon. In early August 1950, the London Daily Worker printed an article titled "United States Belsen in Korea," which said that ROK police under the supervision of KMAG had butchered seven thousand people in the village of Nangwol-dong near Daejeon during the period from 2 to 6 July. According to witnesses, the massacres continued for three days, and American officers in two jeeps observed the killings (Winnington 1950, 5). Recently, some eyewitnesses to that massacre have stepped forward and testified to the incident. A victim's son also found several photographs of the massacre in recently declassified reports by the U.S. army in the U.S. National Archives.<sup>5</sup> The victims were mostly political prisoners arrested during the Jeju Insurgency and the Yeosu rebellions, or fig-

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4. Recently, AP uncovered the "top secret" U.S. army materials reporting that Korean soldiers had killed about 500 civilians around Daegu on 10 July 1950. The report was written by Frank Fierce of First Cavalry Division then submitted to Ambassador John H. Muccio by Lieutenant General Walton H. Walker.

5. Lee Do Young found these photos from National Archives and Record Administration of USA. See <http://www.genocide.or.kr>.

ures affiliated with the left who had been arrested just after North Korea's invasion.<sup>6</sup> These massacres are the most tragic and shocking in regard to the number of victims killed during the Korean War, although foreigners and even many South Koreans know nothing about them. The facts surrounding the incident have been concealed as the ROK government has never recognized the incident and legitimized the killing of the left in the name of national security.

Many atrocities committed by U.S. troops have also recently been revealed. Western reporters during the war have already accused American soldiers of shootings. Many Koreans who experienced the war have memories that the U.S. carried out indiscriminate aerial and naval bombardment. North Korea has insisted U.S. troops killed more than a million innocent civilians.<sup>7</sup> They reported that Americans shot many civilians and burned the villages where the enemy was potentially hiding. The AP recently gathered facts that American soldiers killed 500 civilian refugees in Nogeun-ri. Some of the survivors began to speak out about their experiences. The new reports claim that U.S. napalm bombing destroyed many villages and that fleeing refugees were shot. These other faces of American "police action" are calling for a thorough reexamination of the Korean War. Recently, BBC even revealed that the U.S. navy bombarded the coastal areas around Pohang, although this was no new to Koreans.<sup>8</sup> This affirms that the Nogeun-ri Incident is all but the tip of the iceberg of the many massacres committed by U.S. forces.

On the other hand, the mass killings committed by the ROK army

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6. North Korea criticized the Rhee government for killing 4,000 imprisoned patriots, but the number and identities of those killed in Nangwol-dong are still unverified. In the eve of the war, it was estimated that 30,000 alleged communists and political offenders were imprisoned under Rhee. Except for the prisoners in the detention house located in Seoul, they were killed without trial. When we estimate that the members of NGL numbered more than 33,000 just before the war, the population that was arrested by the police during the early period of the war might total more than 20,000. Most of them seemed to have been killed, as in the case of Nangwol-dong and Daegu.

7. <http://www.korea.np.co.jp/pk/135th-issue/2000032902.htm>

8. <http://www.bbc.co.uk/history/about03.shtml#nara>

to clear out the enemy were much more devastating. The Geochang Incident of February 1951 is one of the well-known massacres where ROK soldiers slaughtered many civilians. The ROK's 11th Division which performed the duties to search and root out remnant guerrillas actives in the mountainous areas around Jirisan mountain was responsible for the massacres. Several thousand civilians including babies, women and the elderly were killed during the operation called "holding position with cleansing the fields" (gyeonbyeok cheongya). It was called a three "cleanse all" operations—kill all, burn all, loot all—which was once adopted by Japanese imperial forces to fight against Chinese leftist rebels. The Commander of 11th Division Choe Deok-sin had learned this method of operation through once serving in the Chinese Jiang Jieshi corps. His corps indiscriminately killed several thousand peasants living in mountainous areas because they had aided the guerrillas and refused orders to evacuate. Even though some of the inhabitants might have helped the guerrillas, they had no choice but to cooperate to safeguard their family's subsistence.

Other slaughters that occurred in the villages of Jeollanam-do and Jeollabuk-do provinces such as in Namwon, Sunchang, Gochang, Imsil, and Hampyeong were committed by the same division. These incidents still remain unconfirmed and the ROK government has denied that the army and police killed so many innocent civilians. It is calculated that the fall of 1950 to the spring of 1951 more than 10,000 civilians were killed by ROK soldiers under the mission of cleansing the area of leftist guerrillas (Kim 2000, 217-219). Victim's family members who were left behind have been treated as communists who, under the political atmosphere ruled by the extreme right, could not gain full citizenship and were treated as potential enemies within the society.

Then, can we call the mass murder that took place during the Korean War "genocide"? The definition of genocide has been disputed over a long period of time. According to Lemkin, genocide can be defined as "a coordinated plan of different actions aiming at the destruction of essential foundation of the life of national groups, with

the aim of annihilating the groups themselves.”<sup>9</sup> The United Nations finally agreed that genocide consisted of killing, serious assault, starvation, and measures aimed at children committed with the intent to destroy in whole or in part, a national, ethnical, racial or religious group.<sup>10</sup> The intent of the offenders and the existence of identifiable groups are crucial to verify whether an incident is to be considered genocide or not. But the concept of “intent” is ambiguous (Hirsh 1995, 202). If a nation intends to acquire or protect a territory and ends up killing a large number of innocent people, this operation may be called genocide. So it seems rather persuasive to define genocide as “a form of one-sided mass killing in which state or other authority intends to destroy a group, as that group and membership in it are defined by the perpetrators” following the Chalk and Jonasohn’s definition (Chalk and Jonassohn 1990, 23).

Even though U.S. and ROK troops did not originally intend to kill civilians, the very object of the combat and the American soldiers’ racist perceptions of Koreans already foretold the mass killings. Civilians that the U.S. and ROK troops targeted were regarded as “leftists” who had aided North Korea. And even the women, children, and elderly were killed discriminately. The “cleansing the field” operation during the Korean War in which many innocent inhabitants of mountainous areas were killed by Korean soldiers, evokes the image of “ethnic cleansing.” The mass killings were legitimized on the ground of “purifying” the territory. The idea of “cleansing” and “purifying” during the Korean War foreboded the ideological massacres which is similar to today’s “ethnic cleansing” in Bosnia and Rwanda. American military leaders including MacArthur were tinged with racism. American soldiers almost universally pinned the crude word “gook” on Koreans, whether enemy or ally, soldier or civilian

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9. For a discussion of the dispute over the concept of genocide, see Chalk and Jonasohn (1990); Kuper (1981).

10. There is a minimalist definition forged by condemnation at the Nuremberg Trials of Crimes against Humanity after World War II, and a maximalist conception which includes death from state negligence, imperial expansion, economic exploitation and cultural destruction.

(Henry et al 2001, 71-72).

The U.S. and ROK governments did not mention the atrocities of the Korean War, tacitly assuming that the situation of war itself had led to the mass murder if it even had occurred at all. When the Nogeun-ri Incident was revealed by AP and the Korean victims, the two governments tried to regard it as an isolated incident. The main conservative newspapers in Korea took the same position. They tried to ignore other incidents of mass murder if possible. However, we should remember that war does not always result in mass killings of civilians. Those who were killed by U.S. and ROK troops before and during the Korean War can show us the hidden aspects of the war.

### **Problems and Current Stage of Historical Clarification of the Korean War**

#### *The Case of Geochang, Jeju island, and Nogeun-ri Incidents*

A unique case of Korean War massacre directly reported to the world is the Geochang Incident. The incident was made known when Sin Jeong-mok, a member of the National Assembly representing Geochang, came forward at the risk of death and disclosed the massacre. When Syngman Rhee stepped down by April Revolution of 1960 against his dictatorship, the surviving families of Geochang Incident assembled and disclosed the real facts of the incident including the perpetrators. In such a democratic atmosphere, other survivors and family members of Korean War victims began to demand action to resolve their pent-up grievances. They demanded that the perpetrators be brought to justice and that the background of the massacre be investigated. Surprised by their sudden outcry, the National Assembly quickly organized a special committee to probe the incident, later issuing a report and raising the necessity for enacting a law to fully investigate the truth and restore the honor of the victims. But all these efforts came to an end with the military coup on 16 May 1961. The investigation by the National Assembly was halted and the

leading figures of the movements were arrested as communist-related agitators. After this there were no voices arguing for a full clarification of the massacres or a response to the sufferings of the survivors. Any Korean who even mentioned the subject openly was liable to be arrested by the Korean Central Intelligence Agency (KCIA).

When the military government collapsed in 1987, long suppressed voices began to be raised again. Most of the survivors and witnesses had already passed away, the remaining family members had forgotten the incidents, and still feared that political rulers would oppress petitioners on the subjects as supporters of North Korea. Still, outbreak of the pent-up grievances could not be deterred. Finally, the special act mentioned above for restoring the honor of the Geochang Incident victims was enacted in 1996 and another special act on fact-finding and restoring the honor of victims of the Jeju Insurgency was successively enacted despite the strong objections of the extreme right and retired military leaders. The former, as it was focused on the memorial project, may be a far limited measure in terms of historical clarification because the perpetrators and the truth of the incident has not been verified. Moreover, the facts of the incident have not passed down to the younger generations nor shared with fellow citizens, and no mechanisms to deter genocide have been established.

A national commission for clarifying the Jeju Insurgency has been organized to investigate the truth concerning the massacres. About 14,000 victims have reported that their family members were killed in the suppression of the rebellions. Eighty percent allegedly argued their family members were butchered by the ROK army, police and youth organizations sponsored or directed by the U.S. army. However, it is uncertain how deeply the commission can investigate the massacre. Directly and indirectly, the commission has been deterred by anticommunists and the retired police and military, who were assumed to be responsible for state terrorism before and after the Korean War.

Then how about the massacres committed by U.S. troops? The AP's report on the Nogeun-ri Incident led to the U.S. government's investigation into the mass killings by U.S. forces during the Korean

War.<sup>11</sup> After a year's investigation, the U.S. army released a report that acknowledged for the first time that U.S. soldiers had shot unarmed Korean civilians in July 1950. President Clinton offered his regrets for the deaths of Korean refugees.<sup>12</sup> The report proved unsatisfactory to the families of the victims and many other Koreans because it denied the existence of written orders directing American soldiers to fire on unarmed civilians and ascribed the shooting only to the confusion of combat. Considering the knowledge about killings by American soldiers in the southern part of Korea, this conclusion seems unreasonable. Recently, BBC released a document that showed orders like "No refugees to cross the 38th parallel line, fire on everyone trying to cross the line." This document clearly shows how U.S. commanders repeatedly, and without ambiguity, ordered forces to target and kill Korean refugees caught on the battlefield.<sup>13</sup> But U.S. authorities have not commented on these newly released documents. Nogeun-ri survivors are demanding that the U.S. government admit its responsibility, but the prospect does not look good. They still stick to the past argument that "There is no evidence to support the claims nor is there any evidence to show that the U.S. First Cavalry Division was in the area where the incident allegedly occurred" (Henry et al 2001, 262).

The ROK government has never been interested in investigating the villagers' accounts of a massacre. It has played only a subordinate role in this investigation and has not been active in finding ways to compensate the victims. Following U.S. official stance that the Nogeun-ri Incident had occurred in a situation of combat and thus was ineligible for compensation, the ROK government has been denying that the U.S. commanders ordered the shooting. But the South Korean government defended itself with the assertion that it had done its best to accept the victims' claims while none of the victims have recognized the government's efforts.

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11. "Pantagon Begins No Gun Ri Inquiry," AP, 20 October 2000.

12. New York Times, 13 January 2001.

13. <http://www.bbc.co.uk/history>

*Movements for Enacting a Comprehensive Special Act*

Victims' attempts in the past to inquire into the truth and to reach genuine reconciliation have been hampered because they have only focused on incidents in their specific regions. The process of settling the Geochang Incident may be a model in this sense. This incident was exceptional in that it became known to the outside world and low-ranking military officers were tried immediately afterwards.

Even though the trial was designed only to appease the wrath of the victims and the commanders were all released without punishment, it encouraged the victims to take up the issue in 1960 and to fully resolve their grievances. At that time they killed former village leader Bak Yeong-bo who had allegedly assisted the soldiers by categorizing his neighbors as traitors or "good people" before the mass killing. Thus they took revenge against the alleged enemy but not until after the fall of the military regime. But the victims' association of the Geochang Incident has been reluctant to communicate and unite with victims of other incidents and have kept their distance from them. They call themselves "pure good people," meaning they are unspoiled by communist or ideological teachings in the Korean context. Such strategies eventually divide and antagonize the victims against each other. In a harsh anticommunist regime like Korea where the right-wing perpetrators and their offspring have held power, attempts to raise the issue of mass killings have been limited by the impossibility of questioning the heroic role assigned to all South Korean soldiers in the Korean War, which has made them ideologically untouchable. In this condition, the casualties or killings that occurred in the midst of the war might be regarded only as accidents. When the victims of the Geochang Incident looked for a way to settle their grievances, they found that the incident could not be defined as a massacre, but only as a "mistake" committed by low-rank commanders. They finally regarded their incident as "isolated incident." Victims who have never heard that such tragedies occurred in every corner of the Korean peninsula during the Korean War tend to think that they are most wretched of all. Ordinary vic-

tims could not conceive that the character of massacres is highly political and can only be settled by political means.

It has been suggested that individual incidents should be treated as national issues because only the state can inquire into the truth or compensate the victims. This is intended to universalize and nationalize the victims' grievances from the Korean War. Many have suggested that only enacting a comprehensive special act would integrate separate incidents and allow them to be resolved together. This act would cover all the massacres from the war and attempt to clarify all the mass murders allegedly committed. Since the collapse of military rule in 1987, several regional victims' associations have begun to form wherever mass killing took place. Although they petitioned the government and claimed to have relieved the victims' pent-up suffering, most of them could not find reliable documents proving that troops had unlawfully killed their family members. Partly because they had been oppressed, divided, and forced into isolation under the long Cold War regime, they still have not been able to unite as a single national organization. The major causes of this disunity are the fact that most of the victims have already died and that the remaining family members have long been silenced by the oppression and the symbolic violence of anticommunist regimes.

From a legal point of view, a comprehensive special act seems necessary to settle so many claims of the victims or their relatives. While many alleged perpetrators died or disappeared, the political conditions that produced the mass killings still basically exist in Korea. It is unreasonable to demand that each group of victims address their region's incident separately, when the backgrounds, causes, and the perpetrators of the mass killings were quite similar. Many individual bills—such as the Geochang Special Act and the April 3 Special Act—would have to be written if the government were to accept the demands of separate regional survivor groups. Still, existing laws, such as those above, have serious shortcomings as a route for full historical clarification—they lack the power to investigate the causes, verify the perpetrators, and characterize the incident as genocide. As in the case of Geochang, memorialization or

compensation without clarification of the truth will only enhance the narrow mindedness of the victims because the laws limit the range of the commission work to only a single incident.

To overcome the limitations of separate trials for each incident, the National Commission for Fact-Finding and Honor Restoration of the Victims during Korean War was set up in 2000. While individual regional associations of victims have been reluctant to join this nationwide organization, they feel this organization will help in informing the public about wartime massacres. It recently drafted the Comprehensive Special Act<sup>14</sup> for collectively settling Korean War massacres and proposed it to the National Assembly. Forty-seven members of the Assembly signed the petition for legislation, but the bill has yet to be taken up in the subcommittee of the National Assembly.

### *Objective and Subjective Limitations to Historical Clarification*

We have already witnessed how the U.S. and ROK governments have stubbornly denied their responsibility for mass murders during the Korean War. If such incidents really took place, they argue, they might not be associated with the top-level command of the army. As with other mass killings and state terrorism, neither government acknowledged their culpability in war crimes. As we saw in the settling process of Nogeun-ri Incident, the question of who ordered the killings of the Korean civilians was never answered.

The ROK army is as much under American military control now as it was at the time of the Korean War. Because of this, the task of clarifying mass murders committed by U.S. and ROK troops continue to face major obstacles. The ROK government's reluctance to address this issue is clearly related to the special relationship ROK has with U.S.—the blood-tie alliance between the U.S. and ROK is grounded in

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14. The full name of the law is the Special Act in Fact-Finding and Honor Restorations of the Victims Caused by the Incidents of Civilian Casualties before and during the Korean War.

the historical fact that the U.S. has assisted the Korean people. It has always been disputable whether we can label wartime mass murder as genocide or not. The Korean War is no exception. In particular, the U.S. officially denied that its troops committed genocide or massacres even though international society has been critical of its involvement in such incidents as Nogeun-ri.

Given that the Korean War was an international war and U.S. troops under the flag of the UN ordered all operations, alleged war crimes should be investigated and settled by an international tribunal. The prospect for this, however, is not optimistic because all the governments that took part in the war have no will or intention to dig up old problems. Moreover, we do not have a strong international law or tribunal to bring the perpetrators to justice. The U.S. government has chosen to remain silent and has refused to respond to the transparent proof of its involvement in mass murders in the early period of Korean War. The newly established International Criminal Court (ICC) ratified by the 60 countries of the 1998 Rome Statue will be useful in preventing possible future war crimes, but it is still improbable that each state will follow it and prosecute crimes against humanity.<sup>15</sup>

Reliable documents or records of the mass murder are always most instrumental in verifying the cause or responsible subject for it, but such documents that can testify to the very occurrence of mass murders committed by friendly troops during Korean War are very hard to access. The U.S. government still refuses to declassify the documents that should have been included in the section on Korea. Furthermore, the ROK government and military may have destroyed any materials related to their culpability. Because of this, even prov-

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15. The only successful cases in the last century to impose the rule of international law on transgressor nations was in postwar Japan and Germany. Each required a lengthy occupation by Allied troops and an extensive process of victor-imposed institutional reforms. The U.S. did not ratify the new International Criminal Court. The House Committee also voted to authorize the President to use force to rescue any American held by the new International Criminal Court and to bar arms aid to nations that ratify the court treaty. *International Herald Tribune*, 13 May 2002.

ing that the atrocities took place is extremely difficult. Few of the perpetrators are still alive and the punishment of the guilty is no longer possible.

Because the crucial facts about the Korean War have not yet been released and the nature of that war is complex, it is still hard for civilian victims' claims to be heard. The reality of a long national division while remaining technically at war prevents all of those involved from admitting the roles they played in mass killings during the war. In South Korea, the military and ruling class who have exploited the war to safeguard their own interests over the last half century have stubbornly denied and rejected that U.S. and ROK troops committed such incidents. When they recognize the occurrence of civilian deaths, they claim that these were the result of military operations. The conservative media has systematically ignored the facts that contradict the official history of the Korean War. For example, the Chosun Ilbo—at the forefront of the Korea's extreme right who have behaved as those who safeguard the anticommunist ideological purity of South Korea—has been sensitive toward politicians and intellectuals whose viewpoints on the war deviate even slightly from the authorized one. The ROK government still does not approve any breach of the historical characterization of the Korean War.

In Korea, the indoctrination of one-sided knowledge about the Korean War reproduces apathy toward historical clarification. The Nogeun-ri Incident became well known to Koreans. However, Koreans still do not realize that Nogeun-ri is only the tip of the iceberg. So accustomed to official history, they are unable to see the other side. Although there have been rumors that U.S. and ROK troops also committed rape or killings against unarmed civilians, people have not been able to relate the causes and character of the Korean War to these atrocities. Moreover, even accepting that the massacres really took place, they have no idea how such massacres have influenced contemporary Korean society, how ideological monopolization after the war strongly benefited the military and the extreme right, nor how wartime massacres are linked to state terrorism such as the Gwangju People's Uprising of 1980 or repeated violations of human

rights since the cease-fire.<sup>16</sup> The enforced official interpretation of the Korean War is the hardest hurdle to overcome before beginning to clarify historical facts.

In some respects, neither the perpetrators nor the victims want to raise the issue of historical clarification of the war. For the traumatized survivors, even discussing the issue may revive old nightmares. They have been so seriously betrayed by their neighbors, communities, and governments that the ability to communicate with people has long been lost. At a basic level, family members of the victims earnestly want to identify who killed their sons, fathers, or husbands and why. But their only option in order to live under the antagonistic regimes was to forget the past and deny their “identity” as family of someone affiliated with the left. Most of the survivors never talked about what had happened even to their children as in the case of other recent massacres.<sup>17</sup> When living under the rule of the perpetrators, victims are forced to adjust to society’s rules—forget and remain silent. This silence of Korean bystanders and eyewitnesses is also similar to other instances of massacre. Their act of passive collusion and heavy consequences of revealing the truth have long silenced the eyewitnesses of Korean War atrocities. Open secrets and a friendly army terrorizing the civilians have long been prevalent in Korean society.

This explains why an academic critique of the official interpretation of the Korean War could only begin with the generation born after the end of the war. But the release of new facts and the testimonies of victims can create only the basic conditions for historical clarification. There has been a strong denial even of mass murder and they have not been defined as massacres or genocide. In conclusion, the lack of public acknowledgement that war crimes took place during the Korean War is the most serious obstacle to historical clarification.

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16. Of course, it is hard to measure how ideological genocide benefits the perpetrators (Chalk and Jonassohn 1986, 416). In Korea, to be labeled a “Red” meant losing all opportunities for good job or political status. Those who gained “honor” in the war against the communists could easily become a member of the ruling class.

17. For the victims of Bosnian genocide who immigrated to America have show a similar response. See Weine et al (1997).

## **The Way for Historical Clarification**

As fifty years have already passed, punishing those who committed war crimes is nearly impossible and, in some sense, meaningless. But the responsible governments such as the U.S., South Korea, and North Korea still exist and some of the surviving victims are still alive though in their seventies and eighties. Thus, inquiring into the truth, restoring the victims' honor, government officials' apologies to the victims, and compensation can be a possible way of historical clarification. The tasks of inquiring into the historical facts, collecting oppressed memories that conflict with the official view, and searching for relevant documents are foremost in this task. The declassified documents in the U.S. and Russia should be released and opened to public scrutiny, even though the most important documents might already have been destroyed or are missing.<sup>18</sup> Considering that some photographs or military documents about mass killings from the Korean War may still exist, there is still a possibility that they may turn up in the future. The investigation should answer the questions of who ordered the killings of South Korean civilians and whether the Pentagon or ROK officials tried to cover up the killings over the past fifty years.<sup>19</sup>

The survivors are living documents of the Korean War massacres. The first step toward a full historical clarification would be to collect the dispersed, ignored, and oppressed memories of the victims and eyewitnesses. The victims' voices, which may challenge the official memories and raise the necessity of recharacterizing the war, should be freely heard. Though most of them are still reluctant to tell their stories—even to their children—further democratization and the development of peaceful relationships between the two Koreas should also encourage them to disclose these memories. Breaking out

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18. Just after the military coup of 1961, Korean military elites ordered the regional police to demolish all the remaining documents that were related to the execution of "Reds."

19. John Kim "The Nogeun-ri Massacre: Tip of an Iceberg." <http://kimsoft.com>.

of their long silence would contribute not only to the discovery of the truth and the rewriting of history but, much more important for historical clarification, heal the trauma of the victims.<sup>20</sup> As traumatization leads to disruptions of inter-personal or intra-family communications, releasing their long repressed memories help them to reconnect with the world.

The prevailing silence in America and Korea may not just be a lack of memory but in some respects appalling ignorance (Edwards 1986, 11). Thus reviving the memory of the war and changing the attitude of ignorance had to be carried out by academics and reporters. When we recognize that the official characterization of the Korean War produced this ignorance, newly released documents and testimonies might raise the necessity of reexamining the war. If such facts were revealed after a thorough investigation, myths about the Korean War which long legitimized the Cold War regime would come under attack. But it is unlikely that the U.S., South, and North Korea will ever fully admit to their criminal acts even if undeniable facts were presented to them.

After the establishment of as complete a picture as possible of the nature, causes, and the extent of the killings, the way to clarify history should be discussed. Although individual commanders of U.S. and ROK troops may be held accountable, mass murder was overwhelmingly conditioned by the military operations themselves and the state's political stance at that time. Wartime genocide as organized state murder, thus, can only be settled by obliging responsible states to admit their crimes. Thus mass killings during the war can be clarified through the joint efforts of international society to compel the U.S. and ROK to share responsibility. So far, the point is whether the killing of civilians was intentional or caused merely by the confusion of combat. However, the recently released documents of military orders include the command "Kill them all," indicating the former.

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20. "Revealing is healing." But the acknowledgement of the perpetrators and the forgiveness of them is necessary for full healing as we seen in the case of South Africa's Truth and Reconciliation Commission.

After the events in Rwanda and Bosnia, the necessity of rehabilitating the Convention on the Prevention and Punishment of the Crime of Genocide (Convention on Genocide) has been raised. The UN General Assembly declared genocide an international crime and directed that a treaty aimed at its prevention be signed. The Convention on Genocide of 1948 declared that there is no defense of sovereign immunity. It required states to adopt appropriate legislation so that those who commit genocide will be punished in their own courts, and obliged them to extradite genocide suspects.<sup>21</sup> But the ICC can only work with the consent of the states where the crimes occurred. If states try to protect the alleged criminals and refuse to admit the international court into their territory, prosecution will be almost impossible.

In order to effect true reconciliation, amnesty should be granted to the alleged offenders who may have committed crimes in the course of the Korean War.

## **Epilogue**

Historical clarification of war crimes is necessary, first of all, for preventing future recurrence of past atrocities and bringing about justice through prosecuting criminals. It can also create a situation where norms of “social restraint” suppress the impulses toward revenge and irrationality. At the social and psychological levels, both offenders and victims are able to free themselves from mental shackles when full historical clarification is achieved. Refraining from killing civilians who are the alleged enemy in combat situations would be a crucial step toward civilization. The social restraints imposed on those who are equipped with military force and economic capacity is very important in protecting human rights and keeping the moral soundness of a society. When a society cannot control a ruler’s inclination

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21. The Convention on Genocide was approved by the General Assembly of the United Nations on 9 December 1948.

to violate laws and norms, it will inevitably disintegrate. The serious violations of human rights, such as the mass killings in Gwangju in 1980, torture, and other violations that occurred in contemporary Korean history, have originated from the lack of historical clarification of the Korean War.

When we consider that even democratic countries have buried their war crimes and that U.S. power still dominates the world, it seems that reaching a full historical clarification of the Korean War atrocities will be difficult. However, because of new incidents of genocide in places such as Bosnia, Kosovo and Rwanda, a new sensitivity toward massacres has gained momentum. It is time to discuss how wartime massacres destroy humanity to say nothing of justice and democracy. Moral and psychiatric breakdown of individuals may remain one of the most costly effects of war. Accordingly, the inability to accept responsibility for war crimes in the Korean War will deter the development of democracy and justice on the Korean peninsula. We cannot create safeguards to defend those rights when they are under threat. Especially in Korea, where offenders not only escaped punishment but also seized power and legitimized past crimes against humanity in the name of national security, respect for human rights is still far from widespread.

Genocide is not a "private" affair—not for perpetrators who are punished; not for its direct victims who ask for special sympathy, favors or indulgence on account of past sufferings; and not for witnesses who seek redemption or certificates of innocence (Bauman 1989, 206). Nevertheless, many surviving victims request compensation for their suffering as if it were their entitlement. This may be the reason why the rest of the nation and successive generations tend to regard the issue as a problem to be resolved between the perpetrators and the victims. The present-day significance of genocide during the Korean War is the lessons it contains for all of Korean society and humanity. As memory and politics are interconnected, recovering historical memory through historical clarification will allow the oppressed voices on the Korean peninsula to speak. The national division between North and South Korea cannot be overcome with-

out clarifying the Korean War. As national reconciliation between the two Koreas is crucial for peace in East Asia, efforts for the historical clarification of the Korean War will contribute to ensuring peace not only on the Korean peninsula but in East Asia as a whole.

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## GLOSSARY

Bodo Yeonmaeng  
gyeonbyeok cheongya

輔導聯盟  
堅壁清野