

Dealing with Treason: Retribution against Collaborators in Korea from a Comparative Perspective, 1945-1951

Introduction

Good evening everyone, my name is Konrad Lawson and I am currently a Fulbright Junior researcher spending a year conducting research for my PhD dissertation here in Korea. I would like to thank the Korean-American Educational Commission for offering me this opportunity to give this presentation and to everyone here tonight who have taken the time out to attend. I look forward to any questions you might have and more discussion following the talk.

Tonight I'm going to talk about the punishment of treason **[SLIDE 2]**. When I refer to treason tonight I am specifically referring to the punishment of the betrayal of one's nation by collaborating with, fraternizing with, or otherwise expressing support for a conquering occupation regime and thereby betraying the oaths of patriotic loyalty that bind every citizen. This process of punishing treason is a kind of retribution **[SLIDE 2.2]**, an important form of political retribution and that is a term I will generally use to refer to this process. I believe the study of this kind of political retribution can help us understand how societies recover and rebuild following a radical change of regime.

[SLIDE 3 outline] Tonight I will begin with a discussion about what political retribution is and what kinds of forms it can take. **[SLIDE 3.2]** I will then turn to consider how newly formed states in North and South Korea defined treason and dealt with those

accused of collaborating with Japan in the aftermath of some 35 years of colonial rule on the Korean peninsula while exploring how this differed from or resembled retribution against accused collaborators around the world in the immediate aftermath of World War II. **[SLIDE 3.3]** I will then conclude with a few reflective points on the failure of this process in South Korea. I had hoped to also speak about the legacy of this process but I will leave that to our discussion afterwards in the interests of time.

[2:00]

Let me begin by making two preliminary comments which I think ought to be made given the nature of my topic today. **[SLIDE 4 blank]** First of all, I am *not* a historian of Korea. It is *not* the goal of my research to contribute to the writing of a history of Korea, insofar as that means the writing of a national history, a narrative in which the main character which the story follows is Korea itself. As for a growing number of historians who are trying to move away from the writing of national histories, Korea is not the main character in my own research. Korea's colonization, its suffering, its liberation, and its recovery is not the direct focus of my research. If anything, I consider myself a historian of the aftermath of war, especially the global aftermath of World War II. This distinction is important, because the study of collaboration and the punishment of treason has, until very recently, been exclusively the domain of national historians who address this issue as being part of a larger tragedy of a national past. This limits, to some extent, the range of questions one can ask and gives rise to a number of assumptions a historian might otherwise not make.

This also means that my talk tonight is not going to give you a standard chronological introduction that reviews the legal debates surrounding South Korea's treason laws of 1947 and 1948, or the details of the exciting first 6 months of 1949 when hundreds of accused traitors were investigated, arrested, and some put on trial before the entire process essentially collapsed following a violent clash between police and the special investigative committee conducting the trials. Instead, these events will make an indirect appearance as I discuss some of the central issues that I believe are important. For your reference, however, the handout that was passed out has some of the important dates, events, and a quick overview of the results of the trial process in South Korea.

This problem of assumptions brings me to the second opening point I wish to make. I use words like treason throughout my talk. I do this intentionally. A word like treason in English is a very dark word, a somewhat frightening word which has only begun to lose some of its bite after decades of abuse in our political discourse. However, more than other words with broader potential meanings like collaboration, the word treason helps create something of a similar jolt or shiver that the many words used most often in Korean, in Chinese, and other languages generate when talking about this issue.

Because I believe that a citizen's relationship with a state is always a negotiated one subject to change, I hold the somewhat unorthodox, if not completely controversial view that the crime of treason, or an act of national betrayal does not in and of itself constitute something morally objectionable or worthy of condemnation. Especially in the aftermath

of World War II, treason became a catchall crime that compensated for the inability of new regimes and international society as a whole to fully cope with a range of acts that often had terrible consequences.

[5:10]

Famous Traitors

When we think about the issue of treasonous collaboration who immediately pops into our mind? Looking back to World War II, almost all of us can think of examples.

[SLIDE 5] If you are Russian, you might think of the traitor Andrey Vlasov, who, with the support of SS commander Himmler, briefly led a ragtag force of Russian defectors against Stalin's Red Army. If you are French, **[SLIDE 6]** you may think of Marshal Philippe Pétain whose Vichy French government's collaboration with Nazi Germany gave the word "collaboration" its long-lasting negative connotation in English. If you are Norwegian **[SLIDE 7]** you will undoubtedly think of the fascist Vidkun Quisling, the wartime Minister President of German-occupied Norway whose very name *quisling* became synonymous with the crime of treason around the world thanks to BBC radio broadcasts. **[SLIDE 8]** If you are British, you may think of Lord Haw Haw, a nickname most often associated with the voice of William Joyce, the half-Irish half-English traitor born in New York who became infamous for his wartime radio broadcasts on behalf of Nazi Germany. If you are American **[SLIDE 9]**, the many sweet and tempting radio propaganda voices that came to be collectively known as Tokyo Rose and the tragic story

of convicted traitor and later pardoned Iva Toguri D'Aquino might come to mind. If you are Chinese **[SLIDE 10]** you will probably remember Wang Jingwei, a former revolutionary hero who betrayed the Nationalist wartime cause and set up a pro-Japanese government in occupied China. Or perhaps, if you have recently watched the movie *Lust, Caution* **[SLIDE 11]** you might first think of the head of Wang Jingwei's spy agency, Ding Mocun, who is the inspiration for the main character in the movie played by Tony Leung.

Among Koreans, the most infamous traitor associated with Japanese colonial rule is probably Yi Wan-yong **[SLIDE 12]**, who died a non-violent death well before Japan's military expansion across Asia in the 1930s and 1940s. While Yi was one of the leading founders and early leaders of the Korean Independence Club in the late 19th century, and it is his calligraphy which can be found on the nameplate of the Independence gate here in Seoul, he earned his spot at top of the list of treasonous villains known as the 5 traitors of Ŭlsa for his active part in going along with the Japanese protectorate treaty and the 1910 treaty of annexation.

These are some of the heavyweight traitors that might come to mind now when we imagine the process of political retribution against collaboration. However, the symbolic weight that these figures have maintained owes something to their unique places in the collective memory as it is managed and constructed through education, media, museum exhibitions, and literature. There these infamous figures join many more, mostly nameless, images of the generic traitor archetype: **[SLIDE 13]** a spineless, sniveling,

greedy, and hunched over figure, always ready to do the bidding of his master [SLIDE 14].

However, in Korea, perhaps more than in any other country in the world today, huge efforts have been dedicated to remembering those names [SLIDE 15 list], enumerating the many acts of treasonous betrayal, [SLIDE 16 list] and building ever larger lists of the damned. [SLIDE 17 list] [SLIDE 18 list]

This widespread enthusiasm is based largely on the understanding that something went terribly wrong in the wake of Korea's liberation — that, in those early years following 1945, a huge opportunity to punish the wicked and eradicate the cancer of treason from the body of the nation was lost. Instead, it is argued, that cancer remained and continued to weaken and distort Korea's development and prevent its peaceful unification.

[9:15]

Forms of Political Retribution

What might we have expected to happen in 1945? [SLIDE 19 common forms] What form does political retribution against collaboration often take? While the crime of treason and the accusations of being a collaborator seem quite specific and usually have earned a unique place in the histories of countries, especially formerly occupied countries, around the world, the reality is that, *in terms of the process itself*, there is a lot in common

here with the attempts to carry out transitional justice whenever one regime is replaced by a newly formed or reestablished state or with a new occupying power whether it is based on the premise of punishing traitors, war criminals in places such as postwar Germany and Japan, or in the dozens of states which have undergone some transition to democracy.

Let us list some of the common elements of retribution as it was carried out against accused traitors, especially in the 1940s:

-[**SLIDE 19.2**] Formal treason trials are what most of us think of first. These might take place without any significant legislative action in the cases where a postwar regime is merely the reestablishment of a pre-war regime. They can be held in regular criminal courts subject to pre-war laws against acts of high treason.

-[**SLIDE 19.3**] In most cases, however, including Korea, special investigative bodies and extraordinary judicial institutions were set up to deal with a massive influx of cases related to treason and forms of national degradation. These special courts, with some cases like France having as many as four different possible routes for the punishment of treason, are often tied to specific legislation against acts of treason which are only passed during or after war or the political transition. This creates, of course, the problem that those arrested for these crimes, like many accused war criminals in Japan and Germany, were being accused of breaking laws that did not exist when they committed their acts.

-[SLIDE 19.4] In other cases, especially in Communist states, “People’s Courts” of one form or another are common. These are in some cases organized from the top down, such as in early postwar Hungary and Czechoslovakia, or created with very little intervention from a centralized authority, such as the cases of Communist controlled areas of China and Northern Korea. In the most local examples of people’s courts villagers or a local resistance group might set up their own system for judging the guilt of accused traitors.

The three cases above are what are most often talked about when historians write about political retribution. Many books and legal studies have been dedicated to the analysis of the treason laws, courts, and trials that were carried out in the aftermath of World War II around Europe and in East Asia by Chinese and Korean historians. However, they are only the most visible and memorable of a much wider process.

-[SLIDE 19.5] During wartime occupations, violent anti-colonial uprisings, and most often in the weeks and months surrounding the moment of liberation assassinations and summary executions are often carried out. We need only look to the streets of Baghdad today where police and other Iraqis accused of collaborating with the new government or US occupation forces are brutally killed. These acts are sometimes given a degree of legal sanctification through the pronouncements of law by a government in exile or organized insurgency or carried out after tribunals held in absentia. Along with people’s courts these are the most difficult of all to quantify and analyze given their covert nature and the fact that they are rarely well documented. As far as I have been able to establish,

following World War II these killings most frequently targeted accused traitors in Yugoslavia, France, Italy, China, Malaysia, the Dutch East Indies, and Greece.

- **[SLIDE 19.6]** The administrative purges that often accompanied liberation are also an important part of political retribution against accused collaborators. The dismissal of government officials, police, and others in public service can have a widespread influence on the political and social class structure of a state. The numbers involved in administrative purges can often be quite staggering and the scale of the process is a good indicator of where a given regime might lie on the spectrum between political pragmatism and idealism.

- **[SLIDE 19.7]** In addition to losing their jobs, accused traitors often lost their property. While this punishment was most common and most extensively carried out in Communist controlled states, it was not uncommon elsewhere.

- **[SLIDE 19.8]** Another common process is the denial of civil rights, including voting rights, citizenship, and the right to join certain associations or careers. While this can often happen as a result of a formal trial process, it can also happen automatically if an accused traitor was confirmed to be a member of a particular organization, as was the case in Norway with the over 40,000 members of the fascist Nasjonal Samling party.

- **[SLIDE 19.9]** Another aspect of political retribution against accused collaborators that has, until recently, been overlooked in the scholarship are acts of public humiliation or

physical mutilation. This has been the most common form of punishment of women accused of being traitors, and can involve such actions as the shaving of hair, the painting or tattooing of bodies, or parading accused traitors in front of the town or village often with signs hung around their necks.

- **[SLIDE 19.10]** In places where there are large ethnic groups that are suspected of having been collectively disloyal in wartime such as ethnic Germans in Czechoslovakia, Hungary, and Russia, Ukrainians in Poland, Bulgarians in Greece, Koreans in China and Russia, then ethnic cleansing and collective expulsion is a common fate depending on the situation in the given region or local community. In cases where the minorities make up a much smaller percentage, these “traitorous” minorities such as Italians in southeastern France, mixed German-Danes, German-Norwegians, countless suspect minorities in China, and so on are often simply more likely to be arrested or attacked on the basis of even the slightest suspicion.

- **[SLIDE 19.11]** Finally, the longest lasting of all forms of political retribution, besides losing one’s life, is the social alienation and ostracization of accused collaborators in their own communities. Especially in smaller communities and amongst the less socially privileged among the accused traitors, being branded as a traitor may have had few legal consequences but could lead to a lifetime of alienation. Also, unlike most forms of political retribution, in many countries this alienation easily spread to the children of the accused traitor. The most well-documented examples of this in Europe are the discrimination and social stigma that affected the thousands of children of fascist party

members in Norway, and of the over five thousand mixed German-Danish children over 10,000 German-Norwegian children, and to a much lesser extent some of the 85,000 or so estimated mixed French-German children born in wartime.

[16:45]

While the scale and severity of the process varied significantly from place to place, and state to state, this list should suggest the considerable variety of forms of political retribution that go beyond the treason trials that have captured the popular and literary imagination and dominated collective memory.

[SLIDE 20 focus on traitors] However, this still puts the focus on what happened to the traitors themselves. In other words, what fates *they* suffered as a result of powerful calls for justice and vengeance. Was justice served? Was this or that person truly a traitor? Did this or that traitor deserve his or her fate? Was the punishment for this or that kind of collaboration enough? Was the definition of treason too narrow or too wide? These are the kinds of questions that this approach leads us to.

The focus on those who were punished, who were in all cases a minority group in society, comes at the risk of forgetting that the processes of political retribution and the language of treason that developed out of it, did not simply have an impact on those who were punished for treason, but affected the society as a whole. **[SLIDE 21 focus on society]** Though I don't have time to focus on this tonight, it is this assumption which lies at the

heart of my own dissertation research. In liberated nations around the world punishing treason was part of a national process of healing. **[SLIDE 22]** It sought to meet the real and widespread demands for justice of a suffering people but also served to rebuild the nation and rebuild a wounded nationalism through an act of cleansing. The focus on treason diverted attention away from specific acts of violence, authoritarianism, and abuse of privilege into a more vague but flexible category of national betrayal, making it immediately available for deployment in the political struggles of the day.

Now we are ready to talk in more depth about the Korean peninsula at the close of its over three decades of submission to Japanese colonial control. What forms did political retribution take there? How did the language of treason develop and how was it deployed? How did this compare to similar processes around the world?

Wait a minute, you might protest. Does it make any sense to compare the retribution against accused traitors on the Korean peninsula with retribution against accused collaborators in other countries? **[SLIDE 23]** After all, isn't there is a significant difference between colonial Korea and countries like France, China, or Denmark that were sovereign states invaded and occupied for a few short years?

Of course the differences *are* significant. Five or ten years of occupation are no comparison to over three decades of rule, as a whole generation of Koreans were raised to adulthood knowing only their Japanese masters. Japan did not have a widespread assimilation policy in occupied China. Nazi Germany did not completely transform the

economy and infrastructure of Denmark, and no one asked the French to adopt German names and the German language in their daily lives. These and many more substantial differences cannot be ignored and inevitably had an impact on the process of confronting the reality of widespread collaboration in the post-liberation period, but I would argue does this not preclude a meaningful and productive comparison.

There are two major reasons for this. First, political retribution on the Korean peninsula after 1945 was almost unique among post-colonial states. Second, both Korean historians who look at this issue now and voices around Korea from 1945-1950 saw and interpreted this process as one taking place in a once occupied and now liberated nation. Nowhere in the books and essays on punishing traitors that I have read so far here in Korea from the last 20 years or so do I find this process compared to retribution against collaborators in other former colonies like Malaysia, Algeria, Madagascar, or even India. If it is put in a comparative perspective it is usually France and China which are brought up. That is, I believe, as it should be, because the similarities with post-occupation states are greater than with the vast majority of post-colonial states. This is also true for perceptions within the Korea of 1945, where newspapers recorded with interest the punishment of traitors in other recently liberated countries around the world.

[SLIDE 24] Even the way the colonial period is referred to, with popular terms such as The Period of Occupation by Force of the Japanese Empire or reference to a Japanese Invasion seeks to equate Japanese colonial rule with a kind of military occupation. These perceptions are important because they indicate a strategic move on the part of Korean

nationalists, both in the immediate aftermath of liberation and in more recent years to interpret the past as a military occupation rather than emphasize the ambiguities of colonial rule. This has only in recent years begun to change.

[21:40]

Terms for Traitors

What words are used to refer to these traitors in Korean? If there is to be a language of treason surely these make up its most basic components. [SLIDE 25] The most common word in Korea today is 친일파 or simply Pro-Japanese. However, the most common term in the newspapers and other publications in early postwar Korea was the word 민족반역자. Other common terms included 부일협력자 for a collaborator, and 일제주구 meaning Japanese imperial running dog. The generic word for a profiteer or 간상 [SLIDE 26] merits mention because it was not only frequently mentioned in the newspaper articles and publications of the day as a target of great public anger, but it was also included in the title and contents of the first important postwar treason law targeting pro-Japanese collaborators.

Though the most popular Chinese term for traitor is hanjian or “traitor to the Han people”, all of these exact same terms used in Korea are also found and were used in China’s own process of political retribution. One of them, the term “running dog” was a favorite of

Chinese Communists, widely used in the Sino-Japanese war, [SLIDE 27] and is also frequently found in left-leaning newspapers and North Korean publications. [SLIDE 28]

These terms are important because, as we will see, popular terms like “Traitor to one’s race” and “running dog,” can very quickly change their referent.

However, as the debates began to intensify about who and what it meant to be to be called a traitor, many sought to use these terms to define different legal categories, with, for example, being pro-Japanese or being a collaborator somewhat less damning than being a “traitor to one’s race”. While the most important treason law passed in September 1948 did not make a legal distinction between these categories, they apparently had some legal meaning in North Korea. [SLIDE 29 step through cases] In an overview of criminal cases from a collection of files from the North P’yongan province court of justice that I found in confiscated North Korean documents housed in the US National Archives we can find cases of running dogs, traitors, and pro-Japanese elements all listed under their own categories. These words matter but their content and their usage needs to be carefully tracked with a sensitive eye to context.

Defining Traitors

The first and most important problem any society faces when it sets itself the task of punishing a large number of traitors in its midst is how to define the acts which count as treasonous. [SLIDE 30] A European historian once asked me, “At what point in the trials

of collaborators in East Asia did the process become a target of political manipulation?”

It is the attempt to answer the question of what will count as treason, which makes the process of retribution against traitors a *political* question from the very start, well before any trial is held and not just in East Asia but in all the cases that I am familiar with. This is especially so in the politically charged environment of the world in 1945. Lawmakers, politicians, village tribunals, and even the assassins all had to answer this question:

[SLIDE 31] “In an occupied state, how much resistance is enough? How much collaboration is permitted?”

That is a *political* question, the answer to which determines how big a chunk of society will be judged complicit with subordination and complicit with any crimes committed by the occupying power.

A second equally important *political* question which becomes relevant in any postwar situation is, **[SLIDE 31.2]** “Even if these people are guilty of treason, do their skills and the likelihood of securing their post-liberation loyalty make them more useful as friends than as enemies?” When Communists and Nationalists faced off against each other in the Chinese civil war, both of them answered this question in the affirmative since both sides made extensive use of military troops that had fought under the control of Japanese puppet governments in China. In Greece, Britain found itself in an uncomfortable alliance with military and political forces that had once sworn allegiance to Greece’s Nazi occupiers in order to crush their old allies on the Left that had led Greece’s wartime

resistance. In South Korea the United States occupation government which controlled Korea from September 1945 until August 1948 also answered this question in the affirmative when it decided to keep the vast majority of colonial period Korean police officers in place despite their widespread unpopularity and horrible record of torture and arbitrary violence. **[SLIDE 32]** By one count, even in 1960, 70% of senior superintendents, 40% of police captains, and 15% of police lieutenants served during the Japanese colonial period. These numbers were of course much higher from 1945-1950.

[25:10] (4:30)

The United States made this choice even as its occupation forces initially carried out far more thorough purges of Japanese police officers within Japan itself and supported the quick establishment of anti-fascist courts in occupied Italy in 1943. While the United States supported trials in occupied Italy and an ultimately failed denazification policy in occupied Germany, it played a key role in preventing any attempt at a legal purge in South Korea when it vetoed the first anti-traitor law in 1947 and accepted as advisors dozens of English-speaking Korean elites with dubious records of collaboration during the colonial period.

The story of how treason was defined was mirrored all around the world in the aftermath of the defeat of the Axis powers in 1945. While the details differ, these political debates on the definition of treason, which were at their simplest a reflection of how these two political questions were answered very often came to revolve around a key central

controversy: Will the elites of society, the ruling class and stretching down into the professional classes and the wider bourgeoisie, be held accountable for the nearly daily interaction they had with the occupier necessary to maintain their wealth and their careers?

If not, then the difficult question of where to draw the line must continue to narrow the definition of treason. If they are to be held accountable, however, then the result could be nothing less than a complete and fundamental social re-ordering of society. There was no one better organized and prepared to take advantage of such a fundamental re-ordering of society than the many Communist and other left-leaning parties that emerged from the shadows in 1945. The strategy they had was perfectly sound, and appealed as much to people outside of the Soviet bloc as it did within areas of Soviet occupation.

[SLIDE 33] The strategy is most clearly articulated by Klement Gottwald, the head of the Communist Party in Czechoslovakia in 1945, "[The] law for the prosecution of traitors and collaborators is a very sharp weapon, with which we can cut so many limbs away from the bourgeoisie that only its trunk will remain. This is a matter of the class struggle against the bourgeoisie."

The United States occupation forces rejected and dispersed local committees set up around Korea that were interested in carrying out their own plans for political retribution in favor of establishing its own control and further prevented the passing of any treason law that included the potential for widespread political retribution in Korea by vetoing

the first anti-treason law passed by an interim assembly in the summer of 1947. The Soviets in North Korea took a different strategy. They co-opted and infiltrated local committees set up around the northern half of the country and integrated them effectively into a centralized structure that was eventually crowned with their hand-picked nominee Kim Il-sung.

[SLIDE 34 blank] However, unlike many other Communist regimes in Eastern Europe where special laws were passed defining traitors, and often special courts were set up for either national or local level trials, in Northern Korea there was no special law specifically defining traitors and special courts for their prosecution. This denied it the opportunity to create a public spectacle of a just new regime striking out at a specific and identifiable traitor. This is in stark contrast with some other countries where Communist forces were strong such as early postwar Hungary where famous and reviled traitors not only had very public trials but their trials were enshrined, by law, in the postwar school textbooks. At least someone was paying attention to this process in North Korea because I found a Korean translation of the court transcripts of one of the most famous Hungarian purge cases in confiscated North Korean documents.

There were, however, trials in North Korea. Shortly after coming under Soviet occupation, local people's committees in Northern Korea began a process of setting up people's courts to try suspected traitors, but this process was separate and independent of the most important national policies that helped determine the fate of accused collaborators in the north: land reform in March 1946, the nationalization of industry in

August 1946 that technically only targeted the industries and companies belonging to pro-Japanese traitors, and the barring of traitors from any participation in the elections for people's committees in 1947.

This also differed from Communist controlled areas of China, which also supported very local people's courts but tied these locally based "anti-traitor" movements in 1945 and 1946 closely to a policy of pressuring landlords to lower rents and lower rates of interest. Accused traitors were accused under the same treason law used by Nationalists and subjected to struggle sessions by their fellow community members but were often used as a means to bully concessions out of rural elites without having to engage in radical land reform, which it would only begin later. While North Korean claimed to target "pro-Japanese" landlords, it simply confiscated all land above a maximum size.

However, the very expansive understanding of what it meant to be pro-Japanese traitor among the people's committee and the Soviet occupiers allowed the Soviet civil authority to nationalize all industry without reference to its size since no company of any relevant size could survive during the colonial period without collaborating to some extent with the Japanese. Barring anyone suspected of collaboration from elections in 1947 thus was merely a final touch to removing elites from power.

[32:10] (10:30)

For this perceived success South Korean historians who lament the failure of political retribution in Southern Korea often point to North Korea as a model for how political retribution could have been carried out after liberation.

However, all of the speculation about how political retribution was carried out in the Soviet occupied half of Korea depends largely on the published laws and regulations of the regime and statistics of confiscated land, nationalized industries, and the class backgrounds of elected officials. We simply don't know to what extent North Korea tried to keep desperately needed skilled workers from fleeing south by fudging the rules, or when it might have kept a talented manager in place in some of its nationalized industries. We may be able to get some idea of how flexible the Soviets and the North Korean regime was in its attempt to retain talent by looking through the many North Korean Labor Party resumes that can be found in the National Archives. [SLIDE 35] While I have not had a chance to look at them systematically, the cadre resumes and party application forms I have looked at sometimes revealed pre-liberation careers that would send up warning flags for anyone hunting traitors.

Regardless of what conclusions this might yield, the secondary scholarship on this process I have seen so far has largely ignored the fact that accused traitors in North Korea were not just having their companies confiscated and their election rights denied but were being arrested for *the crime of being a pro-Japanese or being a traitor* as the court roster I showed earlier indicated. In addition to that document [SLIDE 36] I have found scattered references to treason trials and traitors in other North Korean court documents

and prison records. I hope future trips to the National Archives will help me find more such fragments that can help build a better picture of what was going on.

In South Korea politics was more complicated. The reality in the North was that the regime was free to implement its relatively vague definition of treason and pro-Japanese collaboration however this could be best tailored to its efforts to carry out class struggle and revolutionize the structure of society. The two attempts to define treason in law in the south in 1947 and 1948 had significantly different results that reflected the struggle for compromise in a significantly more politically diverse, though hardly free environment.

[34:40]

In South Korea, the media was obsessed with the punishment of traitors from the opening days of liberation. In the four years that led up to the formation of a special committee to investigate treasonous acts, over two thousand newspaper articles followed the issue, with many of these taking the form of desperate calls for action. In the first half of 1949, almost every major newspaper had daily updates on investigations, arrests, and trials as they were taking place. However, a vast majority of these articles addressed treason without calling for the punishment of specific individuals, and rarely, except when referencing specific debates, laid out what they believed the scope of the crime of treason should entail. Instead, differences could only be inferred from newspaper to newspaper, depending on its political leanings.

After South Korea emerged from US military control in 1948, passing a treason law that was once thwarted by their American allies was a primary goal of the National Assembly and a duty granted it in the very constitution itself. In the September 1948 anti-treason law that was finally passed, which was significantly weaker than the 1947 version, eliminating categories such as post-war profiteers and war criminals who tortured Allied soldiers in POW camps, there were 12 articles which defined traitors. The vast majority of these twelve articles defined a traitor by reference to a particular position they held, rather than an act they committed, for example, those who received titles of nobility, who belonged to certain advisory bodies, who held positions of provincial power or were bureaucrats. Only in some cases was the emphasis on particular acts, for example, police or military who harmed the people, caused harm to pro-independence activists, or who, in their capacity as religious, social, cultural or economic leaders assisted in the carrying out of Japan's policy of "invasion" in Korea and thereby betrayed the nation.

The law also contained however an article which mirrored dozens like it around the world. The sixth article of the treason law allowed for the mitigation of acts of treason if the accused showed a genuine and sincere change of heart. This was the key loophole that gave courts in Korea, in Nationalist China, in France, and elsewhere the flexibility to significantly reduce sentences and provided a key advantage to any accused traitor who could demonstrate one or two examples of playing the "double game" – in which they both collaborated and at time, also extended secret help to the resistance.

[36:40] (2:00)

Political Retribution in South Korea is universally remembered as an abject failure. Every history of this begins with the debates surrounding the two laws of 1947 and 1948, the consistent American intervention in attempts to carry out political retribution from 1945-1948, and then reaches its climax in the explosive story of unmitigated failure that was the Special Investigative Committee. This government committee established by the anti-treason law of 1948 was only really active for six months in 1949 and its most active phase came to a brutal end on an action packed day in June when the Seoul metropolitan police stormed their headquarters (where you can now find a Starbucks in Myongdong), stole their records, and tortured over thirty of its staff. Though a few investigations already underway continued in the aftermath, this largely crippled the process to hunt down accused traitors and has been portrayed as a major tragedy in Korean modern historiography.

While we simply don't have time to go into much detail I want to make five points related to this that my own reading of these events and seeing them in comparative perspective suggests:

- 1) Whenever I read this story, and about the tensions that built up between the SIC and the police in the weeks leading up to this climax what strikes me is not how shocking this attack in June and the failure of the process was, but how anyone ever thought it would work in the first place. What makes the SIC especially unusual was the explosive combination of two facts: The SIC in South Korea had its own independent police force

that was authorized to not only arrest traitors but anyone who got in the way of the treason investigations. The second fact is one I have mentioned already, the United States permitted the vast majority of colonial police to stay in their positions and secure their power over the course of the three and a half years that preceded the SIC. You cannot expect a police, filled with those who actively help repress independence movements in colonial Korea to allow a smaller body of independent police to arrest and try many of their own.

[38:50]

2) Many accounts of political retribution in Korea do not fully address a fact that makes the Korean case very similar to the case of political retribution in China and Greece. Like China and Greece, South Korea in late 1948 and early 1949 was for all intents and purposes in a state of civil war. Only days after the enactment of the anti-traitor law, a full scale military rebellion broke out in Yosu and throughout the first half of 1949 the very Korean police that were being targeted for arrest as traitors were themselves on the frontlines of that civil war arresting, torturing, and killing suspected Communist guerillas all over South Korea. This was no less true in the Chinese and Greek civil wars where among political prisoners leftists outnumbered collaborators by ratios of more than 12 to 1.

3) In the trials of not just traitors but war crimes and other forms of transitional justice around the world enthusiasm for the trials simply does not last. The widespread calls for

trials and justice are overwhelming but tend to quickly become frustrated with a lack of action, speed, and perceived unfairness in the process. In the span of only 1-3 years it becomes increasingly difficult to mobilize widespread support at all levels of society needed for the huge scale of trials demanded. In places like Norway, Denmark, China, Denmark, the Netherlands, and France, the simple and fast trials, usually involving lower class traitors or particularly sensitive individuals usually resulted in the harshest sentences, and in the vast majority of cases, these sentences begin to diminish in severity the further along in the process one goes, usually to the benefit of well-off accused traitors who could afford to build complex cases. That South Korea even managed to put together a legal process in place several years after liberation is remarkable in itself. South Korea was trying to put traitors on trial when other countries, especially in Europe were already drafting the first amnesty laws that released traitors from prison and restored their civil rights.

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4) Not only was Korea faced with a huge police force determined to protect its own and fighting a full scale Communist insurgency but there was a huge change in the language of treason in both North and South Korea. The content of the words like “traitor to the nation/race” went through a remarkably smooth transition as old treasons – collaboration with Japan, were replaced by new treasons. In North Korea this happened at some point in 1947 when references to treason in government publications, newspapers, and magazines suddenly shift from a focus on pro-Japanese collaborators to those who

“follow he traitor Syngman Rhee” or are running dogs of American imperialism, or who betrayed the nation by following the United States.

In South Korea the change from old treasons to new treasons happens twice. In the first half of 1946 a dizzying array of right wing forces including supporters of Kim Ku, Syngman Rhee, and other smaller groups began to deploy the language of treason against anyone who supported temporary American and Soviet trusteeship over Korea. This primarily targeted the Communist party and the left leaning politician Yô un-hyong. The second shift happened in 1947-1948, again among right leaning publications and the speeches and articles of Syngman Rhee. Mention of pro-Japanese collaborators were completely outnumbered by a completely new language of treason refitted for the cold war. Many of the same headlines but a new more brightly red colored traitor.

5) Finally, I want to conclude by suggesting that an overemphasis on the study of legal retribution in South Korea in the form of the SIC, blinds us to the fact South Korea's new regime paid the consequences for the strategic decision the United States made to maintain most of the colonial police. I have become convinced that the police are an absolutely central part of this story that deserve a closer look.

The Greek provisional government also made the choice to keep the occupation period Security Battalions integrated into the new police of liberated Greece when the December uprising of 1944 struck Athens and its environs. No more visible a reminder of the atrocities of the German occupation could exist than these hated police. On December 4th

and the days that followed the leftist ELAS and huge numbers of regular people launched brutal attacks on police stations, burning them to the ground, dragging the police out, and literally tearing their bodies to shreds. These attacks would not have generated such widespread support if these police had not been the same as those who worked with the German occupation. Similar attacks on pro-Japanese police happened in areas across Vietnam in 1945 and 1946 amongst the starved and angry populace in cooperation with the Vietmin. Over 200 similar acts of violence involving the burning of police stations and the brutal killing of police and sometimes their families also happened in South Korea in the fall of 1946 in what has become known as the Autumn Harvest uprising. While the historiography has often spoken of these events as being limited to issues of left vs. right or the anger generated from economic hardship – I would argue that they were part of the price paid by the South Korean regime for a decision to maintain a trained, effective, and brutal police force in the chaotic first years of its existence.