TRUTH, HEALING, EMPOWERMENT: 
ERIC YAMAMOTO ON REPARATIVE JUSTICE FOR THE PEOPLE OF JEJU

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I. INTRODUCTION

Reparative justice has been a persistent theme of scholar-activist Eric K. Yamamoto’s powerful and deeply insightful human rights work. His latest book, Healing the Persisting Wounds of Historic Injustice: United States, South Korea and the Jeju 4.3 Tragedy, applies the reparations framework he has developed over many years to a particularly egregious, yet little known series of atrocities on Korea’s Jeju Island in the immediate aftermath of World War II. With this volume, Professor Yamamoto not only provides information critical to reinvigorating the Jeju Islanders’ longstanding struggle for justice but insists on holding the United States accountable for its role in this “tragedy,” thereby sticking his foot in a door the U.S. has long been determined to close.

While the events addressed in Healing the Persisting Wounds occurred almost seventy-five years ago, Professor Yamamoto’s framing renders them relevant to our contemporary struggles for justice in the United States and across the globe. At a time when historical truths are intensely contested, he illustrates the importance of how one casts a narrative and how the failure to acknowledge significant injustices leads to long-lasting, transgenerational harm. At a time when talk of reparations has again surfaced in mainstream

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discourse, he demonstrates that healing requires not only access to the truth but a multi-dimensional approach that restores dignity and wellbeing. Finally, in sharing this story, he helps us appreciate why we must hold accountable those wielding power while simultaneously recognizing that community-based empowerment does not require governmental approval. These elements of truth, healing, and empowerment are addressed briefly in this essay.

II. FOUNDATIONAL TRUTHS

There is so much we don’t know about what happened on Jeju Island in the aftermath of World War II and so much that, as it turns out, we have known but not acknowledged. Located in the East China Sea between Korea, China, and Japan, Jeju Island has been colonized by many powers, from the Mongols in the thirteenth century to the Japanese in the early twentieth century. On April 3, 1948, while much of Korea, including Jeju Island, was under the United States’ occupation, Korean military and police forces initiated a series of attacks that ultimately resulted in the massacre of over 30,000 residents and the destruction of hundreds of island villages.


4. Much of the background in this section is drawn from Natsu Taylor Saito, Reflections on Accountability: The United States’ Violations of International Law on Jeju Island in the Aftermath of World War II, 7 WORLD ENV’T & ISLAND STUD. 35, 35-45 (2017); see also YAMAMOTO, supra note 1, at 10-17.


During this process, thousands of people were arbitrarily detained, beaten, or tortured, and tens of thousands were forced into exile. After decades of grassroots organizing to bring to light what has been referred to as a “grand tragedy during ‘peacetime,’” the Korean government finally acknowledged its responsibility in 2003, after having suppressed any discussion of these truths for over fifty years.

While Jeju Islanders have since obtained an apology and minimal reparations from the Korean government, much remains to be done before these wounds can heal. One major problem is that there has been no recognition of the critical role played by the military of the United States in these massive violations of human rights. Consequently, the complete truth remains suppressed and the redress necessary to fully restore the rights and dignity of the people of Jeju Island remains elusive.

Upon first learning about Jeju Island, I was stunned by the fact that, even as an Asian American scholar whose work focused on violations of fundamental human rights, I knew nothing about its true history. Revisiting these events through Healing the Persisting Wounds, I was again distressed by the widespread lack of awareness (among most Americans, at any rate), of the United States’ complicity in the Jeju 4.3 tragedy. Simultaneously, however, I was struck by how much we do know, even if only implicitly, because this history, while horrific, is hardly unique.

Professor Yamamoto succinctly summarizes research demonstrating that the United States played a significant role in what it viewed as the “pacification” of pro-democracy Jeju Islanders—including the use of right-wing organizations to terrorize the civilian population, the blurring of the distinction between civilians and combatants, the imposition of a scorched earth policy, training of counterinsurgency forces and use of U.S. military forces to provide support and supplies, blaming atrocities on left-leaning “insurgents,” and its subsequent support for “the repressive South Korean government that made it ‘illegal to discuss [the Jeju 4.3] events in public.’”

7. See George Katsiaficas, Asia’s Unknown Uprisings, Volume 1: South Korean Social Movements in the 20th Century 180-96 (2012); see also Hun Joon Kim, The Massacres at Mt. Halla: Sixty Years of Truth Seeking in South Korea 28-36 (2014); Saito, supra note 4, at 40.
8. See Ko, supra note 6, at 5; see also Saito, supra note 4, at 36.
9. Saito, supra note 4, at 36.
10. See Yamamoto, supra note 1, at 15-22; see also Ko, supra note 6, at 5.
11. See Yamamoto, supra note 1, at 94-118; see also Yamamoto et al., Unfinished Business, supra note 6, at 35-36.
12. Saito, supra note 4, at 36.
Sadly, these tactics are all too familiar to anyone who has studied U.S. “counterinsurgency” actions. A detailed accounting of their use in other situations is beyond the scope of this essay, but many parallels come to mind. Most striking to me is the United States’ “pacification” of the Philippines, a brutal 4-year war in which the U.S. troops razed hundreds of villages, killed perhaps a million Filipinos, forced thousands into concentration camps, and engaged, systematically, in rape and torture—all in the name of bringing “freedom” and “civilization” to the peoples whose lands were being occupied.\(^{14}\) The war in the Philippines, in turn, was frequently described as an “Indian war,” with an explicit directive from the Secretary of War to employ “methods which have proved successful in [the U.S.’s] Indian campaigns in the West.”\(^{15}\) Similar tactics and justifications were relied upon from the 1950s to the 1970s as the United States fought a protracted war in Southeast Asia, purportedly to “contain communism.”\(^{16}\) And, of course, since the mid-twentieth century, “counterinsurgency” actions have been undertaken against left-leaning forces of democratically elected governments throughout Central America, in the Caribbean and South America, and in many African states.\(^{17}\)

Thus, in addition to providing an invaluable account of U.S. actions on Jeju Island in 1948, *Healing the Persisting Wounds* also serves as a reminder that this was not an exceptional situation. Rather, Jeju 4.3 is another example of the very concrete (and often very devastating) effects of U.S. policy—foreign and domestic—on a wide range of individuals, communities, lands, and cultures.\(^{18}\) In a time of concerted efforts to ban critical thinking and heightened pressure to limit public discourse to a narrowly tailored master


\(^{15}\) NATSU TAYLOR SAITO, MEETING THE ENEMY: AMERICAN EXCEPTIONALISM AND INTERNATIONAL LAW 152 (2010).

\(^{16}\) Id. at 218-19.

\(^{17}\) See *id.* For a detailed discussion of CIA interventions in more than fifty countries, see generally WILLIAM BLUM, THE CIA: A FORGOTTEN HISTORY: U.S. GLOBAL INTERVENTIONS SINCE WORLD WAR 2 (1986).

narrative of American exceptionalism, Professor Yamamoto’s intervention is much needed.19

III. HEALING

Acknowledging the truth about massive violations of fundamental rights, especially as experienced by those most directly impacted, is a necessary precursor to healing the wounds—visible and invisible—that inevitably result from such violations.20 But truth alone doesn’t heal; it must be part of a process in which material and moral damage is rectified, dignity is restored, and reassurance provided that similar violations will not recur.21

This is why, under international law, when an unlawful act has resulted in injury, the responsible party has an obligation, to the extent possible, to restore the status quo ante, i.e., to put things back to where they would have been absent the violation.22 As the International Law Commission explains, where full restitution is not possible, we look to compensation, satisfaction, and measures of rehabilitation.23

“Satisfaction” encompasses some of the most notable departures from remedies that are commonplace in the United States.24 It acknowledges the importance of narrative and can include verification and public disclosures of relevant facts, a duty to search for missing persons, official declarations or judicial decisions meant to restore dignity and reputation, public apologies, commemorations and tributes to the victims, and “[i]nclusion of an accurate account of the violations that occurred in international human rights law and international humanitarian law training and in educational material at all levels.”25

Whatever remedial measures are employed, states are responsible


20. See YAMAMOTO, supra note 1, at 73-78.


22. Factory at Chorzów (Ger. v. Pol.), Judgment, 1928 P.C.I.J. (ser. A.) No. 17, at 47 (Sept. 13). This principle has been reiterated more recently by the International Court of Justice, the Inter-American Court of Human Rights, and the European Court of Human Rights. See DINAH SHELTON, REMEDIES IN INTERNATIONAL HUMAN RIGHTS LAW 272 (3d ed. 2015); see also Thomas M. Antkowiak, Remedial Approaches to Human Rights Violations: The Inter-American Court of Human Rights and Beyond, 46 COLUM. J. TRANSNAT'L L. 351, 361 (2008).


for ceasing illegal actions and, where appropriate, providing guarantees of non-repetition.\textsuperscript{26} The nature of the wrong determines the appropriate remedy and the perpetrator does not get to determine the form or extent of the redress to be provided.\textsuperscript{27}

In \textit{Healing the Persisting Wounds}, Professor Yamamoto provides a hands-on illustration of what true redress could look like, applying his framework for social healing through justice—built upon the foundational concepts of recognition, responsibility, reconstruction, and reparation—to the initial atrocities and ongoing trauma associated with Jeju 4.3.\textsuperscript{28} He proposes a Joint Task Force with U.S. and South Korean participation, and outlines both process-oriented goals and substantive considerations.\textsuperscript{29} The Task Force, he observes, could assess and build upon the work of a prior South Korean National 4.3 Committee investigation, with the goals of including an accurate account of the United States’ role, assessing and expanding reparative actions, and recommending and overseeing the next steps to be undertaken in this process.\textsuperscript{30} He emphasizes that all of this could and should be accomplished in a way that benefits the people of Jeju Island and enhances the legitimacy of both South Korea and the United States “as democracies committed to the rule of law and particularly human rights.”\textsuperscript{31} Finally, Professor Yamamoto outlines nine substantive recommendations to be considered by such a task force, each tailored to the particular history and culture of Jeju Island.\textsuperscript{32}

IV. EMPOWERMENT

\textit{Healing the Persisting Wounds} provides us, in a nutshell, with the knowledge required to understand a massive historic injustice, a roadmap to resolving the resulting harm, and the resources needed to implement the plan. In an ideal world this would be all that is necessary to obtain meaningful redress. The reality, of course, is complicated by the question of political will and power. Are those who had the ability to inflict the injury still in charge? If so, their cooperation is unlikely. Even when there has been regime change, so to speak, those who currently wield political, economic,
and social influence may not be sufficiently motivated to ensure the justice that precedes social healing.

A central theme of Healing the Persisting Wounds is the need for U.S. accountability. Until the perpetrator of the wrong acknowledges the wrong and engages in reparatory action, the harm persists. There can be no healing of a wound that remains open, or an injury that continues to be inflicted. Yet with respect to the Jeju tragedy, for nearly seventy-five years, the United States has refused to take responsibility for its actions, and the South Korean government—while taking significant steps toward reparations—has not addressed the role of the United States in any direct manner. What do we do in the face of dramatic power imbalances and a consistent failure of the United States to acknowledge its instrumental role in these atrocities?

One thing we can do is to look for convergences of interest. As the late law professor Derrick Bell explained, identifying and appealing to mutual interests is often our only source of leverage in struggles for racial justice. Taking this approach with respect to Jeju 4.3, Professor Yamamoto makes a compelling case for how meaningful participation in the redress process could enhance the United States’ democratic legitimacy, both domestically and globally, particularly with respect to its commitment to civil liberties and fundamental human rights. As I have argued elsewhere, “in the struggle for reparations, we are not asking for redress from the state because it would be the moral or politically correct thing to do (though we may also be making that claim); we are asking for compliance with the rule of law” and the U.S. has long promoted itself as a champion of the global rule of law.

Will this convince U.S. political leaders to actively remediate large-scale violations of human rights in this case? It seems unlikely but, nonetheless, I consider it vitally important to make these arguments because sometimes they succeed in motivating Congress or the executive into action and, even when they do not, they force us to think about what it is that these leaders value more than democratic legitimacy, human rights, and the rule of law. That said, when we are living with the open wounds of large-scale violations of human rights such as those associated with Jeju 4.3, we cannot wait for the day when states decide to rectify the harms they have inflicted in the

33.  See id. at 16-69, 198.
34.  Derrick A. Bell, Jr., Brown v. Board of Education and the Interest-Convergence Dilemma, 93 Harv. L. Rev. 518, 523 (1980); YAMAMOTO, supra note 1, at 237-38.
35.  YAMAMOTO, supra note 1, at 232-36.
36.  Saito, supra note 21, at 31.
course of consolidating, expanding or maintaining their political, military, or economic might.

Instead, we can recognize that the empowerment of subordinated peoples is not contingent upon the policies or practices of the dominant society but is, rather, a function of the exercise of their right to self-determination. As law professor Robert A. Williams, Jr. explains, self-determination “encompass[es] the idea that human beings, individually and as groups, should be in control of their own destiny, and that systems of government should be devised accordingly, and not imposed upon them by alien domination.”

Thus framed, a key to redress for the Jeju 4.3 atrocities lies in Professor Bruce Cumings’ observation, quoted by Professor Yamamoto, that “it was on this hauntingly beautiful island that the postwar world first witnessed the American capacity for unrestrained violence against indigenous peoples fighting for self-determination and social justice.”

In 1945, after thirty-five years of colonial occupation by Japan, the southern portion of the Korean peninsula had been placed under the control of the United States Military Government in Korea (USMGK), and the United States was determined to consolidate an independent South Korea under the control of a “friendly” regime. The “communist rebels” being suppressed under the direction of U.S. authorities were, in fact, Jeju Islanders, long known for their independent spirit, protesting police violence and contesting the separate elections scheduled for the south in May 1948 because they feared that these elections would result (as they did) in a permanently divided country. Thus, the people of Jeju Island were exercising their right to self-determination—to decide their political future—and the repression that began on April 3, 1948 was motivated by the USMGK’s intent to suppress Jeju Islanders’ political choices.

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41. See CUMINGS, supra note 40, at 124-25; YAMAMOTO, supra note 1, at 106-07.

42. See KATSIAFICAS, supra note 7, at 87-94 (noting that the people’s resistance to a range of harsh governmental policies led to increasingly repressive responses by the U.S. military government).
was that after the “Republic of Korea was established in August 1948 under Syngman Rhee, with American military leadership supervising and overseeing South Korean military and national police actions, and with American military forces still in place to support the new government, suppression of the Jeju people accelerated with a ‘scorched earth operation.’”

The Jeju 4.3 tragedy was a product of the United States’ suppression of the Jeju people’s right to self-determination, and genuine redress will have to ensure that those people are given the opportunity to “freely determine their political status and freely pursue their economic, social and cultural development." By definition, self-determination is a process that cannot be dictated from above, but we can assess what measures empower subordinated peoples, enhance their collective wellbeing, respect their dignity, and restore balance to their worlds. This is why Professor Yamamoto’s substantive recommendations to uplift the voices and perspectives of Jeju Island people and institutionally empower their communities are so important.

V. Han

The story of Jeju Island is haunting. But what will probably stay with me the longest is neither the particulars of the history revealed in Healing the Persisting Wounds, nor its brilliant framing of the remedial process most appropriate to these particular circumstances. Rather, it is how Professor Yamamoto explains the wounds at issue in terms of han. I understand han to be an elusive concept that, while it cannot be properly translated into English, reflects the hardships suffered by Korean people—particularly at the hands of their colonizers—over many generations. Theologian Nam-Dong Suh’s explanation, quoted by Professor Yamamoto, is particularly intense. Suh, a political dissident who was imprisoned and tortured for his opposition to the despotism of the U.S.-backed regime in South Korea, describes han as

43. Yamamoto et al., Unfinished Business, supra note 6, at 27.
44. ICCPR, supra note 38, at art. 1 (defining self-determination); ICESCR, supra note 38, at art. 1 (defining self-determination).
46. See id. at 2-3, 290-91 (quoting and discussing Yea Jin Lee).
a “feeling of unresolved resentment against injustices suffered, a sense of helplessness because of the overwhelming odds against one, a feeling of acute pain in one’s guts and bowels, making the whole body writhe and squirm, and an obstinate urge to take revenge and to right the wrong—all these combined.”

I cannot pretend to know all that is encompassed within this uniquely Korean concept, but Suh’s framing resonates with me. Have we not all seen such processes at work—particularly among colonized or otherwise exploited and oppressed peoples who have been subjected to injustices that generate deep resentment? Wrongs that remain unacknowledged and unresolved, producing intense feelings of both helplessness and acute pain as well as an apparently unquenchable desire for both revenge and justice? Moreover, as Yea Jin Lee recounts in the story of the trauma experienced by her friend’s father, do we not see examples all around us of how, when such deep wounds remain open, the anger and despair they generate persist from generation to generation?

These persistent cycles of pain and helplessness, despair and anger, affect subordinated communities most directly but they resonate throughout any society that is built on unacknowledged violence and trauma. That is why we all need to take reparations seriously. When viewed through a lens that incorporates these elements of han, the inadequacies of a narrow view of reparations become apparent. It helps us see, for example, that redressing Indigenous rights will require addressing not only stolen lands and broken treaties, but also the long-term and on-going damage done by boarding schools, out-adoptions, involuntary sterilization, centuries of the suppression of Indigenous spiritual relationships and practices, and the ongoing racism, dispossession, and disappearance (both literal and conceptual) experienced by Indigenous people today.

Reparations for African Americans are often conceived of as an official apology for slavery and some variant of monetary compensation, either to individuals or groups. Such measures are certainly a necessary part of any serious effort to redress the trauma and dispossession inflicted by centuries of chattel slavery as well as the subsequent subordination and exploitation of

48. YAMAMOTO, supra note 1, at 3 n.1; BOO-WOONG YOO, KOREAN PENTECOSTALISM: ITS HISTORY AND THEOLOGY 221 (1988).
49. See YAMAMOTO, supra note 1, at 3, 290-91; see also VOLKER KÜSTER, A PROTESTANT THEOLOGY OF PASSION 79-85 (2010) (providing background on Suh Nam-Dong).
50. See SAITO, supra note 24, at 57-78 (addressing these issues in more depth).
people of African descent in the United States. Yet we know, I think, that without a much more comprehensive approach, all that has been experienced—from the robbing of languages and cultures to the sundering of family ties, the public lynchings and the quiet murders, and the spirit-crushing nature of being forcibly assimilated and simultaneously always excluded—will continue to generate pain, despair, anger, and a will to break free from the constraints of injustice.

This is why Professor Yamamoto’s work is such a gift to all who struggle to rectify historic wrongs. It speaks to the struggles of all peoples who have been subjected to large-scale injustices wrought by the United States or its representatives. In addition to making Jeju Island’s history real to us and providing a very practical path for addressing the wrongs at issue, Healing the Wounds illustrates why we need to take transgenerational trauma seriously. It exposes the sources of the anger and despair we see around us today and helps us appreciate the common roots of the wounds so many live with today. It confirms that accountability is essential but affirms, simultaneously, that we can’t wait for the responsible parties to act. Instead, it places those communities most directly impacted at the heart of the struggle for reparations and clarifies that if we are ever to quell the acute pain, remove the indignities, and transcend the urge for revenge, we will have to confront all these dimensions of social healing.

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52. See generally Ta-Nehisi Coates, The Case for Reparations, ATLANTIC, June 2014 (summarizing ongoing struggles for reparations for racial injustices in the United States); BORIS I. BITTKER, THE CASE FOR BLACK REPARATIONS (1973) (providing groundbreaking research on Black reparations and emphasizing America’s unpaid debt to African Americans).

53. For additional background, see SAITO, supra note 24, at 79-110 (addressing these issues in more depth).