The Trauma of State Violence and Healing in Transitional Justice

MYUNG Jiwon [Gwangju Trauma Center Director]
From the period of the Japanese occupation to authoritarian rule, countless acts of state violence such as torture and massacre have been resisted by Korean society. However, the awareness that the state as the perpetrator is responsible for healing the trauma of the victims is a recent occurrence. The Gwangju Trauma Center, as the first full-scale enterprise for treating trauma caused by state violence, began in 2012. Internationally, considering that comparatively, since 1980, official research and the practice of healing for survivors of torture have been achieved, Korea has had its start ex post facto.

As an outcome of the fierce democratization and human rights movements in Korea, the term state violence is now ordinarily used. The simple fact that the state can be the main agent of violence can be expressed without fear. There has been abundant theoretical and practical discussion surrounding state violence, enough to achieve truth investigation, the punishment of responsible parties, compensation and reparation, and remembrance and commemoration, for the sake of resolving past history. But the rights of survivors of state violence to treatment and rehabilitation, politically and socially, are not appropriately guaranteed. Above all else, the issue of the investigation of the truth and punishment of responsible parties remaining in an incomplete state is not only a delay in social justice. The state and society are not taking seriously the fact that it signifies the continuation of the pain experienced by survivors of state violence. Therefore, even up to the present, survivors continue to fight as always for justice and to protect themselves.

This writing, with the treatment experience of the Gwangju Trauma Center and the testimonies of survivors as a background, will look into the issue of transitional justice and examine the current outcomes and tasks in Korea, from the perspective of treatment for trauma and rehabilitation of survivors of state violence.

1. An Integrated Approach to the Treatment of Survivors of State Violence

The state should guarantee its citizens’ life and safety, so people who suffer state violence such as torture or assault experience complex, long-term effects arising from trauma. State violence is an existent incident that transforms people, and especially torture occurs systemically with the objective of damaging individual identity. The continued stigmatization and isolation by the state for the sake of justifying acts of violence renders the trauma of the victim chronic, not only damaging physical and psychological health but also bringing about social and financial pain. For this reason, survivors of state violence and their families suffer, as much as the long-term effects caused by direct acts of violence such as torture, violence, severe secondary and tertiary trauma, as from the subsequent surveillance and control, social isolation, distortion of the truth, and derogation.

The cultural, political, and historical context surrounding survivors of state violence,
following the incident, has an enormous impact on the psychological outcome and formation of identity. At worst, if approached focusing solely on the psychological diagnosis of survivors of torture removed of all context, the treatment and rehabilitation of survivors will not only be markedly impeded, but predisposed regulations may result in repeated trauma. It follows that for trauma caused by state violence, not only from the perspective of psychiatry and psychotherapy but as an issue of social structural environment and systems, treatment and rehabilitation are not possible without looking into the internal structure and impact of state violence. It is for this reason that rehabilitation centers for survivors of torture in the world attempt an interdisciplinary and integrated approach.

According to Inger Agger, Danish doctor of psychology, there are two methods of approach for understanding and treating the psychological pain of survivors of torture: a human rights approach and a trauma approach. In particular, Agger emphasizes the restoration of justice and political rehabilitation in the human rights approach. In academic circles related to rehabilitation centers for survivors of torture in the world, this type of approach is already accepted as applicable to fundamental issues. The Gwangju Trauma Center, from the time of the initial stage of its establishment, its primary mission and role not only the work of treating individuals, was also established as an enterprise with the protection of human rights and prevention of state violence as its central axis.

2. The Restoration of Justice and the Healing of Survivors

The restoration of justice is not separate from the healing of survivors. Through the judicial system, the process of confirming the guilt of the perpetrator, as a process of restoring community justice, at the same time becomes an opportunity to restore the lost dignity of the survivor. In particular, to the survivor, the opportunity to reinterpret the overwhelming experience of state violence becomes the process of obtaining official recognition. Actually, there is also a research outcome that may be recognized, more important than monetary compensation, through an intangible and symbolic approach such as a commemoration or an apology, taking responsibility for acts of violence. As such, the punishment of the perpetrator has an impact on forming a “sense of security” absolutely necessary to the psychological health of the survivor. In the existing research, when survivors feel a sense of security, the occurrence of PTSD and depression is greatly reduced. Determining a punishment, separating the perpetrator from the community, for the definite prevention of recurrence, survivors depend on the judicial conclusion and official acknowledgment concerning the perpetrator.

However, efforts to investigate the truth and punish the perpetrator, as a whole, oppress the survivor with further pain. Most survivors come to face concrete/intangible intimidation due to the police or judicial authorities, and experience discrimination in society consistent with
apathy or silence. The expectation of survivors for the fulfillment of justice lies in the process of overcoming the fear of the possibility of endless failure. The lack of accessible information with regard to legal proceedings, high costs of litigation, and the fear of recurrence of trauma in the trial process also have an impact on the failure of punishment. The wounds and fear caused by state violence form a vicious cycle of “tolerance” of state violence. In this manner, without even being able to express the injustice of harm suffered, the past powerfully informing the present, this method may be deemed the brutality of state violence. It follows that the level of justice is determined through the realities of political and social dynamics. What shows this fact is the incident of sexual violence inflicted by martial law soldiers at the time of May 1980 that has been recently made known.

3. Testimonies of Sexual Violence 38 Years After 5·18

Beginning with the prosecution of the Seo Ji-Hyun case in 2018, the Me Too movement has accelerated. Confessions continued, overcoming heavy silence, and various voices poured out concerning misogyny in Korean society, harm caused by sexual violence, and structural gender discrimination. Beyond support for victims, various practical activities for problem-solving are still being carried out to the present. The current political and social changes and shifts in dynamics naturally impact not only the future but also the past. Namely, with today’s experience and capacity, forecasting the future, we come to reflect on the experiences of the past.

Looking forward and back between the year 2018 and the 38th anniversary of the People’s Uprising of 5·18, the light was shed on the harm inflicted by the sexual violence of martial law soldiers at the time of May 1980, and public interest was raised. Immediately following 1980, rumors already circulated in graphic detail of facts concerning sexual violence against women, and it is an openly known fact that the circumstances which could be presumed were caught.

As has recently been made known, in the 5·18 Democratization Movement Criteria of Consideration for Compensation, records concerning harm suffered from sexual violence can be found in great numbers. However, at the time, in 1980, society was apathetic and ignored these facts. Victims of sexual violence, seeking compensation by the state, gave difficult testimonies, as the hidden memories of the sexual assault resurfaced. The state, by reason of not being applicable to the provisions stipulated for compensation (death, injury, missing persons), excluding harm suffered from sexual violence, and only recorded brief records of bodily harm. A considerable number of the victims of sexual violence confirmed in these materials were unable to receive appropriate treatment or investigation, and so suffered unimaginable pain and difficulty, such as giving birth, living in a psychiatric hospital for 30
years, and self-immolation, and eventually died. They now exist only in brief records. While it is a fact that much of the truth about state violence remains secret, in particular, issues related to sexual violence have been buried and excluded for nearly 40 years, and have been ignored time and again.

"At the time of the 5th public hearing (1988), when they expressed their wish to discuss these types of matters (harm suffered through sexual violence in 1980), the National Assembly or aides responded, 'No matter how atrocious, if they say they suffered as far as sexual assault, who would believe them? Wouldn’t they suffer from counterattack instead?' Saying thus, they were extremely reluctant to discuss the matter. Likely, the atmosphere of society was also the same at the time."

As it was difficult for victims who had already been confirmed, as well to handle the brutality of the violence, on occasion due to political interests, and at the most fundamental, the "social atmosphere" not being right, it was buried. However, following the impact of the 2018 Me Too movement, the testimonies surfaced of victims who had worked up the courage.

"Recently, a female prosecutor began Me Too, so I too worked up the courage after 38 years, (...) While watching the Me Too exposé a few months ago, I wanted to kill that bastard."

This victim, who made public through one news source the facts of the harm she suffered from sexual violence by a martial law soldier, emphasizes that she decided to report the harm she suffered while observing the 2018 Me Too movement. At the same time, the Gwangju Trauma Center confirmed it received a total of three incidents of sexual assault caused by martial law soldiers at the time of 5·18. Among them, in the same manner as the above victim, two testified that prosecutor Seo Ji-Hyun’s #metoo became the decisive opportunity that led them to decide to report the harm they suffered. The progressive change in the main social-cultural cause for the perpetuation of oppression and disparagement of women, also concerning truth investigation of state violence, is also reflecting that momentum.

At the time of the 5·18 Gwangju Democratization Movement, to investigate the truth of crimes of sexual assault against civilians such as by martial law soldiers, according to the 5·18 Martial Law Army Sexual Violence Joint Research Group, a total of 17 cases of victims of sexual violence were confirmed. Piecing together the testimonies of survivors, presuming incidents of sexual violence occurred to a greater extent, and revealing the complete truth is now one of our tasks. The work of investigating the truth of state violence is not only for judicial and systematic change but since cultural change must be given attention. When the state and society in their entirety sympathize and give attention to the pain of victims of 5·18 Sexual Violence, the truth of the violence will be somewhat more revealed, and healing and meaning will progress.
4. Action by 5·18 Democratization Movement Truth Investigation Committee

The efforts to uncover the full truth will provide the basis for punishment of the responsible party, compensation and reparation, and remembrance and commemoration. Above all, even for the healing of survivors of state violence, the work is absolutely necessary. Recently, positive change is showing as a result of this kind of effort. In particular, attention must be given to the activities of the 5·18 Democratization Movement Truth Investigation Committee and the publication of research papers for the treatment of trauma caused by state violence. One year and three months since the passing of the Special Act on the Investigation of the 5·18 Democratization Movement, the 5·18 Democratization Movement Truth Investigation Committee (hereafter Investigation Committee) was established in January of 2020. The first task of the Investigation Committee, ordered by the first promulgation and group promulgation, was an investigation in seven areas. They include identifying responsible parties, missing persons, fabrication of North Korean military invasion, massacre of innocent civilians, sexual violence, and inhumane acts committed by the martial law army. In particular, the most important task may be considered the investigation into the responsible parties, thus far stymied for 40 years. The survivors speak of it as the last opportunity to reveal the truth of 5·18, still undisclosed even with the efforts of nine attempts to investigate the truth, beginning with the 1988 Gwangju hearings and 1995 prosecution investigation. Above all, considering official reports are fabricated at the state level, it will become an important opportunity to rectify the distortion and defamation aimed at the 5·18 People’s Uprising. Most recently, with news relayed that the National Intelligence Service has provided nearly 4,000 pages of Democratization Movement records to the investigation committee, there is also the expectation that the truth will be more fully shown.

Last June, the Gwangju Trauma Center made a business agreement with the investigation committee, specifying ① mutual cooperation for the investigation into the truth of the 5·18 Democratization Movement and ② activities for psychological support, such as for victims of state violence. The agreement also pledged exchange and cooperation in supporting investigation activities to reveal the truth of incidents of sexual violence that occurred during the 5·18 Democratization Movement, specifically encouraging victim reports of incidents included in the 5·18 Truth Investigation Committee’s scope of the investigation and connected projects. There are also plans to carry forward psychological support for victims participating in the investigation of the 5·18 Truth Investigation Committee, and psychological support for the prevention of vicarious trauma and exhaustion of investigators affiliated with the 5·18 Truth Investigation Committee.
5. Publication of Research Report on the Treatment of Trauma Caused by State Violence

At the time of the establishment of the Moon Jae In administration, it was raised as one among 100 past affairs to be settled coinciding with public opinion. Also, at the 2017 5·18 Commemoration, President Moon Jae In promised the state would take responsibility for the healing of trauma caused by state violence. According to this, the Ministry of Public Administration and Security carried forward the Research Development Plan for a National State Violence Trauma Treatment Center, and completed the research in January of 2019. This report is significant at the state level, as it is the first official and systematic investigation concerning victims of state violence.

This report stipulates the contemporary history of South Korea was “a history of violation of human rights caused by state violence.” Colonization by the Japanese empire, division and war, massacre, and military dictatorship occurred in succession. The report includes detailed and comprehensive content such as ① the applicable scope and time of state violence ② the estimated victims of state violence and subjects for treatment ③ characteristics of harm caused by state violence and aspects of treatment for trauma ④ the need to establish a separate treatment center for trauma caused by state violence ⑤ and legal structure of the treatment center.

The most critical content of the report may be the applicable scope and time of state violence and the estimated scale of the victims. According to this report, from the Japanese colonial era until 2019, the number of parties to damage caused by state violence is estimated at 2,835,134, and extended victims, including family members at 7,234,470. Among these, at present, there are approximately 1,835,903 survivors, and 146,348 actual victims figured by the state or bereaved family members. If the National State Violence Trauma Treatment Center is established, within three years, the potential number of victims requesting treatment is estimated to be 15,834.

In the report, particular attention should be given to the part emphasizing a “social support system for the treatment of victims of state violence.” The report emphasizes the most common characteristic in the treatment of trauma caused by state violence is the completion of treatment only when the victim has been accepted as a full member of one society. It points out that at the “National State Violence Trauma Treatment Center,” community liaison cannot help but become the core enterprise. To this end, education carried out in conjunction with the local community is particularly emphasized. The report mandates ① efforts to cultivate the capacity of students to understand examples of past state violence and sympathize with the pain of victims. It should be done by implementing education about state violence and trauma at school sites, consulting with local educational authorities, planning for
independent teacher training, or through the participation of local educational authorities in various training programs. It also emphasizes the cooperation of central and local governments with civil societies, connecting with various human rights and peace education, such as currently implemented human rights education, democratic citizens’ education, and education for international understanding.

Regarding the practical operation of a “State Violence Trauma Treatment Center,” the basic principles for resolving issues of concern are emphasized. These lie in the establishment of a national state violence trauma center so that as a priority, the independence and autonomy of the organization must be prerequisites. While most torture survivor rehabilitation centers as non-government organizations (NGOs) have foreigners such as refugees and immigrants as their main subjects, Korea is the first country to directly form a domestic trauma treatment center for victims of state violence. While being a government organization, with not only past but present state violence as its simultaneous subject, according to the nature of the administration, the risk of violation of independence and autonomy exists. Further, owing to an administrative system emphasizing efficacy and outcome, the possibility of severe intervention and violation of the treatment and rehabilitation enterprise occurring is high. Peter Elsass refers to Bauman’s words that “the most shocking revelation about the Holocaust was that the physical exterminations were a product of routine bureaucratic procedures.” He points out, “the bureaucracy, devoid of morality, executes its objective entirely as a machine. This inhumanity is, in other words, a condition of torture.” It follows that not only must the guarantee of autonomy and independence be stipulated, but in practical operation, its installation must be secured to guarantee autonomy and independence.

6. Remaining People, Remaining Responsibility

Nine years have passed since the Gwangju Trauma Center began its treatment activities. Secondary and tertiary waves of violence are overwhelming survivors by much more and at a greater rate than the steps toward healing taken by the center. The survivors facing the 40th anniversary of the 5·18 People’s Uprising feel the weight of responsibility along with expectation.

The reality that, stating 5·18 was an act of the North Korean army, perpetrator Chun Doo-hwan publishing his memoirs, and claims he was a victim of 5·18, sends the parties involved back into the violence of May of 1980 every moment of every day. The fear and pain of this reality do not only belong to persons of merit of the 5·18 People’s Uprising. The citizens who witnessed the massacre by the militia and subsequent repression throughout the center of Gwangju in May of 1980 are other traumatized victims. It is a traumatized community.

The perpetrator and responsible authorities must take responsibility for their acts of brutality,
and the criminal acts of those who committed the atrocities must be punished. The prerequisite for healing is eliminating the source of evil, and fighting in resistance to injustice and atrocities is crucial for the successful restoration of the dignity and humanity of the survivor. There must be a fundamental response including the investigation into the truth, punishment of responsible parties, compensation, and apology, in order for similar incidents not to be repeated, and for the pain of victims to receive closure. Thus, the work of healing can be engaged. When Chun Doo-hwan’s memoirs vanish, when the truth of the helicopter shooting by the militia and person responsible for the shooting is revealed, thus Gwangju and the survivors of 5·18 will be able to build a community of healing.

The people who are living at the same time carry the burden of communal responsibility for the pain of that time. The full healing of trauma caused by state violence is not only about the treatment of individual victims. It is only possible when society, as a whole, changes to become one healing community, and that responsibility lies with us.