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President Syngman Rhee’s Statement on the Promulgation of the Anti-National Acts Punishment Act

李承晩 대통령, 반민족행위처벌법 공포에 대하여 담화를 발표

President Syngman Rhee · 23 September 1948

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Speaker
: Syngman Rhee (이승만), President of the Republic of Korea

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: National Institute of Korean History, Materials on the History of the Republic of Korea (자료대한민국사), vol. 8, entry dh_008_1948_09_23_0140

Comparative witness
: Presidential Archives, 1953 Government Information Office collection of presidential statements; catalogued 24 September 1948

Associated legislation
: Act on Punishment of Anti-National Acts, Law No. 3, promulgated 22 September 1948

Editorial introduction

The Act on Punishment of Anti-National Acts (Law No. 3), promulgated on 22 September 1948, established a legal framework for addressing specified forms of collaboration under Japanese colonial rule. On 23 September, President Syngman Rhee issued a public statement about the Act through the government’s Office of Public Information. Seoul Shinmun published its text on 24 September. The statement acknowledged popular support for punishing severe acts of collaboration while asking that the law be administered with attention to mitigating circumstances, the potential for rehabilitation, and the unsettled governmental and international situation. [1–3]

This edition translates the complete statement as reproduced by the National Institute of Korean History from the contemporary newspaper. A related version, preserved by the Presidential

Archives from a 1953 government compilation, bears a different catalogue date and includes textual variants. The versions are documented separately rather than silently conflated. [1, 2]

EDITORIAL SCOPE The newspaper’s introductory sentence is distinguished from the attributed presidential statement. Historical spelling and Hanja are retained in the source transcription.

Primary source / seoul shinmun, 24 september 1948

Contemporary text and English translation

Newspaper introduction / not part of the statement

대통령 이승만박사는 재작일 정식으로 서명·공포된 반민족행위처벌법에 관하여 23일 공보처를 통하여 다음과 같이 담화를 발표하였다.	On the 23rd, President Syngman Rhee issued the following statement through the Office of Public Information concerning the Act on Punishment of Anti-National Acts, which had been formally signed and promulgated two days earlier.

Statement / paragraph 1

“외적에 아부하여 악질적인 반민족행위를 감행한 자를 처벌함은 민의가 지향하는 바이며, 우리가 다 이를 각오하는 바이므로 이번에 국회에서 의결된 반민족행위처벌법에 대하여 본대통령은 민의를 따라 서명·공포한 것이다. 다만 본대통령은 이 법을 공포함에 際하여 몇 가지 소감을 피력하지 않을 수 없다.	“Punishing those who, by currying favor with foreign aggressors, committed grave acts against the nation is what the people desire, and it is a course of action to which we are all committed. Accordingly, I, as President, signed and promulgated the Act on Punishment of Anti-National Acts passed by the National Assembly in accordance with the will of the people. Nevertheless, upon promulgating this Act, I cannot refrain from expressing several observations.

Statement / paragraph 2

첫째 이 법에는 벌을 받은 자의 자손에게 벌이 미치며 그 재산을 몰수한다는 규정이 있는 바 이것은 소상한 해석이 없으면 中古時代의 連坐律과 혼동될 염려가 있으므로 현대 민주주의 법치국가로서 이런 법을 적용한다는 오해를 피해야 될 필요가 있을 것이며, 또 고등관을 역임한 자를 관등을 구별하여 벌칙을 정한 것은 일정한 차별을 만들기에 필요한 것이지만은 법률은 문구보다 정신을 소중히 하는 것이니 비록 등급으로는 처벌에 해당한다 할지라도 정신적으로 용서를 받을 만한 경우도 있을 것을 참작하여, 일후 특별법원을 조직한 후 본법 해당자를 재판하는 데 있어서는 이런 점에 특별 유의하여 억울한 일이 없도록 힘쓰기를 희망하며 일반 동포도 이런 점을 양해하여 이 방면으로 주의하기 바라는 바이다.

First, this Act contains provisions under which punishment extends to the descendants of a person who has been punished and property is confiscated. Without a detailed explanation, these provisions may be confused with the medieval law of collective responsibility for a relative's offense. It is therefore necessary to avoid the misunderstanding that a modern democratic state governed by law applies such a system. Furthermore, although differentiating penalties according to the official ranks formerly held by senior officials is necessary in order to make certain distinctions, the spirit of the law is more important than its wording. Even where a person falls within a punishable category by virtue of rank, there may be circumstances in which that person deserves forgiveness in a moral sense. I therefore hope that, when the special court is established and persons subject to this Act are tried, particular attention will be paid to these considerations so that no one suffers an injustice. I also ask our fellow citizens to understand these points and pay attention to them in this regard.

Statement / paragraph 3

제6조에서 '본법에 규정한 죄를 범한 자가 개전의 정신이 현저할 때에는 그 형을 경감 또는 면제할 수 있다'고 한 것은 寬嚴을 구비한 규정이라 할 것이니, 대개 법으로서 죄를 벌함은 범죄자에게 보복을 가하는 것보다는 범죄자를 선도하여 개과천선의 기회를 주려는 데 목적이 있는 까닭이다. 법률은 공평하고 엄정하기를 주안으로 삼는 것이나 의혹이 있는 경우에는 후한 편으로 치우치는 것이 가혹한 편으로 치우치는 것보다 항상 可할 것이다. 또 한가지 말하고자 하는 것은 내가 自初로 주장하던 것은 반민족행위자를 처벌하는 것은 정부가 완전히 선 후에 하자는 것이다. 지금 대한민국정부가 비록 성립되었으나 정권이양이 아직도 진행중에 있는 터이오, 또 유엔총회의 결과도 아직 完定되지 못한 터이므로 모든 사태가 정돈되지 못한 이 때에 이 문제를 처리함에 있어서는 내외정세를 참고하여야 할 점이 허다한 것이니 지혜로운 모든 지도자들은 재삼 생각할 필요가 있음을 이에 宣明하는 바이다."

Article 6 provides that "where a person who has committed an offense prescribed by this Act shows clear signs of repentance, the sentence may be reduced or remitted." This provision may be said to combine leniency with severity, for the purpose of punishing offenses by law is generally not so much to exact retribution upon offenders as to guide them and afford them an opportunity to mend their ways. Although the law must above all be fair and strictly administered, where doubt exists it is always preferable to incline toward leniency rather than harshness. Another point I wish to make is that, from the outset, I have maintained that persons who committed anti-national acts should be punished only after the government has been fully established. Although the government of the Republic of Korea has now been formed, the transfer of governmental authority is still under way, and the outcome of the United Nations General Assembly has not yet been finally determined. Since circumstances have not yet been settled, there are many respects in which domestic and international conditions must be taken into account when addressing this matter. I hereby declare that all prudent leaders need to consider this carefully, more than once."

Textual criticism and editorial notes

Two witnesses to the statement

The National Institute of Korean History reproduces the report in Seoul Shinmun (24 September 1948), recording issuance of the statement on 23 September. The Presidential Archives records a closely related text under 24 September 1948 and cites the Government Information Office's 1953 collection. The archive edition above follows the former source throughout; the latter has not been substituted into the 1948 newspaper text.

POINT OF COMPARISON	1948 NEWSPAPER	PRESIDENTIAL ARCHIVES / 1953 TEXT
Recorded date	Seoul Shinmun: issued 23 September, published 24 September	Presidential Archives: statement dated 24 September
Opening wording	외적에 아부하여 ("currying favor with foreign aggressors")	왜적에게 가부하여 (explicitly identifies Japanese aggressors)
Promulgation tense	서명·공포한 것이다 (signed and promulgated)	서명 공포할 것이나 (will sign and promulgate)
Collective liability terminology	中古時代의 連坐律 (medieval law of collective responsibility)	중고시대의 일 (less explicit wording)

Editorial and translation notes

1. Dates and attribution. The newspaper labels the statement as issued on 23 September 1948 and published on 24 September. The Presidential Archives' date of 24 September refers to its separately catalogued version; neither date should be silently substituted for the other.

2. Enactment versus statement. Law No. 3 was promulgated on 22 September 1948. The statement is commentary on that promulgation, not the statute or an official amendment to it.

3. "Foreign aggressors" (외적). The 1948 newspaper uses the generic term 外敵/외적, whereas the text preserved in the 1953 collection specifically says 왜적, referring to Japanese aggressors. The English follows the newspaper's broader wording.

4. Collective responsibility (連坐律). Rhee expresses concern that the property and inheritance provisions could be perceived as hereditary criminal punishment. This is his characterization of the statute, not a determination that the law expressly created criminal liability for descendants.

5. Senior ranks. The discussion of 고등관 and 관등 refers to positions and ranks within the colonial administrative hierarchy. The translation preserves the argument about category-based culpability rather than substituting contemporary civil-service classifications.

6. Special court. The reference to a special court anticipates the institutions contemplated under the Anti-National Acts Punishment Act. It should not be read as proof that the court had already been established by the statement date.

7. Remission and repentance. The newspaper's quotation of Article 6 reads 개전의 정신 (spirit or disposition of repentance). It is presented as Rhee's quotation within his statement, not as a verbatim transcription of the statute: the enacted Article 6 uses 개전의 情狀이 ("circumstances of repentance or reform"). For statutory interpretation, consult the original Act.

8. United Nations reference. The statement says the result of the United Nations General Assembly

was not yet finally determined; this is an assessment made on the date of the statement, not a retrospective account.

Source bibliography

1. National Institute of Korean History (국사편찬위원회). “李承晩 대통령, 반민족행위처벌법 공포에 대하여 담화를 발표.” 자료대한민국사, vol. 8, September 23, 1948. Transcription from Seoul Shinmun, September 24, 1948. https://db.history.go.kr/contemp/level.do?levelId=dh_008_1948_09_23_0140

2. Presidential Archives (대통령기록관). “반민자 처단은 민의, 법운영은 보복보다 개과천선토록 하라.” Statement catalogue entry dated September 24, 1948; text from 대통령이승만박사담화집 (Government Information Office, 1953). https://www.pa.go.kr/research/contents/speech/index.jsp?artid=1310449&catid=c_pa02062&spMode=view

3. National Law Information Center (국가법령정보센터). Act on Punishment of Anti-National Acts, Law No. 3, September 22, 1948 (original enactment). https://www.law.go.kr/LSW/lsInfoP.do?lsiSeq=3398

Suggested scholarly citation

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Textual caution: The 1948 newspaper text and the later government collection have substantive variants. Quotations and citations should specify which textual witness is used. This edition provides a historical translation, not a legal opinion on the operation of Law No. 3.