‘Comfort Women’: A Lasting Barrier to Japan-South Korea Reconciliation

By Tsuneo Akaha

FIFTY YEARS after the restoration of diplomatic relations between Japan and South Korea and 70 years after the end of the Second World War, Tokyo and Seoul are locked in a highly charged dispute over Japan’s responsibility for the “comfort women” system that Imperial Japan established during the war. What the critics call “sexual slavery” was set up to provide sexual service to Japanese soldiers on the front lines of the war. It imposed physical and psychological pain and indignity on over 200,000 women from Korea, Taiwan, the Philippines and other countries, including the then Dutch colony of Indonesia.

In August 1993, Chief Cabinet Secretary Yohei Kono officially acknowledged Japan’s responsibility for the comfort women system and offered his government’s apologies to the victims. He said: “The government of Japan extends its sincere apologies and feelings of remorse to all those, irrespective of place of origin, who suffered immeasurable pain and incurable physical and psychological wounds as comfort women.” In August 1995, Prime Minister Tomiichi Murayama expressed deep remorse and apologized for the suffering endured by many, especially in Asia. He said:

During a certain period in the not too distant past, Japan, following a mistaken national policy, advanced along the road to war, only to ensure the Japanese people in a fateful crisis, and, through its colonial rule and aggression, caused tremendous damage and suffering to the people of many coun-
What should the Japanese do? Both the wartime and postwar generations must face squarely the moral, legal and political questions raised by their prewar and wartime history, acknowledge and accept the moral and legal responsibilities that their present government has for the nation’s past wrongdoing and its lasting legacy.

tries, particularly to those of Asian nations. In the hope that no such mistake be made in the future, I regard, in a spirit of humility, these irreparable facts of history, and express here once again my feelings of deep remorse and state my heartfelt apology. Allow me also to express my feelings of profound mourning for all victims, both at home and abroad, of that history.2

This statement was endorsed by all succeeding prime ministers of Japan, including Shinzo Abe during his first term in office in 2007.3 However, the second Abe administration announced in March 2014 that it was going to review the process through which the Kono statement had been prepared and issued, and this alarmed neighboring countries and many critics in Japan, who feared that this was an attempt by the conservative government to cast doubt on the credibility of the Kono statement and an effort to whitewash the history of Imperial Japan’s military aggression.4 Rumors swirled that the Abe administration was also considering distancing itself from the Murayama statement.

Faced with a chorus of criticism from both inside and outside Japan, Abe announced in March 2014 that his government would uphold the Kono and Murayama statements,5 the position he reiterated in the statement he issued on Aug. 14, 2015, the 70th anniversary of the end of the Second World War. However, his statement made only a very brief reference to the comfort women issue. The relevant section of the statement read, “We must never forget that there were women behind the battlesfields whose honor and dignity were severely injured.”6 In this author’s view, the extreme brevity of this reference — just 18 words in the 1,664-word English version of the statement — and the absence of the commonly used term “comfort women” reflect the Abe administration’s aversion to the issue and its unwillingness to treat it as a priority issue.

JAPAN ADMITS RESPONSIBILITY, OR DOES IT? In June 1995, the Murayama government announced the establishment of the Asian Women’s Fund, and by 2005 the fund had disbursed compensatory payments to 285 former comfort women in South Korea, Taiwan, and the Philippines.7 The fund’s compensation typically amounted to 2 million yen per recipient and was accompanied by a Japanese prime minister’s letter expressing remorse and apologies. The government also allocated about 75 billion yen in medical welfare aid for former comfort women. The compensation and medical aid were distributed in the Philippines (at 1.2 million yen per person), Korea (3 million yen), and Taiwan (3 million yen). In the Netherlands, the Asian Women’s Fund disbursed about 3 million yen in medical aid to each of 79 former comfort women. Additionally, in response to the Indonesian government’s request, the fund allocated 37 billion yen toward the construction of senior citizens’ welfare facilities in Indonesia, including a facility built in 2006 that housed former comfort women. The fund ended its operations on March 31, 2007, after completing the last of its projects in Indonesia.8 These measures fell short of meeting the expectations of many former Korean comfort women and their supporters. The fund was managed by non-governmental volunteers and included Japanese citizens’ private donations, not government funding, and for these reasons many Korean women refused to recognize the Japanese apologies and offer of compensation.

At the African-African Summit in Indonesia in April 2015, which commemorated the 60th anniversary of the African-African Conference (known better as the Bandung Conference), Abe expressed “deep remorse over the past war,” but stopped short of offering apologies.9 In his historic address to the joint session of the US Congress on April 29, 2015, the Japanese prime minister offered “eternal condolences” to US victims of the Second World War,10 but he did not explicitly apologize for the comfort women issue and only alluded to it by stating, “Armed conflicts have always made women suffer the most.” He added: “In our age, we must realize the kind of world where finally women are free from human rights abuses.”11 This clearly disappointed Korean and other critics of Abe’s evident refusal to offer a formal apology for this issue.12 Most recently, as noted above, the prime minister made only a passing reference to the issue in the statement he made on Aug. 14, 2015.

LEGAL IMPLICATIONS AND INTERNATIONAL CRITICISMS Is the Japanese government today liable for Imperial Japan’s violation of the human rights of the wartime comfort women? The Japanese government says it is not. It argues, inter alia, that:

a) Recent developments in international criminal law may not be applied retroactively;

b) The crime of slavery does not accurately describe the system established by the “comfort stations” and that the prohibition against slavery was not, in any event, established as a customary norm under applicable international law at the time of the Second World War;

c) Acts of rape in armed conflict were not prohibited by either the Regulations annexed to the Hague Convention No. IV of 1907 or by applicable customary norms of international law in force at the time of the Second World War; and

d) The laws of war would only apply, in any event, to conduct committed by the Japanese military against nationals of a belligerent State and would not, therefore, cover the actions of the Japanese military with respect to Japanese or Korean nationals, since Korea was annexed to Japan during the Second World War.13 The Japanese government also rejects individual demands for compensation by former comfort women. It asserts that “individual ‘comfort women’ have no right to such compensation” and, alternatively, that “any individual claims that these women may have had for compensation were fully satisfied by peace treaties and international agreements between Japan and other Asian States fol-
lowing the end of the Second World War.” The Japanese government also asserts that “any civil or criminal cases concerning the Second World War rape centres would now be time-barred by applicable statute of limitations provisions.”

The Abe government’s claims find support among conservative nationalists and historical revisionists in Japan. Most poignantly, they argue that there is no evidence showing the Japanese military was directly involved or that coercion was used in the recruitment, transportation, and retention of comfort women. They have relentlessly criticized the liberal Asahi Shimbun newspaper for the articles it published in the 1980s and 1990s based on the claims by Seiji Yoshida that he was involved in the forcible recruitment of Korean women in Jeju Island into the comfort women system. His assertions, published in a book in 1983, were later found to have been fabricated, and on Aug. 5, 2014, the Asahi Shimbun retracted its articles on comfort women based on Yoshida’s false assertions.

Prime Minister Abe, the conservative daily Yomiuri Shimbun (with the largest circulation in the country) and Sankei Shimbun, as well as many conservative figures, pummeled the Asahi Shimbun with criticism, claiming that the liberal newspaper’s erroneous reports had seriously damaged Japan’s image in the world.


13 Ibid
16 Ibid.
19 Ibid
20 Ibid
21 Ibid
23 Ibid
24 There is a seemingly irreconcilable contradiction between the Japanese who wish to develop a future-oriented relationship with South Korea and other Asian neighbors, on the one hand, and the Koreans, on the other, who insist that the Japanese admit their past wrongdoing in unequivocal terms, offer genuine apologies and pay compensations for those they had wronged. The issue raises difficult but unavoidable moral questions for the wartime generations of Japanese. For the postwar generations, their neighbors’ criticisms against Japan seem misplaced inasmuch as they had nothing to do with the prewar or wartime atrocities. Many of them simply want to move past the history-focused discourse with their neighbors and develop future-oriented relations with them.

PAST, PRESENT AND FUTURE INJUSTICE
What should the Japanese do? Both the wartime and postwar generations must face squarely the moral, legal and political questions raised by their prewar and wartime history, acknowledge and accept the moral and legal responsibilities that their present government has for the nation’s past wrongdoing and its lasting legacy. Imperial Japan’s egregious violation of human rights under the comfort women is both a historical issue and a contemporary issue. The victims of past atrocities continue to suffer the physical pain, mental anguish and indignity in part because the present Japanese government refuses to accept responsibility for the uncomfortable truths of history. The past injustice continues to this day, and as long as the Japanese government do not face this issue squarely and account for it fully, it will be an issue of future injustice.

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