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韓日慰安婦協議：尚未解決的問題  
The ROK- Japan Comfort Women Agreement:  
An Unresolved Issue

Student: Yuna Esther Liu, 104926016  
Advisor: Dr. Ming Lee

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研究生：劉柔拿 Student: Yuna Esther Liu  
指導教授：李明 Advisor: Dr. Ming Lee



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## Abstract

At the end of year 2015, Japanese and South Korean governments announced a quick agreement over the long-standing issue of “comfort women.” While the agreement won international praises, it raised sharp criticisms from the South Korean citizens, the former comfort women and their supporters. This “final and irreversible” deal was seen as a betrayal of the victims, leading hundreds of South Korean protesters including former comfort women out on the street to denounce the deal. The comfort women issue remained a stubbornly unsolvable issue between the two countries. For the past decades, South Korean people were never satisfied with Japan’s past apologies. This thesis aims to study the reasons behind South Korean people’s constant dissatisfaction towards Japan’s allegations; to trace the ineffectiveness 2015 agreement; and to reveal the true purpose behind the agreement. This thesis is based on qualitative analysis of various scholarly books, journals and reports relevant to the topic at hand.

Key Terms: Japan, South Korea, Comfort Women, Agreement, Comfort Women Agreement

## 摘要

2015 年年底，日本與韓國政府迅速發表有關慰安婦議題的協議。雖然此協議在國際上獲得讚揚，然而卻引起韓國人民、慰安婦及支持者們的嚴厲批判。這「最終定案」的協議被視為對犧牲者的背叛，於是幾百位韓國抗議人民，包括慰安婦，走上街頭並譴責協議。簡言之，慰安婦議題橫亘韓日兩國之間且相當棘手。過去幾十年，韓國人民對於日本的道歉感到不滿。因此本論文將探究韓國人對於日本道歉持續不滿的原因。本研究會依循 2015 年協議無效，並進一步揭露協議真正的目的。本論文以質量分析研討諸多學術性期刊、報告等資料。

關鍵字: 日本，韓國，慰安婦，協議，慰安婦協議



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# **Chapter 1. Introduction**

## **1.1 Introduction**

On December 28th, 2015, Japanese and South Korean governments surprised the world with a quick announcement of an agreement over the long-standing issue of “comfort women,” a euphemism referring to young girls forced into Japanese military brothels as sex slaves during the WWII. The issue has been one of Japan’s major wartime atrocities that continued to prevent the two countries from enjoying closer diplomatic ties. Out of approximately 200,000 victims throughout Asia, great majority were Korean. As of 2000, the “official surviving number of those who have been identified as former comfort women for each Asian country is as follows: South Korea, 168; North Korea, 260; resident Koreans in Japan, 1; the Philippines, 169; Taiwan, 45; mainland China, 11; Indonesia, about 20,000; the Netherlands, 20-30” (Lin, 2016). The current number of survivors in 2017 is numbered as 40, out of 239 South Korean women who officially registered themselves as comfort women (H. J. Kim, 2017). The issue remained unrecognized for decades and only became public in the early 1990s when some of the former victims began to spoke up in the public (Jonsson, 2015). When the issue was disclosed, Japanese government was in full denials stipulating that there were no evidences and rejected calls for compensation. Japan also argued that the 1965 Treaty of Basic Relations solved all legal wartime issues between the two countries, thus comfort women issue could not be addressed (Yamashita, 2009). However, due to the mounting international attention and evidence found in 1992 (Dudden & Mizoguchi, 2007) Japan finally made its first public apology in 1993. After the first apology, Japan constantly made attempts of apologies. However, the South Korean people, especially the former comfort women were never satisfied with the Japanese government’s apologies over the past decades. The same levels of dissatisfaction found over past apologies is found again in the 2015 agreement.

By examining the comfort women issue from a historical and regional perspective, this thesis proves that ever since the end of WWII, prioritization of U.S. regional strategic purpose has been the major impediment in the process of seeking justice and sincere reconciliation for the South Korean comfort women.

## **1.2. Motivation**

In the end of 2015, when the comfort women agreement was announced, United Nations chief sent praises to South Korea and Japan:



UN Secretary-General Ban Ki-Moon praised the leaders of South Korea and Japan Monday for settling a dispute over “comfort women” forced to work in Japanese brothels during World War II. Ban welcomed the agreement following talks between the Japanese and South Korean foreign ministers in Seoul and expressed hope it will “contribute to improving the bilateral relationship.” (UN Chief Praises,” 2015)

The U.S. also congratulated South Korea and Japan in reaching a groundbreaking achievement. U.S. National Security Advisor Susan Rice stated: “The United States congratulates the governments of Japan and the Republic of Korea on reaching an agreement, which they have made clear 'finally and irreversibly' addresses the tragic treatment of 'Comfort Women' during World War II.” (“U.S. Praises,” 2015) She added: “The United States applauds the leaders of the ROK and Japan, two of our most important allies, for having the courage and vision to forge a lasting settlement to this difficult issue” (“U.S. Praises,” 2015). John Kerry, the Secretary of State also stated that the agreement will “promote healing and help to improve relations” between two of the most important U.S. allies (“U.S. Praises,” 2015). He also praised the leaders of the two countries and called for the international community to support the agreement (“U.S. Praises,” 2015). There were many international news hailing the agreement as a progress in the relationship, which had been impossible to move on from the historical conflicts. Many of my foreign friends sent congratulations in expectation that South Korea and Japan relations will finally be improving. However, there were another contrasting news that followed immediately after the announcement. There was news that the citizens and former comfort women of South disapproved of the agreement and severely criticized its government over the decision. One of the former comfort women, in anger and disappointment, cried out loud that the agreement is government’s betrayal towards the victims. Many news reports at the time merely scratched the surface of the issue by simply providing arguments raised by the opposing group but failed to provide adequate information for the readers to fully understand their behaviours. Such superficial observation of the issue builds criticisms rather than support against the victims. For instance, Michael Green, a senior vice president for Asia and Japan chair at the Center for Strategic and International Studies (CSIS) criticized South Korea, arguing that South Korea keeps moving the goal posts on historical issues (Hyun, 2015). Thus, provision of in-depth information over the issue is necessary for the public to connect with the former comfort women and to understand the issue properly.

### **1.3. Purpose & Objectives**

The purpose of this thesis is to provide the readers with a better understanding of the comfort women issue from historical and regional perspectives. In studying the issue from historical and regional context, this thesis includes the perspectives of the former comfort women; the governments of Japan and South Korea; the two major regional powers, U.S. and China; the citizens of Japan and South Korea; and civic supporters of the comfort women. By studying the issue from various perspectives, this thesis answers why the comfort women issue has been dragged unresolved until today ever since the end of WWII. This paper proves that out of range of factors including sexual, class and racial discrimination against the issue; South Korea's particular political, socio-cultural structure; Japan's political, socio-cultural structure; the prioritization of U.S. regional strategic purpose has been the major force that pushed for ineffective agreement and cooperation between Japan and South Korea, which thus, failed to bring proper justice and reconciliation over the issue.

The purpose of this thesis is found based on the following main objectives:

- Examine U.S. regional strategic purpose behind the agreement
- Comparison of Japan's reconciliation process to German's reconciliation process
- Provide future perspective and suggestions for the agreement

### **1.4. Research Approach**

This thesis studies the issue at hand mainly based on two approaches. First, this thesis undertakes historical approach to understand the comfort women issue from the former comfort women's perspectives. Historical approach not only reveals major flaws of the comfort women agreement and reasons why the issue fails to be resolved but also provides understanding of the wider unresolved historical disputes between Korea and Japan. Second, this thesis takes geopolitical approach to understand the true purpose of the agreement. The U.S. regional strategic purpose reveals the significance of the agreement in the trilateral relations of S. Korea, Japan and U.S.

### **1.5. Methods**

The issue at hand is to be examined by document analysis method. Collections of qualitative data will be used in order to grasp a cohesive understanding of the issue.

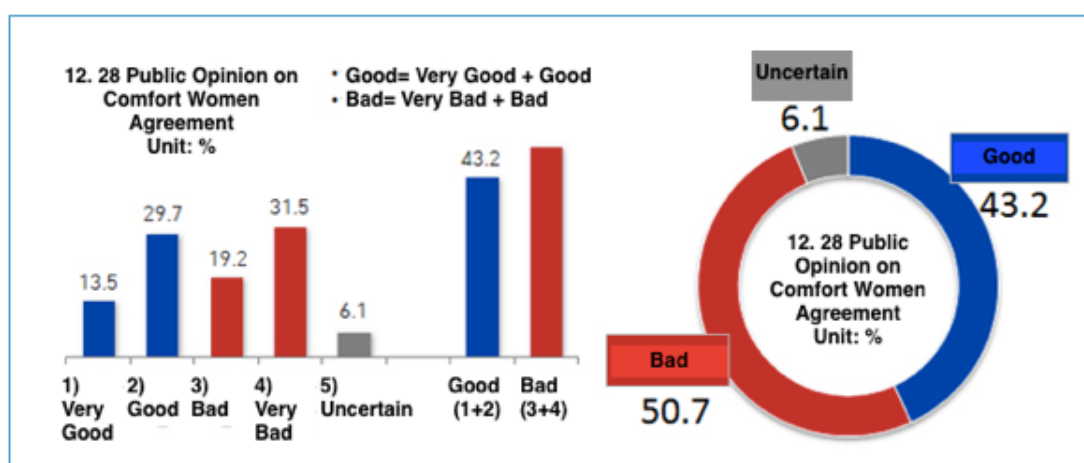
Following are the main sources of information used for this study: books, academic articles, collection of personal accounts, data and surveys.

Books and academic journals provide an in-depth historical analysis over the issue. These sources are significantly helpful in understanding the history of comfort women issue; and understanding the bilateral relations of Japan and South Korea mired in historical controversies. Many academic works also provide detailed understanding of the geopolitical perspective of the issue. Thus, academic research is the basis for understanding the issue from the former comfort women's perspectives, to understand the development process of the recent agreement and to grasp the severity of the issue.

This thesis will also collect evidences and personal testimonies using sources including news articles, magazines and reports from various organizations like the National Bureau of Asian Research, Open Society Foundations or the Women's Active Museum on War and Peace (WAM). Personal testimonies are crucial in understanding the issue from the former comfort women's perspectives. The collected memories of the victims' experiences are one of the powerful tools that allow for the public to connect with the victims.

Some data and surveys will also be used to understand the public perspectives over the agreement in South Korea and Japan. In understanding the South Korean public, data conducted by Real Meter, a specialized public polling institution in South Korea will be used since many of their surveys correlate with the topic at hand. For instance, one of the surveys conducted by Real Meter shortly after the agreement was announced reveals the negative public opinions held against the agreement at the time. "According to the survey from Real Meter, 43.2% viewed it positively while 50.7% viewed it negatively [...] In general, conservatives evaluated the agreement positively whereas opposition or left-aligned groups remained fiercely critical" [Fig. 1-1] (Real Meter, 2015).

[Fig 1-1] 2015 Public Opinion on the Dec 28 2015 Comfort Women Agreement



Source: Real Meter (2015). 2015 Public Opinion on the Dec 28 2015 Comfort Women Agreement. Reprinted from *Japanese Military Sexual Slavery Agreement, Good 43.2% vs Bad 50.7%*, In *Real Meter*. Retrieved from <http://www.realmeter.net/2015/12/일본군-위안부-합의-잘했다-43-2-vs-잘못했다-50-7/>

Another survey conducted a year later reflects higher percentage of negativity in the South Korean public opinion. The data will provide clearer reflection of the public opinions on the comfort women agreement.

## 1.6. Literature Reviews

For the matter of comfort women case has been a longstanding controversial issue which has inhibited Japan-South Korea relations from improvement and since it is a major war crime of the WWII, in which the dwindling number of survivors of the comfort stations have long been waiting for a genuine remedy, it has been a topic hotly contested by numerous scholars. In this section, some of the works with diverse narratives on the subject will be overviewed, followed by critical assessments of the content. Reviewing diversified narratives of the issue helps the readers to understand why the issue has been dragged on for decades and failed to be resolved.

### 1) Historical Overview of the Comfort Women Issue:

The victimization of Korean comfort women can be divided into the following three major components: (1) their being forced into military sexual slavery, (2) their suffering inside military brothels, and (3) their half-century of agonizing experiences after their return home (Min, 2003). A detailed study on the origin and development of the comfort women system, the history of bilateral relations and two countries' efforts to settle the issue are all crucial elements in understanding victimization of the former comfort women. An in-depth historical review over the comfort women issue should

not only include study of the bilateral relations in regards to the comfort women issue; a detailed description of the origin and development of the comfort women system; background study of the victims; but also, testimonies given by the victims, authorities or former soldiers who were associated with the crimes. Testimonies are an important tool to draw a more comprehensive understanding of the comfort women system. Testimonies provide levels of information that cannot be found when studying the issue merely from a historical context:

Making an attempt to historically and socially contextualize the 'comfort women' system is important for a better understanding of the system. However, only focusing on the historical development and origin of the system can run the risk of overlooking the actual experiences of women who were forced to become 'comfort women'. As Soh argues that from a feminist point of view, lives within the system and what it meant for them, are equally or even more important to explore. The distinctiveness of the system in part lies not in its assumed cultural peculiarity, but in women's own voices unfolding their experience (Kimura, 2016).

One of the works that provides detailed historical descriptions of the comfort women system is a work by Nisha Sikka. By providing historical evidences, Sikka explains Japan's purpose behind the system and how the system operated. The description is accompanied by past records and testimonies of former comfort women and former Japanese soldiers. Testimonies help reflect the severity of the crime and expose clearer understanding of the system. Sikka also provides information of how the comfort women issue that has long been hidden from the public and how it has been exposed. Sikka's study also traces the inconsistent responses given by the Japanese government over time. Sikka argues that the Japanese government's continuous inability to take responsibility results in further marginalization of the comfort women (Sikka, 2009). Sikka's work helps to lay the foundation for this study as it explains the leading causes of dissatisfaction that the comfort women have towards the Japanese government. The past responses of the Japanese government have built upon high levels of distrust and dissatisfaction that the comfort women and citizens of South Korea currently have towards the Japanese government. Thus, it is important to study those factors in answering the question this thesis deals with. Sikka reveals the unjust treatments that the comfort women have faced for decades in claiming legal redress by studying the response held by the Japanese government over time.

Although the Japanese government has offered the limited surviving comfort women unofficial apologies and compensation, the majority of these women have refused to accept it at least until the government of Japan owns up to this violation and offers a



legal and legitimate apology thereby, in part, relinquishing them from the burden of this history (Sikka, 2009).

However, an important information is missing from the study. It fails to provide any explanation on the significance of the 1965 treaty. Japanese governments have continuously made assertions that the 1965 treaty has settled all wartime issues including the comfort women issue. This is one of the common arguments Japan has continuously been holding over time: “There have been numerous attempts to end the 70-year-old dispute. Despite an agreement signed in 1965, as well as an apology in 1993, South Korea has been persistent in claiming that Japan hasn’t done much for the tormented souls” (Desai, 2015). In order to fully understand the position of the comfort women, there needs to be a clear recognition of all counter-arguments asserted by the Japanese government. Also, analysis of past treaties need to be carried out to judge the credibility of the counter-arguments. Sikka’s work also fails to incorporate background information on the comfort women. Background study on recruited women is important in understanding the victimization of the comfort women and especially, the arguments held by the Japanese right extremists. The questions of who were the victims and were there coercion in the process of “recruitment” of the comfort women have always been at the center of the issue for it constitutes crucial criteria for the responsibility of the Japanese government (Youn, 2008).

Kimura is another scholar who focuses on the study of the comfort women system. Kimura begins by tracing the origin, development and expansion of licensed prostitution, which was a system newly developed in Japan for “sexual (and racial) control replicating state-controlled prostitution in Europe (and the US)” (Kimura, 2016) and highlights how it links to the development of the comfort women system. By highlighting the criminality of Japanese governments in institutionalizing the exploitation of women under the licensed prostitution system, Kimura proves Japanese government’s criminality and its direct involvement in the operation of the system:

Identifying the ‘comfort women’ system with licensed prostitution, ultra-nationalists argue, on the contrary, that the ‘comfort women’ system was also legal at the time and that criticism of the ‘comfort women’ system cannot, therefore, be warranted. They maintain that the involvement of the Japanese government in licensed prostitution was minimal and limited. As already argued, however, licensed prostitution was organized in the interests of the nation state, and itself is a symbol of systematic violence against women (by the nation state). Any suggestion of the connection between the ‘comfort women’ system and licensed prostitution needs, thus, to be made only to illuminate the accountability of the Japanese government for the ‘comfort women’ system (Kimura, 2016).

Kimura also helps the readers to form deeper connectivity with the former comfort women by providing detailed testimonies and backgrounds study of the victims. Many of the comfort women were those in economically disadvantaged upbringings. Thus, many were recruited with false promise of jobs:

In Korea, many women were recruited to work in restaurants, factories or hospitals, but who actually offered these jobs and to what extent the women could refuse the offer varied. Recruiters could be either Korean or Japanese civilians, and many women took up the offer to ease financial difficulties that their family had at the time (Kimura, 2016).

As previously mentioned, the question of who were the victims is at the centre of controversy. Japanese rightist claim that most comfort women were those who were looking for jobs and were victims of swindlers engaged in the trafficking of human beings (Youn, 2008). “They say that the Japanese authorities were not involved in such an act of swindling, and that those women should not be regarded as having been forcefully taken away to comfort stations” (Youn, 2008). Many scholars such as Kimura, Youn, and Barkan argue against those arguments and prove that the women were “forcibly taken away” either by offering jobs at a distant location, human trafficking or abduction (Youn, 2008). “The comfort women were not prostitutes: they were slaves. Most were neither persuaded nor seduced to work in brothels. Rather they were imprisoned and forced to submit to rape and sexual assaults” (Barkan, 2000).

Kimura also study some of the common arguments held by the Japanese right extremists. As the author takes into consideration of the arguments held by the Japanese right extremists, arguments supporting the comfort women strengthen. This thesis will also study the rightist positions often held by the Japanese governments.

Another important aspect in the historical analysis of the comfort women issue is to study the history of South Korea-Japan bilateral relation in regards to the issue. The comfort women issue is not merely an injustice of the past but an issue that has expanded and worsened over time. “The ordeals suffered by comfort women are not only historical injustices but also a contemporary issue as long as there exist not only survivors demanding redress but also women sex workers suffering silently from what the South Korean media call ‘enslaved prostitution’” (Soh, 2007). While many authors have traced the history of South Korea-Japan bilateral relations and history of the comfort women issue, not many include the study of the 2015 agreement, for it is a fairly new deal. This thesis differentiates itself by including analysis of bilateral

relations regarding the 2015 agreement and study of controversies surrounding the settlement of the 2015 agreement.

## **2) Understanding the Position of the South Korean Government:**

Understanding South Korean government's position on the issue is important to the topic at hand but not many works have been solely dedicated to this study. One of the few works that deals with this study is an article by Bang Soon L. Yoon. By answering the question of why the issue has long been hidden from the public and how the silence was broken, Yoon's article reveals a great deal about the South Korean government's position on the issue. Yoon studies the issue in the context of South Korea's unique historical, political and social conditions during the postwar period. Yoon argues that within this particular context, none of those actors who could have advocated for the victims' rights were available, which includes the government or the civil groups. The lack of feminists political or civil movement further exacerbated the silence over the issue. Yoon proves that over time, the achievement of democratization in South Korea, expansion of global feminist movement and the rise of international human rights regime contributed to breaking the silence over the issue and establish the comfort women movement (B.S. Yoon, 2010).

Yoon compares the comfort women case to other gendered war atrocities and proves that silence over sexual violence against women has been widely common across the human history. However, Yoon asserts that South Korean case also carries its own distinctiveness when compared to other countries' gendered war atrocities. During the postwar period, South Korea was a weak and poor country with a dictatorial political system filled with pro-Japanese collaborators that had no power nor much of an incentive to confront Japan over such issue (B.S. Yoon, 2010). Japan was an essential ally for the U.S. Cold War strategy, which pressured South Korean government to be silent over bringing justice to victims of Japan's war time atrocities (B.S. Yoon, 2010). Also, sexual subject matter was culturally and socially unacceptable for public discussion as it was considered a shameful topic (B.S. Yoon, 2010).

Yoon proves against the claim that comfort women issue is a lie, an argument often held by the Japanese rightists. Moteki Hiromichi, a secretary general of Society for the Dissemination of Historical Fact, argues:



How did this whole controversy begin? Not in Korea, but in Japan! The first assertions that Korean women were coerced into serving as military prostitutes were made not by Koreans, but by Japanese. The anti-Japanese movement in Korea owes its existence to Koreans who were fooled by the lies of a Japan-hating Japanese (Hiromichi, 2012).

Hiromichi also argues that the “[President] Rhee certainly knew about military prostitutes and the high wages they commanded. Everyone knew” (Hiromichi, 2012). The common argument held by the Japanese right extremists is that the comfort women issue is a lie since the issue has first arisen in Japan not Korea and questions the credibility of the arguments held by the comfort women by pointing out their decade-long silence. In response to the long period of silence held by South Korea, Hiromichi argues: “Where is your pride as Koreans? You should be ashamed of yourselves” (Hiromichi, 2012).

Yoon’s study of the issue in multiple contexts provides information required for this thesis’s aim of understanding the issue from the perspectives of those in oppositions of the 2015 agreement. While Yoon provides many information that prove against major assertions held by the Japanese rightists, Yoon fails to directly indicate those arguments. In studying the issue, it is important to recognize the arguments held by the Japanese rightists.

Another article which touches upon the stance of South Korean government is an article by Jinyang Koh. In the article, Koh examines unsuccessful past attempts to redress the issue and seeks all remedies possible at both international and domestic levels. One of the resolution methods Koh examines is the International Court of Justice (ICJ) established in 1945 under the Charter of the U.N. Koh states that since the comfort women issue became a legal dispute throughout Asia, many Asian countries including South Korea may be able to bring an action before ICJ (Koh, 2007). Koh argues, however, that there are some barriers to this approach. One of the barriers Koh mentions is the low levels of consent seen from both the governments of Japan and South Korea. Koh argues that the South Korean government has shown negative attitude in bringing an action for the former comfort women:

Setting aside the standpoint of the Japanese government, the Korean government has shown the negative attitude to bring an action for the former comfort women before it. To illustrate, the former President Youngsam Kim announced that the Korean government would not demand any reparation from Japan, and another former President Daejoong Kim stated that Japan should apologize officially in order to develop the diplomatic relationship between two countries, but did not mention anything with regard to the issue of the reparation (Koh, 2007).

Study of South Korea's particular historical, political, cultural and social conditions during the postwar period may sufficiently retract statements as above. Nonetheless, it is an undeniable fact that the South Korean government was not much of an active supporter for the victims. "It is reasonable to suppose that even the South Korean government was not overly concerned with the suffering of the Japanese military comfort women" (Hayashi, 2015). Many testimonies and interviews of the victims reveal that they have grievances against their own government as well. Park Ok-Sun expressed her anger towards the South Korean government in its failure to press the Japanese government for proper compensation to the victims:

We were taken to the military brothel by the Japanese military mainly because our country, colonized by Japan, was not strong enough to protect us. Therefore, this is not our individual problem, but our nation's problem. Until the Japanese government resolves the Jungshindae issue, it cannot have normal relations with Korea. The Korean government should put pressure on the Japanese government to acknowledge the crime and compensate the victims (Min, 2003).

The study of South Korean government's position is an important element in understanding the long-term victimization of the comfort women; their half a century of extended victimization after their return home.

### **3) Content Analysis of the 1965 and 2015 Agreements:**

The study of 1965 and the recent 2015 agreement is critical to the topic at hand for both agreements share identical issues that have raised enormous outrage from the South Korean public. K. J. Noh, a longtime activist and member of the Veterans For Peace states:

When the treaty needed to be passed, Kishi [Nobusuke, the grandfather of the current Prime Minister, Shinzo Abe, was drafted into the process, and called in his cards with his loyal former subaltern, Park, who passed the treaty in June of 1965, which renounced all reparation claims on the part of Korea. The people of South Korea exploded in protest and outrage; Park Chung Hee declared martial law arresting, imprisoning, and torturing thousands of people in order to ratify and implement the legislation. Park the daughter may now be looking at the same bleak history (Noh, 2015).

Both agreements have been reached at the grounds of "final and irreversible" deal, without taking the public or victims' opinions into consideration. The 1965 treaty was an agreement that have left scars on the Korean citizens' national dignity and a reflection of distorted democracy maintained in Park Chung Hee's era. It has won high criticisms from the South Korean citizens and the left-wing party for it lacked any legal apology or reparation from Japan. The treaty was considered a sellout over economic

assistance. “The opposition vehemently protested that this all added up to a national sell-out” (P. Kim, 2011). The same criticisms are arising against the recent settlement. Analyses of both agreements are highly important in understanding the controversy over the 2015 agreement. However, limited numbers of articles analyze both deals.

One of the few articles that have focused on studying both agreements is an article by Sharon Grace Lin. Lin first briefly goes through the history of international treaties regarding lists of wartime crimes Japan is responsible for, such as slavery, forced labour, military brothels, comfort women. Then, Lin provides an overview of the diplomatic history between two countries over the issue of comfort women. In the overview, Lin focuses on studying the past 1965 treaty and the 2015 agreement. Although Lin touches upon the lists of agreements carried out between both countries and stresses the importance of 1965 treaty and 2015 agreement, Lin fails to incorporate any detailed contents of the agreements. Regarding the agreement carried out during the presidency of Kim Dae Jung, Lin states: “Then-President of South Korea, Kim Dae-jung, promised Japanese Prime Minister Keizo that an apology from Japan would settle the score and President Kim’s successor would not resurrect the histor[ical] issue with Japan again” (Lin, 2016). The description lacks some of most important information of agreement, such as the compensation measure.

The significance of 1965 treaty in the comfort women issue is due to its failure to incorporate any measures relating to the comfort women:

According to documents recently declassified by both governments, the “comfort women” issue was again not mentioned during negotiations between South Korea and Japan. In any case, former “comfort women” have been excluded from all compensation or economic assistance [...] Former “comfort women” survivors were forced to keep silent under the San Francisco System until 1991. One reason was that they lived in countries whose governments ignored or oppressed victims’ desires. (Hayashi, 2015).

While the comfort women issue was not mentioned in the 1965 treaty, Japanese governments have constantly argued that the 1965 treaty solved all legal wartime issues between the two countries. “Japan have consistently assumed the political attitude that they have no legal responsibility whatsoever where the comfort women are concerned, while setting up the Asian Women’s Fund (AWF) in a gesture of assumption of “moral responsibility” (Youn, 2008). As mentioned in the previous section, it was not only the Japanese governments that have avoided suffering of the victims but the South Korean governments have also strived to hide the issue:

A Korean victim-survivor, Hwang Kum-ju, told Kim-Gibson that she tried to report their experience after the Treaty on Basic Relations between Korea and Japan was signed in 1965. As delivering a petition to the Presidential office was impossible, Hwang approached Mrs Park, then the First Lady, when Mrs Park was visiting her home town to see her parents and to celebrate the Buddha's birthday. However, after listening to Hwang's brief talk about her and other women's experiences of sexual slavery, Mrs Park turned pale and urged Hwang never to tell this story to anyone. Mrs Park also remarked that what happened during the war and under Japanese colonialism is now something of the past, and it should not be mentioned again as Korea had to move forward now (Kimura, 2016).

Unlike the 1965 treaty, the 2015 agreement was clearly focused on the comfort women issue. However, not a single comfort woman has been consulted prior to the agreement and no comfort women were invited to the negotiation table. The agreement has done nothing but to further marginalize the victims. As in the settlement of the 1965 treaty, Korean government has once again agreed with the Japanese government to hide historical issue once and for all. This thesis will study measures of both agreements in details and root out the commonalities that have raised public outrage in South Korea. This thesis will also trace the relevance of the 1965 treaty to the 2015 agreement.

#### **4) Comparison to the German's Case:**

The origin of the comfort women issue began from the failure to address the issue in the postwar trial and the contrasting difference found in the trial when compared to the International Military Tribunal (IMT) or the Nuremberg Trial. There were series of trials held against the war criminals in the International Military Tribunal for the Far East (IMTFE) or the Tokyo Trial. Those crimes were separated into three categories:

Article 5 of the Charter of the International Military Tribunal for the Far East enacted by the Supreme Commander for the Allied Powers, Douglas MacArthur, defined the crimes within the jurisdiction of the tribunal: Class A, crimes against peace; Class B, conventional war crimes, namely violation of the laws or customs of war; and Class C, crimes against humanity (Hayashi 2013).

In contrast to the Nuremberg Trial, some of the crimes accounting as Class C crime, such as crime perpetrated against comfort women, were not considered at the Tokyo Trial (Dolgopol & Paranjape, 1994). "The sexual slavery to which the Japanese military subjected some 200,000 so-called 'comfort women' was not prosecuted at the Tokyo Tribunal, and to this day the survivors of these sex crimes have received no substantial legal redress" (Askin, 2008). The forced recruitment of comfort women was an outright crime against humanity. Jinyang Koh states:

According to Article 6 (c) of the Nuremberg Charter, there are enslavement, deportation and other inhumane acts committed against any civilian population as crimes against humanity [...] Also, Article 5 of the Tokyo Charter listed similarly. Rape is also one of the notorious crimes against humanity. The Charters of the international military tribunals in Nuremberg and Tokyo affirmed rape as a crime against humanity. (Koh, 2007)

Such crime against humanity not only failed to gain legal responsibility from Japan but has been settled on the grounds of “final and irreversible” resolution. Prof. Cho from Dongseo University argues that it is difficult to finalize historical issues by a single government, especially a crime against humanity (Yoo, 2017). It is absurd to finalize such crime as final and irreversible. Around the world, crimes against humanity are still under process of investigations. It has been more than 70 years since the first Nuremberg Trial in November 1945 but the trials are still ongoing. Not only the German’s trials differ from Japan’s but German’s post-war reconciliation process also stands in contrast to Japan’s reconciliation process. Study of German’s reconciliation process reveals the core issue that lies in the 2015 agreement between South Korea and Japan. Thus, this thesis seeks to compare the trials and reconciliation process of Japan and Germany.

Lily Gardner Feldman is one of the scholars who analyzes the German-Polish reconciliation process. Feldman refers to three other cases of reconciliation in German foreign policy-relations with France, Israel and the Czech Republic, to trace similar features that define German’s reconciliation process. Feldman then briefly reviews the case of Japan and compares it to the German’s case in consideration that Germany can be an important guide for reconciliation process. During the analysis, Feldman argues an important point of what has been lacking in Japan’s reconciliation process: “The past is neither forgotten nor represents a mere footnote; rather it is a ‘productive irritant’ to be confronted constantly” (Gardner-Feldman, 2010).

Rather than studying Japan’s position on a specific case, Feldman studies the general position held by Japan over wide range of historical disputes that lay between Japan and its neighbouring countries that were its former victims, which includes Korea and China. Since Feldman’s article was written on 2010, it is focused on the stance held by Prime Minister Hatoyama not the one held by Prime Minister Abe today. However, this article is still helpful for it rests with the same aim of providing a comparative analysis on the reconciliation process of Japan and Germany.



While Feldman argues that German's model of reconciliation is often flawed, overestimating harmony and peace, it still sets an important guide for Japan's future reconciliation process. The key lesson is that in the end, German leaders have successfully challenged the rightists and have strengthened reconciliation. Feldman concludes the article with a positive outlook on Japan's reconciliation process. This thesis's outlook on Japan-Korea reconciliation process differentiates from that of Feldman's in that, under the current Prime Minister Abe, the reconciliation process has not been better but has turned to its worst.

Another scholar which compares the reconciliation process of Japan and Germany is Barkan. Barkan studies various war crimes' reconciliation process to trace the effectiveness of each case. Some of the cases that Barkan focuses on are the German and Japanese cases. While studying each case, Barkan claims that there are differences found between the two. Barkan states:

The Japanese response in the aftermath of World War II was very different from that of Germany. Following Hiroshima and Nagasaki, Japan claimed victim status and refused to acknowledge any responsibility for its war crimes. It came under a particular flood of public criticism regarding its treatment of "enemy" women, those who were known as the comfort women, during World War II. An initially small protest by women's organizations turned into wide-spread anti-Japanese sentiment in several Asian countries. But Japan did not budge (Barkan, 2000).

Barkan also states "Germany has been, and is, the subject of intense criticism for its insufficient atonement for the crimes that it committed during World War II. But compared with Japan, Germany has atoned extensively. Japan has yet to recognize that it was guilty, let alone begin to atone or retribute its victims" (Barkan, 2000). Throughout his study, Barkan continuously emphasizes the difference found between Japan and Germany. "The inability of Japanese society to feel guilty about its war crimes and aggression stands in marked contrast with the German experience" (Barkan, 2000).

Barkan argues that in the aftermath of WWII, Germany was not much different from Japan. German public did not support restitution, and in general, the Germans were also unwilling as individuals to display and admit guilt or to acknowledge moral or legal responsibility (Barkan, 2000). However, as time passed by, restitution became an inevitable process for Germany to move on from its past, to be acceptable to other nations and prove that it has truly renounced its racist past.

Philo-Semitism was becoming central to the newly emerging formal German political culture, and with it, the implied recognition of restitution. Hence philo-Semitism was transformed through the restitution into an official policy. Sponsored by Germany's struggle to cleanse itself of the past, restitution became a precedent for moral claims in international justice and was introduced into international public discourse as an implied new normative morality (Barkan, 2000).

While Barkan constantly emphasizes the differences found in two cases, Barkan does not provide a clear comparison between the two. In order for the readers to easily recognize the differences, this thesis will provide direct comparison of the two cases.

## **5) The U.S. Regional Strategic Purpose Behind the Agreement:**

While the agreement is claimed by both Japan and South Korea as true reconciliation deal, the true purpose behind the agreement seems far from sincere reconciliation. There is an undeniable factor that have pushed both countries to proceed the agreement in the first place. Japan has long been expressing its frustration with its neighbour's criticism on their handling of past wrongs (M. Kim, 2016). What suddenly convinced Japan to make gesture of apology? Kim argues that the recent agreement was "the work of the trilateral relationship between Japan, the United States and South Korea, out of which the United States emerged as the biggest winner and South Korea the loser" (M. Kim, 2016).

Against China's increasing power and North Korea's continued provocations, trilateral alliance had to remain stronger than ever. South Korea was under a great pressure to put aside historical conflicts for security cooperation. Out of all historical conflicts, one of the core issues impeding progress in the South Korea-Japan relations was the comfort women issue. Much like other historical issues, the comfort women issue remained a stubbornly unresolvable task for both countries. Thus, as regional security came under constant threat of North Korea and China, South Korea decided to put aside comfort women issue for security cooperation. The trilateral alliance formed under U.S. strategic purpose was the bond that have pressured Japan and South Korea to settle the comfort women issue in 2015.

Tracing back at the history, however, it is not the first time that the alliance under U.S. have forced South Korea to set aside historical issues to compromise with Japan. In fact, the very basis of bilateral relations between Japan and South Korea can be seen as a forced compromise based on U.S. strategic purpose:

Korea would not have allowed itself to make an easy compromise in the process of decolonization from Japan, but for the restrictions caused by the Cold War. The Korean

government needed economic cooperation with Japan under the restrictions of the Cold War, i.e. due to the pressure applied by the US for friendly relations with Japan and the confrontation with the North. These experts say that Korea could not have secured a satisfactory outcome (Tadashi, 2008).

The establishment of bilateral relations between the two countries was not on the basis of reconciliation but a forced alliance to combat communism at the time of Cold War. The colonial history was forced to be dismissed without proper reconciliation.

An article by Na Young Lee shows how regional strategic purpose was more important for U.S. than settlement of historical injustice:

Tammy Kim (2006) argues, “[e]xternal geopolitical factors at the end of the war meant that less was demanded of Japan than Germany in terms of criminal and economic accountability” (225). The “Tokyo Tribunal,” procedurally similar to the Nuremberg Tribunal, failed to try Emperor Hirohito (226), which suggests that the United States cannot avoid the responsibility for the unsettled colonial legacy and common silence regarding “comfort women.” Against emerging communist confrontation in East Asia—including the Soviet Union, China, and North Korea—the U.S. government wanted Japan to be a strong bulwark of democratic alliance during the Cold War (Chung 1995, 180). The U.S., anxious to maintain its presence and continued hegemony in East Asia, “decided to [help] build its former enemy into an economic powerhouse and competitor” (N. Lee, 2014).

South Korea never really had the chance to settle their colonial history with Japan. It had no other choice but to settle all historical issues at the expense of U.S. Cold War strategic purpose. The South Korean government had no power nor willingness to confront Japan against the comfort women issue. The country’s first priority was economic development, not reconciliation. The country was not only starving and in urgent need of economic support but had no ability to raise unsettled historical issues against Japan:

South Korea’s national issues should not be dismissed. An unsettling colonial history and legacy, the U.S. military occupation, national division, the Korean War, and continued national poverty caused the Korean government’s inability to raise the issue of “comfort women.” Moreover, humiliating negotiations with its former enemy seemed inevitable to achieve the nation’s prior goal of economic growth and security at the expense of its people. During Park Jeong-Hee’s military dictatorship, the regime tried to rebuild the country’s relationship with Japan and signed the 1965 Korea-Japan Accord. Essentially, “Korea gave up the right of its citizens to sue the Japanese government for civil damages,” which came in the form of reconstruction funding, which means “economic development grants and loans” from the U.S (N. Lee, 2014).

For U.S. geopolitical purpose is the foundation of Japan-South Korea relations, many scholars have dealt with the subject at hand. One of the scholars named Park Cheol Hee studies the reasons behind incompatibility between Korea and Japan. Park argues that the two countries have different priorities in handling bilateral and external



affairs. Park states that Japan prioritizes security cooperation while South Korea prioritizes historical resolution:

Japan, alarmed by a rising and increasingly assertive China, would like to balance against it. In Japan, China is often perceived as a challenger and even as a potential enemy. How to cope with rising China is the fundamental concern of Abe's external strategy. [...] He wants to put aside or, if possible, bypass historical controversies between the two countries. For him, dialogue between the two should be conducted mainly on the topic of security cooperation, especially in the context of rising China. But Park's first agenda item is not security cooperation. She inherited a negative legacy, from both Lee Myung-bak and Noda Yoshihiko. Making a breakthrough on the "comfort women" issue, which looms at the center of public opinion, is a foremost concern. [...] She has no intention of bypassing this issue. Abe shows either a very negative or a very ambiguous attitude toward it. Japan, which prioritizes security cooperation, and Korea, prioritizing the "comfort women," cannot take a step forward together (C. Park, 2015).

Throughout the study, Park constantly argues that Korea is too overly occupied in historical issues.

This thesis is in disagreement with several arguments asserted by Park. First of all, in contrast to Park's argument, ultimately, it seems as though security cooperation was a priority for president Park as well. South Korea have not been too overly preoccupied in historical issues as Park states, when considering the fact that Japan's wartime crimes have never fully been brought to justice nor have it ever been legally reconciled. Secondly, as previously mentioned, South Korea have put aside historical issues for cooperation in the past as well, as clearly seen from the 1965 treaty. Thirdly, other than China, North Korea's threat is another concern for Japan's external strategy. Park overly emphasizes on China and fails to mention the importance of North Korean issue. Furthermore, Park mentions that the president Park inherited a negative legacy from the previous administration. It should be noted, however, that the comfort women issue has not only been a lingering issue starting from Lee's administration, but an issue that constantly failed to be resolved even way before Lee's administration. Lastly, Park asserts that "history can never be forgotten, but it can be forgiven" (C. Park, 2015). This thesis is in disagreement with Park's assertion in that, because history cannot be forgotten, historical issues should be resolved and never be put aside. Once put aside, history can be forgotten, especially when Japan is in constant denial and in efforts to whitewash its past. In order for it to be forgiven, proper resolution should be proceeded between the two countries.

An article by Sneider, Sohn and Soeya also provides a thorough analysis of the trilateral relationship. The first section by Sneider analyzes the trilateral relations from a U.S. perspective and by examining the historical process that led to the trilateral

partnership, Sneider highlights the critical role that the U.S. played in the relations between South Korea and Japan. Sneider also provides background information on the origin of how the 2015 agreement was established. Sneider's analysis is highly useful to the study at hand for not a lot of articles have been contributed to studying the 2015 agreement. In the article, Sneider argues: "It would be naïve, however, to see this development as anything other than a fragile step forward" (Sneider, 2016). Sneider emphasizes on the danger of believing that historical issues can easily be put aside for strategic purpose in the region:

The danger for U.S. policymakers is to believe that history issues can indeed now be put aside in favour of a shared understanding of the strategic situation in the region. That belief would be dangerous because South Korea and Japan could fail to secure the progress that has been made and to move ahead on both the security and history fronts to create the basis for genuine trilateral cooperation (Sneider, 2016).

While this thesis agrees with Sneider on the need to be cautious on dealing with historical issues, it disagrees with Sneider on believing that the 2015 agreement is a progress in the trilateral relations. The exact concern that Sneider points out in his study is the exact problem found in the 2015 agreement. The agreement was based on the very belief that historical issues can be put aside in favour of a shared understanding of the strategic situation in the region. Thus, as Sneider's concern, no successful progress has been made with the agreement but instead, has resulted in the failure to move ahead on both security and historical fronts. The current situation proves that the agreement that lacks true reconciliation purpose can only worsen diplomatic relations.

The second section by Sohn studies the trilateral relationship from a South Korean perspective. Sohn underlines the strategic challenge that South Korea faces in improving the trilateral relations and also expands on South Korea's ties with China. Sohn argues that North Korea's arising threat has been the major factor in development of trilateral cooperation but states that it has not been enough to overcome the historical tension that lies between South Korea and Japan. Sohn also argues that South Korea should avoid the Peninsula from becoming an arena for U.S.-China competition and should play a middle power role, bridging China and trilateral relations together to achieve stability on the Korean Peninsula. In comparison to Sneider, Sohn provides an understanding more consistent to the argument of this thesis. Sohn views the agreement in a much critical perspective, which embraces the perspectives carried by many South Koreans. Regarding the agreement, Sohn argues: "Clearly, the landmark agreement between the two countries is not the end of the historical disputes. The structural

constraints on U.S.-Japan-ROK trilateralism are thus resilient and remain unresolved” (Sneider, 2016). Sohn also provides a good understanding of the predicament state South Korea is often situated in. Sohn states:

Whereas Japan is firmly aligned with the United States, South Korea has attempted to take a different approach by increasing its connectedness with both great powers. It maintains a long-standing alliance with the United States (and partially with Japan), while recently crafting an amicable relationship with China (Sneider, 2016).

South Korea’s difficult position as a mediating role between the two great powers is the reason South Korea has not been able to secure deals more favourable to its citizens and victims.

The last section is by Soeya, which examines the trilateral relations from Japan’s perspective. Soeya argues that Japan and South Korea should strengthen their middle-power cooperation. Soeya’s article provides information on Japan-South Korea’s strategic cooperation. The strategic cooperation was what pushed the two countries into making the 2015 agreement. However, Soeya’s mutual strategic cooperation as the “middle-power” is not much related to the U.S. pressured strategic cooperation focused in this thesis.

Understanding the agreement in U.S. geopolitical context is central to the study of this thesis. Studying the issue in geopolitical context proves that the main purpose behind the agreement is far from true reconciliation.

## **1.7. Scope of Research**

Because the former comfort women have suffered victimization ever since the WWII but never have they received proper apologies and compensations until today, the time scope of this study starts from the time of WWII until the present day.

The comfort women issue has long been hidden from the public. The comfort women issue has been held in silence for many years mainly due to the particular societal, cultural, political and economic situation of South Korea at the time. The country that have just been out of the Japanese occupation suffered again from the threats of communism and political factionalism. Yoon describes the situation in the aftermath of Japanese occupation as the following:

In domestic politics during the 1940s-1950s, communist insurgencies as well as political factionalism were threatening South Korea’s political stability, thus anti-communist nation building through institutionalization of political, social, and economic infrastructure was the immediate concern. During this nation-building, social leadership

and the administrative vacuum left by Japan's colonial government were filled by local elites who were anti-communists holding conservative political views. Many of them were colonial-era Korean collaborators who later continued to assume leading roles in every corner of South Korean society... (B.S. Yoon, 2010).

Many of the former comfort women were afraid to reveal their past due to the societal and cultural unacceptability of the subject matter. "Because of the shame and the virtue of a woman's chastity under the Confucian culture, they were not encouraged to disclose their histories" (Koh, 2007). The truth regarding the comfort women issue began to emerge as early as 1962 not in South Korea but in Japan when Senda Kako, a journalist researching the war, uncovered a previously censored wartime photograph (Sikka, 2009). After years of research and investigation on the comfort women system, Kako finally published his book to the public in 1978 (Koh, 2007). Since then, more and more materials began to surface.

In South Korea, the time when the comfort women issue officially became disclosed to the public was in the 1990s when former comfort women in South Korea decided to break their silence (Yamashita, 2009). In 1991, Kim Hak-Sun testified to her life as a comfort woman. In an interview Hak-Sun gave to the Japanese Broadcasting Corporation she declared, "I wanted to sue for the fact that I was trampled upon by the Japanese military and have spent my life in misery. I want the young people of South Korea and Japan to know what Japan did in the past" (Sikka, 2009). When the accusation first surfaced, Japan denied of the involvement.

However, due to series of historical documents proving the involvement of the Japanese government in the recruitment process, the Japanese government did finally admit its role under the 1993 Kono Statement. However, the statement did not define the acts as war crimes, release specific information, or adequately address the reparations issue (Tongsuthi, 1994). It also refused to reveal any testimonies from the hearings (Sikka, 2009). Ever since then, Japanese government have repeatedly avoided to face its legal responsibility.

Using the evidences and testimonies that have arisen since the time the issue has been disclosed to the public, this thesis will provide better understanding of the issue from historical and regional perspective. By analyzing the reasons behind failures of past reconciliation process, this thesis also tracks the problems found in the 2015 agreement. The 2015 agreement that failed to reflect the demands of the former comfort women have resulted in the present-day situation where South Korea-Japan diplomatic

relation seems to be at its worst. Korean and Japanese media both reflect enormous concerns over the current situation. The five national dailies of Japan demonstrate:

“This is a grave situation,” (Yomiuri), “The relationship between Tokyo and Seoul is on the cusp of another long period of tension and distrust,” (Asahi), “This is a cause for concern,” (Nikkei), “Seoul’s failure to take countermeasures against the statue clearly runs counter to the spirit of the bilateral agreement,” (Mainichi), and “This further violates the bilateral agreement,” (Sankei) (“Comfort Women Statue,” 2017).

This thesis will provide future outlook and suggestions on the issue using information available until the end of April, 2017.

## **1.8. Limitations**

Since the comfort women issue is one of the long-standing issues at the forefront of historical dispute between South Korea and Japan, it has been previously discussed by many scholars and researchers around the world. While the historical reviews of the comfort women issue are widely available in various sources, in-depth scholarly studies dedicated to the 2015 agreement is quite limited since the agreement is a fairly new and unsettled deal. There has been questions and doubts over whether the implementation process could be finalized ever since the announcement of the agreement. Not only has it been under extreme societal and diplomatic controversy, it raised further questions amidst change of administration in South Korea after the impeachment of the President Park.

Just couple of months ago in the beginning of 2017, the tension between the two countries was higher than ever. What was at the center of dispute was the comfort women statue placed in front of Japan’s consulate in the port city of Busan, South Korea. In the 2015 agreement, the two governments agreed to “refrain from criticizing and blaming each other in the international society, including the United Nations” (Han & Griffiths, 2017). Japan argues that the erection of the statue in Busan breaches this agreement as it required official approval to be installed opposite the consulate (Han & Griffiths, 2017). Shinsuke Sugiyama, Japan’s vice minister for foreign affairs, told the South Korean ambassador in Japan that the statue “went against the spirit of the Japan-South Korea agreement concluded at the end of last year and is extremely regrettable. [It would cause an] unfavorable impact on the relationship between Japan and South Korea, as well as disturb the security of the consulate” (Choe, 2016). In response, Kim Eun-Sung, the artist argues that Japan is overreacting. Kim argued: “Which part of a statue of a girl is harming Japan? It’s a statue with a message of peace and for the rights



of women” (Han & Griffiths, 2017). Kim argues that he never expected the statue, which was commissioned by a local Busan civic group and paid for with donations, to cause a diplomatic incident (Han & Griffiths, 2017).

The dispute over the statue has been accompanied by a political turmoil in South Korea. Amidst South Korean President Park Geun Hye’s impeachment and change in the administration, there was rising fear in Japan that the 2015 comfort women agreement is to be renegotiated. Japan has been strongly pressuring the South Korean government to proceed the deal as negotiated by withdrawing its ambassador to South Korea and suspending high-level economic talks (Yoshida & Mie, 2017).

Studying the aftermath situation over the process of implementation is an important part of understanding the perspectives of South Koreans in opposition of the agreement and an evidence which proves that the agreement was a failure. However, it is extremely risky to cover all up-to-date information on the issue during the time of writing. Thus, this thesis seeks to include information on the issue available until the end of April 2017. This thesis is to utilize collection of news articles to analyze the latest situation.

One last limitations that is worth mentioning is that I am an American-born, Canadian-raised South Korean descendant. I was not educated in South Korea so I have not been exposed to the nationally constraint subjective views often emphasized in historical education within a country. However, I was still under some influences of skeptical attitudes held by most South Korean citizens towards Japanese government through personal connections of family and friends raised in South Korea. I have often been exposed to the negative cultural atmosphere South Korea carries towards Japan. I will try not to provoke my personal influences when writing this thesis and to maintain an objective view as much as possible.

## **Chapter 2. Historical Issues in South Korea-Japan Relations**

### **2.1. Wider Historical Issues between South Korea and Japan**

According to Japan's *Asahi Shimbun*, in a recent survey asking respondents from various countries on the trust level towards Japan, only 13.8 percent of Koreans said they trust Japan (Panda, 2017a). "The results comport with older public opinion data released few years ago by Asan Institute for Policy Studies, which found Japanese Prime Minister Shinzo Abe rated below North Korean leader Kim Jong-Un in the eyes of South Korean respondents" (Panda, 2017a). The reasons for South Korea's high levels of dissatisfaction and distrust towards the Japanese government are due to continuous acts of denial, lack of acknowledgement, and false historical claims asserted by the Japanese government in major historical issues since the end of WWII. The inconsistent response of constant denials and apologies held by the Japanese government against its own wartime atrocities; false assertions and denials of historical truths accompanied with statements of apologies discreetly avoiding legal responsibilities; and apologies contradicting with actions have built skepticisms and distrust to the South Korean people.

Historical issues have always inhibited the relations of South Korea and Japan from further progress. There are mainly four major issues which have constantly prevented the two countries from enjoying closer diplomatic relations: Dokdo-Takeshima islands, Yasukuni Shrine, history textbooks and comfort women. Before we move on to the detailed study of the comfort women issue, this section wishes to study other historical issues that have plagued the relations of South Korea and Japan ever since the end of WWII. The study of wider historical issues between South Korea and Japan explains the difficulties South Korea have towards accepting Japanese governments' apologies. Japanese governments' right extremist stance in the post-war era has extended South Koreans' feeling of distrust and anger towards the Japanese rulers generated since the colonial era. Japanese government's inability to face up to its past mistakes led South Korea impossible to trust the Japan. This section seeks to study some of the major historical issues from the perspective of South Korea to understand South Korea's high levels of national distrust towards Japanese government.

### **2.1.1. Dokdo-Takeshima Islands**

“Territorial dispute over the small islands called Liancourt Rocks by U.S., reference to the French whaling ship that almost ran aground on the islands in 1849” (Heo & Roehrig, 2014), which is called “Takeshima” in Japanese and “Dokdo” in South Korea has constantly been a major deterrent in the bilateral relations of South Korea and Japan. The Liancourt Rocks are two rocky crags and 36 other volcanic rocks located 211 km from Honshu and 216 km from the Korean peninsula (Pollmann, 2015a), at the body of water between Japan and Korea, known by South Koreans as “Donghae” or “East Sea” and the “Sea of Japan” by Japan (Card, 2006). The islets are considered by both countries to be part of their own respective territories (McDevitt & Lea, 2013). The historical aspect of the controversy is rooted in the sovereignty question.

There are several claims made by Japan over the sovereignty of the island. Japan asserts that it established control over the islands in 1905 based on the principle of terra nullius -claiming that it was previously an unoccupied territory (Heo & Roehrig, 2014). Most importantly, Japan argue that it acquired the islands before the official annexation in 1910, which started with Russo-Japanese War in 1904 (Pollmann, 2015a). Japan thus argue that when the protectorate and annexation treaties were nullified following WWII, Japan maintained its possessions over the islands (Heo & Roehrig, 2014). Also, Japan state that after Japan was defeated by the United States and its allies in WWII, Article 2(a) of the San Francisco Peace Treaty declared that, “Japan, recognizing the independence of Korea, renounces all right, title and claim to Korea including the islands of Quelpart, Port Hamilton and Dagelet,” but “the Liancourt Rocks” were not specifically mentioned, thus Japan argues that the island has been officially acknowledged as the territories of Japan (S. Lee, 2002).

South Korea, on the other hand claims that it has possessed sovereignty over the island since 512 under the Silla Dynasty (Pollmann, 2015a). Koreans believe that the Japanese incorporation of the Liancourt Rocks into Shimane Prefecture, western region of the Honshu island, as part of Japan’s imperial expansion into Korea, thus the area represents the first victim of Japan’s invasion to Koreans (Pollmann, 2015a). Korean authorities protested Japan’s actions by issuing Directive No. III on April 29, 1906, denouncing the acquisition (Heo & Roehrig, 2014).



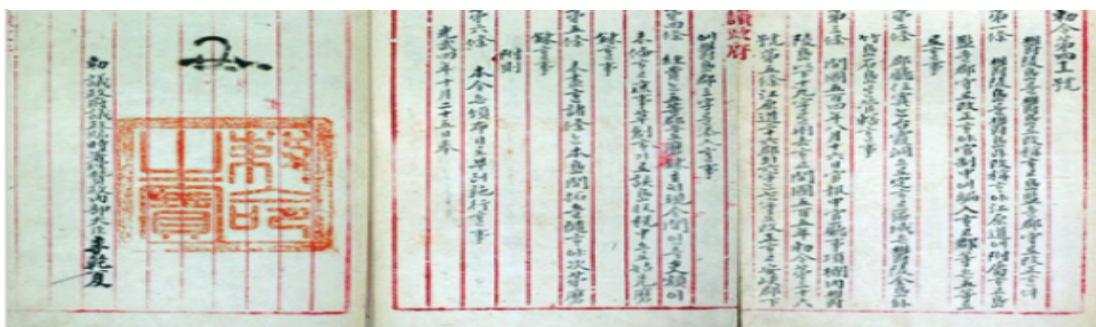
This section focuses on arguing against the following two claims asserted by Japan: 1) Liancourt Rocks were unoccupied before 1905 and 2) the San Francisco Peace Treaty was silent regarding the status of Liancourt Rocks.

Korea's claim over the island goes far back when the ancient Kingdom of Silla took control over it in 512 C.E. According to Korean scholars, the succeeding dynasties of Goryeo and Joseon continued to control the island until the turn of the twentieth century when Japan illegally incorporated it into its domain in 1905 (Choe, 2015). Koreans cite numerous historical sources supporting the claim. According to the information released by the Dokdo Research Institute:

Sejong sillok jiriji referred to Ulleungdo and Dokdo as Mureungdo and Usando, respectively. Other documents include Goryeosa (高麗史, History of Goryeo, 1451), Sinjeung dongguk yeoji seungham (新增東國輿地勝覽, A Revised Edition of the Augmented Survey of the Geography of Korea, 1530), Dongguk munheon bigo (東國文獻備考, Reference Compilation of Documents on Korea, 1770), Man-gi yoram (萬機要覽, literally the Book of Ten Thousand Techniques of Governance but more commonly known as the Manual of State Affairs for the Monarch, 1808) and Jeungbo munheon bigo (增補文獻備考, Revised and Enlarged Edition of the Reference Compilation of Documents on Korea, 1908). These documents show that Usando was an old name for Dokdo, and was used to refer to Dokdo for at least several centuries until the early 20th century. Thus, it is evident that Dokdo was continuously a distinct part of Korean territory for an extended length of time (Dokdo Research Institute, 2008).

The evidence proving Korea's sovereignty over the island is even found in range of Japanese historical sources. In the Meiji period, the Daljiokan (太政官, Grand Council of State), then Japan's highest decision-making body, received a note of inquiry from the Ministry of Home Affairs, about the compilation of land registers for the Shimane Prefecture (Dokdo Research Institute, 2008).

[Fig 2-1] 1877 Statement Regarding Takeshima (Ulleungdo) and Dokdo



Source: Dokdo Research Institute (2008). 1877 Statement Regarding Takeshima (Ulleungdo) and Dokdo. Reprinted from *The Truth: Dokdo is Korean Territory* In Dokdo Research Institute, Retrieved from [www.dokdohistory.com](http://www.dokdohistory.com)

In response, the Grand Council of State issued a directive in year 1877 stating, “Regarding Takeshima (Ulleungdo) and another island (Dokdo), Japan has nothing to do with them” [Fig. 2-1] (Dokdo Research Institute, 2008). More historical evidences from both countries clearly prove that the island before 1905 was under the ownership of Korea. Therefore, the island can neither be considered as *terra nullius* nor the territory of Japan.

The second assertion by Japan is that the San Francisco Treaty was silent in regards to the Liancourt Rocks, thus the island was officially recognized by the Allies as the territory of Japan. It is important to study series of drafts of the Treaty in order to understand South Korea’s argument against this claim. The final version of San Francisco Treaty underwent several revisions by numerous negotiation process between the Allied Powers and Japan. Seok-Woo Lee and Jon Van Dyke, scholars who have closely studied the successive drafts of the San Francisco Treaty relevant to the Dokdo issue, pointed out that “...the first five as well as the seventh draft returned the islets to Korea while the 6th, 8th, 9th and 14th drafts stipulated that Japanese territory included Dokdo. However, the 10th through 13th and 15th through 18th drafts, and, most importantly the final text, made no mention of Dokdo” (Selden, 2011). So what influenced changes in the Treaty? Lee and Dyke argue that the U.S. and its allies, facing time constraints with the U.S.-Korean War underway, chose to complete the Treaty quickly, leaving certain issues unresolved (Selden, 2011). The Allies left the issue unresolved because priority was put on Japan’s supporting role, rather than to grant Dokdo to Korea at a risk of losing it in the event of a North Korean victory, thus opening the possibility of attack on Tsushima and Japan (Selden, 2011). Many scholars argue that the decision on Dokdo has little to do with assessing the historical claims and everything to do with U.S. and allied geopolitical consideration (Selden, 2011). Also, during the time the Treaty was established, Japan also recognized that Dokdo was not Japanese territory.

[Map 2-2] The Map of Japan in San Francisco Peace Treaty



Source: Dokdo Research Institute (2008). The Map of Japan in San Francisco Peace Treaty. Reprinted from *The Truth: Dokdo is Korean Territory*, In *Dokdo Research Institute*, Retrieved from [www.dokdohistory.com](http://www.dokdohistory.com)

In October 1951, the Japanese government submitted to the House of Representatives, the Map of Japanese Territory, drawn according to the San Francisco Peace Treaty (Dokdo Research Institute, 2008). In this map, Dokdo lies outside the line marking the boundary of Japanese territory, showing that the island is not party of Japan [Map. 2-2]. Another important factor that needs to be recognized is that Korea was never invited to the negotiation table.

“Despite the strong support of the US Ambassador in Korea, together with a request by Korea to be invited to participate in negotiations and the signing of the San Francisco Peace Treaty, Mr. Dulles pointed out that Korea would not be a signatory to the treaty, since only those nations in a state of war with Japan and which were signatories of the United Nations Declaration of January 1942 would sign the treaty” (S. Lee, 2002).

Also, Korea was excluded from the negotiation due to excessive claims by Korea for restitution and reparations, and North Korean demands for participation (S. Lee, 2002). The settlement process could become complicated and slow, which was the last thing the Allied Powers wanted, especially U.S., in the midst of the Cold War.

The territorial issue over the island have been ongoing for more than six decades now. Koreans still fume about the humiliation of Japan’s annexation of Korea in 1910 and the brutal colonial rule that followed (Carpenter, 2015). The colonial history is still unforgettable, hurtful memories for the South Korean people. From the perspective of South Koreans, constant false claims held by Japan over the island is “simply another manifestation of that exploitative imperial land grab” (Carpenter, 2015). For South Korea, the issue over the island is another denial of historical truth and one of many false assertions Japan has been claiming since the end of colonization.

### 2.1.2. Yasukuni Shrine

The Yasukuni Shrine controversy is another historical obstacle that lay between the relations of South Korea and Japan. The controversy over the issue is simple. Yasukuni Shrine is a Shinto shrine established at Tokyo to commemorate Japan's war dead. For Japan, it is considered a holy place honoring the souls who sacrificed for their nation. However, for the neighboring countries that were former victims of Japan's colonization, the shrine is a place where thousands of war criminals are commemorated; the men who committed crimes of "slave labor, biological and chemical warfare, medical experiments, massacres, massive forced displacements, and sexual slavery..." (Fisher, 2007). In regards to the Yasukuni Shrine, Fisher argues the following:

What wartime Japan did to the living conscripts it continued after death to their spirit souls. Kidnapped and slaves to Japan's military in life, tens of thousands of Taiwanese, Koreans and other in death have been subjected to Shinto ritual by Yakusuni Shrine priests hijacking, imprisoning, and enslaving them as guardian spirits of Japan to serve the Emperor and protect the divine nation alongside some 1,000 war criminal souls, including perpetrators of atrocities against Taiwanese, Koreans, and others, and members of the deceased's own families (2007).

The lists of dead listed in the Shrine's Book of Souls numbers 2,466,532 men and women, "including 27,863 Taiwanese and 21,181 Koreans (50,000), many forced conscripted and includes 1,068 post war Japanese military POWs convicted of war crimes, including 14 Class A war criminals" (Fisher, 2007).

The 14 Class A war criminals were secretly added to the list of souls honoured at the shrine by the priests in 1978, a move that reflected the belief of Japanese right extremists that those criminals were actually patriots who had been victims of victor's justice by the Allies (Fackler, 2014). Thousands of Class-B and Class C war criminals were also added in the period of 1959 to 1970 (Pollmann, 2016a). Whenever Japanese politicians pay a visit to the shrine, tensions arise between Japan and the surrounding countries of former victims of Japan's militarism, especially South Korea. While the meaning of the visit is restricted to the mourning of dead soldiers by Japanese government, foreign observers argue it as justification of aggression and rejection of the Tokyo War Crimes Tribunal (Pollmann, 2016a). The visits signaled "a resurgence of Japanese militarism through a rejection of the Tokyo War Crimes Tribunal, and were thereby justifying Japanese aggression during WWII (Pollmann, 2016a).

As in the case of territorial dispute over the Liancourt Rocks, U.S. Cold War interest cannot be excluded from the origin of the issue. U.S. Cold War interest that



have failed to bring true justice to the war crimes of the colonial Japan at the end of WWII allowed the issue to be dragged until the present day. It allowed the Japanese right extremists to dominate the political field and distort the country's past. U.S. have always maintained double standard against Japan. U.S. have always held soft stance over Japan in every case. While U.S. pressured proper settlements from the Germans, Austrians, and Swiss, the U.S. joined Japan's side in every case demanding dismissal (Fisher, 2007). The obvious difference is found when compared to the case of Germany. While U.S. pressured Germany to teach the Holocaust atrocities to its future generation; to apologize and pay proper restitution to its former victims, no such pressure was placed on Japan.

Europe moved forward but Asia continued as a prisoner of the war and its colonial past. Korea's division of Soviet and American creation remained, and Japan still refused even to consider, much less acknowledge, apologize, and settle, the claims of the victims of its wartime atrocities, instead dragging its last century of horror deeper and deeper into the new one. Japan's postwar resistance is a function of factors, including U.S. continuing Cold War interests that support rather than challenge Japan's revisionist distortion of history, and particularly Japan's religious and psychological differences from ally Germany of which the Yasukuni Shrine's seemingly calm ambience defies its presence as nothing less than the spiritual and political center of Japan's right wing revisionist movement rejecting wartime victim redress--Indeed, it's the typhoon's eye of the growing international storm of protest against Japan's rejectionism (Fisher, 2007).

The Japanese politicians' visits to the shrine remind the victims of the pains they have suffered under Japanese colonialism. Japan is re-remembered as the enemy and aggressor as the Japanese politicians pay visits to the shrine (Ryu, 2007). The end result is the strengthening of nationalism, the worsening of bilateral relations and the weakening of cooperation (Ryu, 2007).

### **2.1.3. History Textbook**

The right extremists often spread its influence within and outside the political field of Japan. One of its most active influence is found over historical education of Japan. In contrast to Germany, Japan was never pressured by U.S. to teach the war time atrocities to their future generations. Thus, the right extremists' version of history, which support the proposition that little historical proof exists for the wartime atrocities and Japan need not apologize, expanded in the educational system of Japan (Fisher, 2007). Fisher argues "Japanese textbooks often indulge in outright whitewash and falsification, prompting protests from across Japan's former Pacific empire" (Fisher, 2007).

The Japanese right extremists argue that Japan's military and political actions against its Asian neighbors since the Meiji Restoration were no different from the Western powers' acquisition of territories and other imperialist actions around the world (Akaha, 2008). This is clearly seen at the Yushukan Museum, which is part of the Yasukuni Shrine complex in Tokyo (Akaha, 2008). One of the revisionist historian Shoichi Watanabe states:

There are shady parts in every country's history. But if [a nation] collected and injected only those parts into its children, the nation could not but decline . . . The important point about a nation's history education is to show a shining rainbow from myriad historical facts. The postwar education in Japan completely lacked a perspective from which to see a beautiful rainbow . . . It is only natural that the rainbow that the Japanese see should differ from the rainbows that the Chinese and the Koreans see, and it is nonsense to try to show the same rainbow. It is inexcusable to try to do so in compulsory education in Japan. (Akaha, 2008).

While education is a critical area of democratization reform, the school curriculum was continuously under the direct control of the MOE in postwar Japan (Nozaki & Selden, 2009). The state had control over the textbook authorization by introducing a textbook screening system (Nozaki, & Selden, 2009). During the 50s, the MOE increased the number of screening council members to add conservatives to the board and created full-time textbook examiner positions, filling the social studies positions with rightist wing extremists holding emperor-centred view of history and eager to defend the empire and Japan's Asia Pacific Wars (Nozaki & Selden, 2009). Nationalist version of emperor-centred history was prioritized over scientific history based on empirical data.

[This book] is as a whole too scientific. In particular, its description of history from the Meiji period [1868] to date is extremely lacking in [the spirit] of [Japan's] autonomy [jishusei], to the extent that [I] sometimes took it to be the textbook of a foreign country, and wondered whether it was a social studies textbook for Japanese junior high school students or for certain [foreign] countries (Nozaki & Selden, 2009).

The MOE emphasized the colonization of other countries, minimizing and attempting to justify Japan's war atrocities merely as one of many inevitable wars that were widely expanding in various parts of the world; as one of the many commonly committed colonialisms and invasions that occurred in various nations over the history:

[The textbook] says, "Our country inflicted immeasurable suffering and damage on various Asian nations, especially during the Pacific War." . . . Eliminate this description, since a view even exists that [Japan] provided various Asian nations the chance for independence [from their Western colonizers] through the Pacific War. [The textbook],

in its treatment of the war, describes it as if Japan were unilaterally bad; it is not grounded in understanding of world history such as the international situation of the time (Nozaki & Selden, 2009).

The publishers and authors of history textbooks often fought back and criticized against the MOE. However, over the decades, MOE always had significant influence over the school curriculum and power to pressure the publishers to revise the textbooks.

During the 80s and 90s, the textbooks happened to include more references to war atrocities Japan has committed during the Asia-Pacific War. The references to comfort women were included in some of the 1994 edition and 1997 edition of textbooks (Beal, Nozaki and Yang, 2001). However, even then, MOE continued to exert influence over the educational system in general by pressuring local schools on hosting flag Hinomaru and singing Kimigayo at school ceremonies (Beal et al., 2001). The right extremists' influence expanded within the political field as well. The LDP rightist politicians established the LDP Committee for the Examination of History during the 90s, to promote views of history that held the Asia-Pacific War to be justifiable, and which denied the existence of Nanjing Massacre and comfort women (Beal et al., 2001). In regards to the textbooks, they constantly demanded the MOE to order publishers in removing references to comfort women, in the resolution of apology that was to be issued at the fiftieth anniversary of Japan's surrender, they removed key terms such as "acts of aggression" and "colonial rules" (Beal et al., 2001). Some of those members include those who later became prime ministers. Ryutaro Hashimoto and Yoshiro Mori were one of the members (Beal et al., 2001).

Then, one of the most controversial changes occurred in the education board of Japan in the early 2000. The revisionist textbook by the Fusosha Publishing Company that challenged or ignored some of the most sensitive aspects of Japan's twentieth-century historical experience in Asia were approved by the MOE (Glosserman and Snyder, 2015). Many descriptions concerning Japanese war atrocities were cut back, removed, the most shocking being the almost total erasure of comfort women from the textbooks (Beal et al., 2001). This has not only won criticisms domestically, where many historians, teachers and scholars raised voices to fight back, but also has won immense international criticisms. Tensions rose between Japan and its neighbouring countries, especially with South Korea and China. Fusosha textbook was not the only version of textbooks approved by the MOE for use in secondary schools but other textbooks also underwent significant changes.

In the previous 1997 editions, all seven junior high history textbooks on the market mentioned the comfort women (Nozaki & Selden, 2009). In the 2002 editions, three of these texts dropped all references and three others made very brief reference without using the term “comfort women” and only one text retained the language and expanded discussion from the previous edition (Nozaki & Selden, 2009). The 2002 editions also altered or eliminated descriptions of other Japanese wartime atrocities (Nozaki & Selden, 2009). These changes remain more or less intact in the 2006 editions (Nozaki & Selden, 2009). Fushosha eventually disowned the controversial textbooks because they were financially unsustainable (Pollmann, 2015b). This was the result of hard efforts by citizen activists, who convinced local school boards to not adopt the textbooks (Pollmann, 2015b).

“...After the authors had made 137 corrections, the Ministry of Education approved the text and declared that it would not request further revisions, and that the local education boards, not the Ministry, would be responsible for their textbook adoption” (Beal et al., 2001). Leaving the decisions to the local school boards is an irrelevant issue for the neighboring countries that were former victims of Japan’s militarism. The mere approval of the textbook by the MOE was enough to anger the former victims, especially South Korea. The anger resulted in cut-off of many local-level and nongovernmental exchanges with Japan; temporary recall of ROK ambassador Choi Sang-Yong from Japan in April 2001; and incited public demonstrations in front of the Japanese Embassy in Seoul (Glosserman and Snyder, 2015). The South Korea’s public fume over Japan’s textbook during this period was further ignited when Prime Minister Koizumi Junichiro insisted on making official visits to Yasukuni Shrine (Glosserman and Snyder, 2015).

During Lee’s administration, a claim over the islands of Dokdo/Takeshima in the Japanese textbooks stirred another outrage in South Korea. There were several attempts of improvement between Lee’s administration and DPJ leaderships in Japan. Foreign Minister Okada Katsuya proposed a joint history textbook with South Korea and China in October 2009, Prime Minister Kan Naoto issued apologies in 2010 and in 2011, Japan returned some South Korean historical archives that had been taken to Japan during the colonial rule (Glosserman & Snyder, 2015). However, another round of Japanese textbook revisions reasserting Japan’s claim to Dokdo/Takeshima failed to bring significant improvement in the relationship.



The textbook controversy continues in recent years. All textbooks approved in the latest round of the government's screening process promoted Japan's claims on the disputed Dokdo/ Takeshima Islands (Pollmann, 2015b). In regards to the comfort women issue, right extremists even strived to assert its influence over the history textbook in U.S. A group of 50 Japanese scholars attacked McGraw-Hill U.S. textbook and his backers in academia for "factual errors" that the group claims no Japanese scholars would support (Johnson & Osumi, 2015). By likening the comfort women to those working in the red-light districts in the Dutch and Japanese capitals, one of the scholars, Ikuhiko Hata argues: "Prostitutes have existed at every time in human history, so I do not believe that comfort women are a special category" (Fifield, 2015a). In regards to the historical information of estimated 20 to 30 services carried by comfort women, Hata argues "the soldiers would have had no time to fight the war; they would have been too busy going to the brothel all the time." (Fifield, 2015a).

Andrew Gordon, a professor of history at Harvard University's Edwin O. Reischauer Institute of Japanese Studies, argues that there was also Japanese government's intervention in the efforts. Gordon said that the Japanese government "sent its officials directly/uninvited/unannounced to the office of the textbook author, demanding deletion or correction" (Johnson & Osumi, 2015). Twenty American professors published a letter in this month's edition of the American Historical Association's journal to express their "dismay at recent attempts by the Japanese government to suppress statements in history textbooks both in Japan and elsewhere" (Fifield, 2015a).

For former Ianfu, they remember their reality as it was: a life of sexual torture and a lifetime of persecution to follow. Today, they want a sincere apology from the Japanese government which may or may not include compensation. They want to tell their story to the public before they die, they want the Japanese government to be made accountable for their actions, and they want their story to be written into the history textbooks so that it will never be forgotten and never repeated again (Orreill, 2008).

To educate future generations on nation's historical mistakes is an essential part of true reconciliation process and a step necessary for overcoming historical issues that lay between the relations of Japan and South Korea. It is a proof of acknowledgement, gesture of apology and sign of repentance to the victims. It is an inevitable step in avoiding recurrence of historical mistakes and a necessity in separation from the past. The failure to do so results in inability of detaching postwar Japan from the prewar imperial Japan. For the victims, it chains the painful, vicious memories of the colonial

past to the present, making the victims impossible to forgive and move on from the past.

## **2.2. The Comfort Women Issue**

Comfort women issue is one of the most controversial historical issues that lay between South Korea and Japan. The issue is however, not just an unresolved issue for South Korea but it is an international issue that remains unresolved for many countries that were previously under the colonization or invasion of Japan. An estimated number of 200,000 women of various ethnic and national backgrounds scattered all across Asia were victims of the issue. Yet, South Korea is the only country at the focal point of comfort women issue. Why is it that Taiwan was also the colony of Japan but maintains more positive relations with Japan while South Korea and Japan constantly fails to move on from historical disputes, especially in the comfort women issue?

This section is focused on answering those questions. The section begins with a detailed study on the origin and development of comfort women system, then focuses on a brief case study of Taiwan's comfort women issue. Although this thesis is focused on the case of South Korea, since comfort women issue is an internationally unresolved issue for many countries, it is useful to understand other cases as well. The case of Taiwan has been chosen because Taiwan was another important colony of Japan but maintains contrasting relations to the one held by South Korea-Japan today. It is also necessary to raise awareness of the Taiwan's case for there are currently only three remaining survivors in Taiwan. The case of Taiwan provides understanding of the significance of South Korean comfort women case and explains the reason why comfort women issue remains highly controversial in South Korea but not much in Taiwan. Then, at last, this section focuses specifically on the South Korean case of comfort women to further understand its significance.

### **2.2.1. Origin and Development of Comfort Women System**

Understanding the comfort women issue begins from a detailed study on the origin and development of the comfort system; and background study of the victims. The study of comfort women system reveals that it was a system of severe exploitation based on class, gender and race. Thus, this section is to be divided into two parts: study of sexual exploitation and racial exploitation. This helps to understand Japanese

government's purpose behind the establishment of the system and to recognize the depth of victimization suffered by the comfort women in the system. A background study of the victims will follow, accompanied by testimonies of the victims, authorities or former soldiers associated in the crimes. Testimonies help expose clearer image of the atrocities faced by the victims.

Between 1932 and 1945, Japan was involved in an imperial war with many Asian countries and the United States, commonly referred to as the Asian and Pacific War (Min, 2003). As the war progressed, Japan felt the need to establish military sexual brothels. The Japanese government mobilized large number of women from the established colonies or other invaded territories, to serve in the comfort stations. The first comfort station has been established by the Japanese troops in Shanghai on early 1932. A statement issued by the Japanese government on 4 Aug, 1993 refers to the existence of a comfort station in Shanghai during 1932 and states that comfort stations were in existence since the time to the end of World War II (Dolgopol, 1995). During Japan's invasion in China, Japanese troops raped a lot of Chinese women in Nanjing, and their behaviour raised intense international criticisms. The problem of arising rape by its soldiers was what pushed Japanese government to establish the comfort system. The Japanese military devised the military brothels in order to reduce the number of accidents of rape of civilians (Koh, 2007).

An entry in the official log of the Ninth Brigade referred to a circular, dated 27 June 1938, which was issued by Naosaburo Okabe, Chief of Staff of the North China Expeditionary Troops. The circular stated that the number of rapes committed by Japanese soldiers was threatening security in northern China, and the Chinese were taking revenge. In Okabe's view, it was necessary to set up "comfort houses" as soon as possible (Dolgopol, 1995).

With heightening international outcry, the Japanese government and military became concerned by the Chinese reprisals against Japanese soldiers (Dolgopol, 1995). The Imperial Conference, consisted of the emperor, representatives from the armed forces and the main Cabinet ministers, approved the establishment of the comfort stations after Japan invaded Manchuria in 1937 (E. Park, 2011). Sometime between 1936 and 1937, policy favouring the establishment of comfort stations was adopted (Dolgopol, 1995), and the military sexual slavery system was formalized after the 1937-38 period (Min, 2003). Other than to control arising rape incidents, the comfort system was established on the following six purposes:

(1) protecting the local women from the danger of rape by its soldiers; (2) preserving the health of the troops by preventing the infection of venereal disease; (3) the soldiers' gaining the fighting strength; (4) stirring up the soldiers' morale, relieving combat stress and providing leisure; (5) protecting "national security from espionage"; and (6) increasing revenue through more varied sources such as military brothels (Koh, 2007).

From 1931 to 1945, comfort stations were established in places where the Japanese army combated or occupied, including Korea, China, Taiwan, Borneo, the Philippines, the pacific islands, Singapore, Malaya, Burma, Indonesia as well as in Japan, Okinawa (Koh, 2007).

### 2.2.2. Sexual Exploitation of the Comfort Women

The comfort stations were established as the state-regulated prostitution system. The system derives from Japan's licensed prostitution system.

In Japan, as a modern state, licensed prostitution was considered a necessary measure to control the spread of VD and the sexuality of the national population. In addition, taxes levied on prostitutes and related businesses were vital sources of income for local governments. Licensed prostitution was thus essential to statecraft (Kimura, 2016).

Although licensed prostitution system in Japan and the comfort women system carry wide similarities, the two cannot be treated the same. The levels of exploitation women experienced in the comfort system was immeasurably worse. Obviously, the licensed prostitution in Japan was aimed at civilians which ran commercially and privately, while the comfort women system was developed for military officers and soldiers (Kimura, 2016). The Japanese authorities were highly involved in the operation (Kimura, 2016).

The term "comfort women" is a direct translation of a term "ianfu" a Japanese abbreviation, which in Chinese characters mean "comfort women." The term becomes *wuianbu* in Korean and *weianfu* in Chinese. As the term suggests, women were specifically recruited for the purpose of offering comfort to Japanese forces. Those women were exploited as a form of tool or weapon of war. The level of violence and exploitation against those women were not the same as the sexual exploitation found in licensed prostitution system. Nagahara states: "...The sexual violence and exploitation during war has been perpetuated through sexual violence used as 'the weapon of war' and state-regulated or military controlled prostitution" (Kimura, 2016). Rape and sexual activities in comfort stations were used as measures to develop masculinity, while soldiers bonded with each other as imperial subjects (Kimura, 2016). The comfort stations were to boost a sense of national pride, patriotic spirit and masculinity required

to continue its colonial aggression. A document published by the U.S. House of Representatives Committee on International Relations states: “The women were treated as objects and used as property, deprived of their free will and liberty and forced to provide sexual services to the Japanese Imperial Army” (U.S. House of Representatives Committee on International Relations, 2007).

The average numbers of men those women had to serve per day ranged from twenty to thirty (S. Park, 2002). While there were certain time constraints enforced, it was hardly practiced in reality.

According to the testimonies of former soldiers, most men took a mere few minutes since there were so many other soldiers waiting [...] between 20 to 30 soldiers would queue up outside the women’s rooms, with their trousers down, waiting their turn. Most of the women who have spoken out about this atrocity have indicated that time constraints were rarely enforced and in some excessive cases women had to serve up to 100 soldiers (Sikka, 2009).

In result, many women suffered health problems or physical pains. One former comfort woman states: “Having to serve so many men made my sexual organs swell up, and I had to go to see a doctor. When I went the first time, my stomach hurt to the extent that I thought it was going to burst” (Tanaka, 2002). A testimony from another former comfort woman states:

Yet, even though I had no venereal disease, I had to have treatment, because I kept bleeding and couldn’t pass water. Perhaps it was a bladder infection. There were some women whose vaginas were so swollen and were bleeding so profusely that there was no space for a needle to be inserted inside (Tanaka, 2002).

Those who resisted to serve were severely tortured. “Women who resisted their violators were beaten, mutilated, or murdered, frequently with their fellow women forced to watch. They were very poorly fed and lived under extremely difficult conditions” (S. Park, 2002). The brutal conditions comfort women suffered can easily be understood by the testimonies of the victims. Yi Yongsu, one of the women who have been brutally tortured for refusing to serve states the following:

...The proprietor told me to go into a certain room, but I refused. He dragged me by my hair to another room. There I was tortured with electric shocks. He was very cruel. He pulled out the telephone cord and tied my wrists and ankles with it. [...] he twirled the telephone receiver. Light flashed before my eyes, and my body shook all over. I couldn’t stand it and begged him to stop. I said I would do anything he asked. But he turned the receiver once more. I blacked out. When I came around my body was wet; I think that he had probably poured water on me (Tanaka, 2002).



If any woman was found pregnant, abortions were carried out by a medical officer. One former Korean comfort woman, Huwang Kumju, testifies:

The new girls were to serve the officers, as they were virgins. The officer didn't use condoms, so quite a few of us became pregnant quite early on, but we were naive and weren't aware of it. I was all right. But those who were injected with "No. 606" [Salvarsan injection] without knowing that they were pregnant, they began to feel chilly, their bodies swelled, and they started to discharge blood. Then they were taken to the hospital to undergo curettage. After curettage was operated three or four times, they became barren (Tanaka, 2002).

Hundreds and thousands of women were tortured physically, mentally and emotionally under the comfort system and still lives with the mental and physical scars left from those time.

### **2.2.3. Class and Racial Exploitation of the Comfort Women**

The comfort system originally began with recruitment of Japanese women. However, those Japanese women recruited were not ordinary Japanese women but professional prostitutes. Ordinary Japanese women or Japanese virgins were excluded from the comfort system for the Japanese military believed it would result in public distrust over the military:

"Ordinary" Japanese women were precluded from becoming military prostitutes as they were to be "bearing good Japanese children who would grow up to be loyal subjects of the emperor." The war was being fought for the sake of family and the country and "men were to protect women and children while glorifying the nation and the Emperor." Thus, a Japanese soldier having sexual intercourse with another female national undercut the noble purposes of the war. While some Japanese women were recruited, their numbers were limited. The Japanese Home Ministry concluded that sending Japanese women who were not prostitutes abroad to be Comfort Women would have serious implications for its citizens. The Ministry considered how a soldier's trust in the state and the army would be destroyed should their sisters, wives, or female acquaintances be stationed overseas to serve as Comfort Women (Lai, 2002).

As the war extended, they were in need for more women. In result, women were brought from established colonies of Korea and Taiwan or from other occupied territories. As the Japanese extended its invasion in Southeast Asia and the South Pacific territories, women from those areas were also recruited as comfort women. The recruited women included Chinese, Filipino, Indonesian, Malaysian and Dutch (Lai, 2002). Overall, from 1937 until the end of the war in 1945, historians estimate that approximately 200,000 women were forced to serve the Japanese military (Lai, 2002). According to the Japan-U.S. Feminist Network for Decolonization (FeND), Japanese government licensed contractors to recruit or procure women under collaboration with



local governments and police departments in Korea and Taiwan (FeND, 2016). Women targeted for comfort stations were the most vulnerable members of society due to age, poverty, class, family status, education nationality, or ethnicity; they were generally from poor and rural communities because the uneducated class were more easily deceived into slavery (E. Park, 2011). Since many of those women from uneducated, poor families were in seek of jobs, the easiest recruitment method was to offer false promise of employment. A former comfort women states that they have been false promised of jobs as cooks, nannies, nurses, and cleaner (Lai, 2002). The recruitment of comfort women can be divided into the following four categories: Recruitment by violence; including threats of violence and the misuse of power, false promises of employment; abduction; human traffic. The most prominent method being the false promise of employment (Sikka, 2009).

As the war extended, mobilization of labour force was highly intensified. In 1943, the “Women’s Voluntary Labour Service Corps” was organized throughout Korea to force young, unmarried women to “volunteer” for various types of work in the wartime industries (Tanaka, 2002). It was under this law that many women were deceived in promise of jobs. One of Japanese school-teacher, Ikeda Masae confessed that he was involved in the recruitment of Korean women, who were under the impression that they would be given an employment opportunity, and were actually forced into prostitution and sexual slavery (Sikka, 2009). Hwang Keum-Ju is one of the women who was officially drafted into the Women’s Voluntary Labour Corps. After arriving at the location of station, she was informed that she would not be transported to a factory but was told to follow their orders. This is the testimony she provides:

I thought I was drafted as a labour worker when, at the age of 17, the Japanese village leader’s wife ordered all unmarried Korean girls to go to work at a Japanese military factory. I worked there for three years, until the day that I was asked to follow a Japanese soldier into his tent. He told me to take my clothes off. I resisted because I was so scared, I was still a virgin. But he just ripped my skirt and cut my underwear from my body with a gun which had a knife attached to it. At that point, I fainted. And when I woke up again, I was covered with a blanket but there was blood everywhere.

From then on, I realized that during the first year I, like all the other Korean girls with me, was ordered to service high-ranking officials, and as time passed, and as we were more and more ‘used’, we served lower-ranking officers. If a woman got a disease, she usually vanished. We were also given ‘606-shots’ so that we would not get pregnant or that any pregnancies would result in miscarriage.

We only received clothes two times per year and not enough food, only rice cakes and water. I was never paid for my ‘services’. I worked for five years as a ‘comfort woman’, but all my life I suffered from it. My intestines are mostly removed because they were infected so many times, I have not been able to have intercourse because of the painful

and shameful experiences. I cannot drink milk or fruit juices without feeling sick because it reminds me too much of those dirty things they made me do (UNCHR, 1996).

After the law was enacted, there was a rumor that spread in Korea that all unmarried girls would be forced to become comfort women. Many middle or upper class Korean families hurriedly arranged marriage for them to avoid being drafted (Tanaka, 2002). However, some families in lower strata were trapped (Tanaka, 2002). In many cases, Japanese man visited the house, offered jobs then dragged the women to the comfort stations (Tanaka, 2002).

Yoshida Seiji, one of the men who was responsible for drafting Korean comfort women testifies: "...Army headquarters supplied him with the trucks and soldiers to take women away by force" (Sikka, 2009). The recruited women were transported to the comfort stations throughout Asia under various transportations such as army vessels, trains, trucks and planes (Koh, 2007). The comfort women did not have to possess passports because the Japanese Minister of Foreign Affairs ordered that military travel documents instead of passports be issued (Koh, 2007). Because the Japanese government mostly recruited women through coercion and abduction, use of passports for these women were very inconvenient means of bringing them to the stations (Koh, 2007). Some transport lists at the time even registered these women as units of munitions or canteen supplies (Koh, 2007).

The professional Japanese prostitutes were as much of the victims of sexual slavery as any other comfort women. The following is a biography provided by Shiota Suzuko, one of the Japanese former comfort women under a pseudonym:

Her biography records that she was approached by brokers to travel to Taiwan while in a civilian brothel in Tokyo, and accepted the offer in order to escape crushing debt. She had been sold into a geisha venue by her father at age 17, and he took out further loans against her subsequent trafficking into a brothel, and then again when she was trafficked into a naval comfort station on colonial Taiwan. Shiota and the seven other Japanese women trafficked with her were all 'sex industry women,' and they ended up on a Taiwanese island hosting twenty naval comfort stations that were managed by Japanese operators. Shiota's station alone interned fifteen women. Their movement outside the venues was heavily restricted, and they were subjected to regular venereal disease examinations, for which station managers bribed military medical staff to let them pass. Shiota recalls that weekends in the brothel were terrifying: soldiers would line up in droves and 'jostle' to get their turn, which meant that women were used by up to fifteen men each day on Saturdays and Sundays. For Shiota, this was like living a nightmare in which she had to 'fend off wild beasts coming at me one after the next' (Norma, 2016).

Her biography proves that regardless of the backgrounds of the women, all comfort women were victims of sexual slavery. However, when understanding the issue from a

racial discriminatory perspective, it should be recognized that the numbers of Japanese victims were quite few and their treatments were in a sense, better than non-Japanese women. The racial factor clearly cannot be omitted from understanding the victimization of the former comfort women. Asian women from colonized or invaded territories faced harsher treatments than Japanese women or women of European origin:

Women of non-Japanese or non-European origin were generally treated even worse in terms of conditions of life in the comfort stations. They face beatings and summary executions much more often. The evidence shows that indigenous women were treated most brutally of all. In short, the Japanese discriminated according to race, ethnicity, and poverty (U.S. House of Representatives Committee on International Relations, 2007).

The structure of the comfort stations was hierarchically organized according to race and ethnicity. The reality of comfort stations differed largely according to whether they were situated near a commissariat, zones passed regularly by the military, or the front lines (Yamashita, 2009). Japanese prostitutes tended to be kept in more secure base areas, and were made available for higher ranked military officials, while Korean women were pooled and sent to the front lines (S. Park, 2002).

Those sent to the front-line not only faced more sexual violence but even the conditions of the stations were far worse. The front-line stations were tent or wooden shacks, and the rooms were composed of cramped, narrow cubicles, often as little as 3 feet by 5, with room for only a bed (Koh, 2007). Those women were provided with only small amounts of rice and radishes twice a day and were constantly on the border of starvation (A. Park, 1996). Schmidt argues: “social ranking and discrimination was encouraged and pervasive [...] Japanese ianfu at the top of the social scale and Koreans, Taiwanese/Chinese and other Asians following below” (S. Park, 2002). Thus, those women were not only victims of sexual exploitation but targets of racial exploitation.

They were given by the Emperor of Japan as ‘gifts’ to his men with the soldier’s comfort, solace, recreation, health, and morale in mind. Thus, while the Ianfu [慰安 (i : an) comfort or solace, 婦 (fu) woman or wife] system provided a solution to the Japanese authorities it also transferred the value of women into a basic commodity for everyday usage. The system constituted sexual, racial, ethnic, economic and class based discrimination. As Ianfu, they were racially, sexually, and socially persecuted. They lived an existence whereby they endured physical abuse and repeated sexual torture and as a result often suffered from psychological and physical illnesses throughout their lives (Orreill, 2008).

The ‘comfort women’ system was a particular intersectional exploitation and oppression based on gender, class, race, colonialism, militarism, Japanese imperialism and capitalism (Kimura, 2016).

### **2.3. Significance of South Korea's Comfort Women Case**

The comfort women issue is an internationally unresolved issue for many countries. However, the issue remains exclusively controversial for South Korea. Out of the estimated 200,000 victims, about 80 percent of those women were Korean. Howard states: "It is usually considered, following recent revelations and a 1939 account by a military surgeon, Aso Tetsuo, that between 80 and 90 per cent of comfort women were Korean. This, then, is a Korean tragedy, unique in terms of the numbers of women used" (Sikka, 2009). This section seeks to understand the reasons why majority of the women were taken from Korea. This will enhance overall understanding of why historical issues remain controversial in the relations of South Korea-Japan.

The major reason vast majority of the women were drawn from Korea was because it was Japan's major colony. The colonialism based on chauvinism and racial superiority along with gender hierarchy allowed Korean women to become easy targets of sexual slavery. Koreans were considered racially inferior. "The racial hierarchy on which the Comfort Women system was grounded was both the foundation and framework for genocidal actions against the Korean people" (Lai, 2002). Historian Louise Young states: "as Japanese imperialism entered a new phase in the 1930s, the imperial discourse on self and other became more overtly chauvinistic, expressing race hates and race fears vociferously" (Lai, 2002). The racial dominance was closely intertwined with sense of gender dominance. "The conquest of another race and colonization of its people often produce the de-masculinization and feminization of the colonized...Sexual abuse of the bodies of women belonging to the conquered nation symbolizes the dominance of the conquerors" (Tanaka, 2002). According to Tanaka, the sense of masculinity was intrinsically interrelated with racism and nationalism (Tanaka, 2002).

Yoshimi Yoshiaki, a Japanese historian, also suggested that Korean and Taiwanese women were chosen for sexual slavery because of the assumption that it could be treated as non-violation of international laws banning the sale of women and children for prostitution (Min, 2003). "Japan had ratified the International Convention for the Suppression of White Slave Traffic (1910) and the International Convention for the Suppression of the Traffic in Women and Children (1921) (Min, 2003). However, it exercised its prerogative, under article 11 of the 1921 convention, to declare that neither of the colonies, Korea and Taiwan, would be included in the scope of

convention (Min, 2003). Thus, the Japanese government assumed that the mobilization of women from Korea or Taiwan would not violate international laws.

Nonetheless, this explains little of why Korean women constituted majority numbers of comfort women. First, in order to understand in details why Korean women were easier targets, the nature of Korean colonialism should be understood. The extensively exploitative nature of Japanese colonialism in Korea, pushed many women to become easier targets of sexual slavery. Second, the sexual exploitation of Korean women should be understood against the backgrounds of how trafficking of women came to be practiced in Korea before establishment of the system.

However, before studying the nature of colonialism in Korea, this section first seeks to briefly examine and compare the case of Taiwan. The case study provides enhanced understanding of why historical issues remain far more controversial in the relations of South Korea-Japan and provides further understanding of the significance of South Korean comfort women case.

### **2.3.1. Comparison to Taiwan's case of comfort women**

Taiwan was Japan's another established colony but holds more positive relations with Japan. Unlike South Korea-Japan relations, historical issues, such as the comfort women case, have not been much of an obstacle in the Taiwan-Japan relations. In regards to Taiwan-Japan relations, Pollmann states:

Unfortunately, Taiwan does not have the same leverage over Japan that South Korea did. After all, South Korea is a much more important security partner to Japan. Also, the comfort women issue never dominated the Taiwan-Japan relationship as it did South Korea-Japan relations. Despite colonial history, Taiwan and Japan have good relations; following the March 11 triple disaster, Taiwan was the number two donor to Japan – only behind the U.S. aid behemoth. Relations will likely only continue to improve as Japan and Taiwan both worry about China's territorial ambitions, and Japan could also more proactively help Taiwan become a member of the Trans-Pacific Partnership (Pollmann, 2016b).

The question of why Taiwan holds more positive relations with Japan and why historical issues such as comfort women issue have not been much of an obstacle in Taiwan-Japan relations correlates to the question of why South Korean case of comfort women remains significantly more controversial. Thus, this section seeks to briefly study the Taiwan's case of comfort women and the contrasting colonial experience of Taiwan, to further understand the South Korea-Japan's relations and the significance of South Korea's comfort women case.



“The ‘drafting’ of comfort women from Taiwan began as early as November 1938, when ‘comfort houses’ (ianjo) were set up in China in large numbers” (Tsai, 2006). Before July 1941, an estimated 2,268 permits were issued to personnel involved in the comfort business, covering their departures from Taiwan to China (Tsai, 2006). A majority of them, 2,139, was sent to southern China (Tsai, 2006). At a later date, Taiwanese comfort women were also sent to the military brothels in Southeast Asia and Okinawa (Lai, 2002).

The Taiwanese comfort women carry background slightly different from the comfort women in Korea. Most of them already had jobs, even professional jobs, but were those who wished to be employed overseas in Japan or other Japanese occupied territories to improve their financial conditions. According to a research conducted by women’s nongovernmental organization, among the fifty-eight cases of comfort women reported, one-third of the women were those already working in hotels, teahouses, and bars (Shao, 2007). The rest of the women had been laundresses, cooks, factory workers, or housewives; or those who were forced to become comfort women under the false pretext of joining the youth corps or being nurses (Shao, 2007). Among those women, there were also fully qualified nurses, recruited under the false pretence that they would be sent overseas as military nurses (Tanaka, 2002). One 17-year-old nurse was sent to Timor, together with more than 10 other nurses, believing that she would be working as a nurse but as soon as she arrived, a venereal disease (VD) check was conducted, she was raped by an officer and sent to the comfort station (Tanaka, 2002). As in the case of Korea, the most common tactic used for recruitment of Taiwanese women was false promises of employment with high salary (Tanaka, 2002).

Unlike many other Han Chinese Taiwanese women who were sent overseas, aboriginal women were mostly forced to serve Japanese troops within Taiwan. Most were initially asked to work at a Japanese Army camp nearby to do domestic jobs, such as cleaning, sewing and cooking, where they were properly paid (Tanaka, 2002). However, after a few months they were gang-raped by soldiers, then forced to serve as comfort women in the evening while continuing domestic works during the day (Tanaka, 2002). In many cases, this happened in 1944, a year before the war ended (Tanaka, 2002). It is also reported that towards the end of the war, small army units stationed deep in the mountains in Taiwan could no longer reach the service of comfort women, and thus used force to secure local young women as comfort women (Tanaka, 2002). “The forced sexual service by Japanese troops in Taiwan’s remote mountainous



region shows the collapse of military morale due to their isolation in a prolonged war” (Tanaka, 2002).

Currently in Taiwan, there are only three surviving comfort women of fifty-eight that came forward from the estimated 2,000 Taiwanese comfort women (Halpin, 2016). Time is running out. Much like other cases, the case of Taiwan raises high levels of concern of being forgotten before proper justice is sought. As in the case of Korea, Taiwanese comfort women ask for sincere apology. A sincere apology meaning “official apology accompanied by the Cabinet or Diet resolution rather than one that can be and have been construed as one leader’s personal view” (FeND, 2016); an apology based on formal acknowledgement and direct formal compensation from the government to the victims.

Although previous Taiwanese governments have made pledges in seeking justice for former comfort women, it has been more difficult for the Taiwanese government to deal with the issue than the South Korean government. One of the reasons is because the number of comfort women in Taiwan is much smaller than that of South Korea, which is partly because of the much smaller population in Taiwan (Min, 2003). However, one other concrete reason is because Taiwan-Japan relation is different from the one held by South Korea-Japan. Seeking justice for comfort women has been an extremely difficult path for South Korea, but more so for other nations, especially Taiwan:

...Taiwan’s outgoing government was surprised last year to find that Japan’s cabinet secretary was not prepared to offer the same deal given to Korean women to the few living Taiwanese “comfort women”. The reason given was that the circumstances were different – perhaps a reference to the general perception that the Japanese colonial period in Taiwan was less brutal than in Korea – but it sounded an odd note at a time when Japan was seeking to show its willingness to right old wrongs (Mitter, 2017).

Taiwan’s colonial nature was different from the one held in Korea. Yan provides the following 6 main factors to explain the contrasting colonial nature of Taiwan and Korea:

1) ***Difference in Strategic Importance.*** Korea occupies strategic place in the waters of the Sea of Japan, Korea Strait and Yellow Sea, and any conflicts on the peninsula had potential influence on its country and the neighboring countries. On the other hand, Taiwan was not so geographically close to Japan. Thus, Japan had stricter control over Korea.

2) ***Difference in Social Structure.*** Taiwan consisted of few weak native elites. After the occupation of Japan, many escaped to the Mainland and their exodus deprived Taiwan

of potential leaders. Thus, many Taiwanese showed willingness to collaborate. In contrast, Korea consisted of strong elite group at the top ten percent of the population that monopolized position in the government and military establishment. They suffered enormous loss of class status and privilege under the Japanese ruling.

3) ***Difference in Governance.*** Japanese government had a direct and militaristic rule in Korea, whereas the governance over Taiwan was more indirect. For Taiwan, Japanese ruler relied more on native local representatives.

4) ***Difference in Economy.*** Japanese ruling brought greater economic benefits for Taiwan than Korea. Taiwan's infrastructure, roads, harbors, railroads, power plants and irrigation system have developed immensely under Japan. In contrast, Korea also benefited but to a relatively small growth, as larger share of budgetary had been spent on public order and administration.

5) ***Difference in Education Policy.*** a) Assimilation over Korean education immediately began after the annexation, whereas control over Taiwan gradually began twenty-four years after annexation. b) Whereas traditional Korean schools remained in Korea, traditional schools in Taiwan were fully abolished. It resulted in better assimilation result in Taiwan. c) Indigenous culture in Taiwan was allowed, whereas in Korea, Korean history was revised to show that Koreans were racially akin, thus destined to be ruled by Japan. d) Those who did not adopt Japanese names received consequences in Korea, whereas changing names to Japanese was optional in Taiwan.

6) ***Difference in National Identity.*** Korea was an independent nation for more than twelve centuries. It had a proud long history and strong sense of homogeneous national identity. In contrast, Taiwan already had previous experiences of colonial ruling under the Qing dynasty. The Qing government had poor, unstable and weak ruling over the Taiwanese, resulting in lack of social order and efficiency. For Taiwanese, Japanese ruling was better, which improved physical, social, economic landscape (Yan, 2013).

Lastly, Taiwan's ruling shifted to another new governance, the Kuomintang (KMT) after the Japanese colonization. Many of the Taiwanese argue that the KMT's ruling was even worse than the Japanese colonial ruling. Frank Hsieh, former Democratic Progressive Party (DPP) candidate for president, argued "What the KMT did over those years is 100 times worse than what Japan did during its occupation of Taiwan" (KMT Rule, 2007).

While Taiwan and Korea were both under the colonization of Japan, there are range of factors which lead to the difference in two nation's collective memories against Japan's colonial ruling. This indeed has resulted in the kinds of relations each hold with Japan today. The colonial legacy continues, where history is a lingering issue for Korea but not much for Taiwan. Thus, historical issues, especially comfort women case remain far more controversial for South Korea than other former colonies of Japan, like Taiwan.

### **2.3.2. Korea's Colonial Experience**

It was already mentioned from the previous section that colonialism in Korea was different from the colonialism in Taiwan. The Japanese colonialism in Korea was extensively more exploitative and violent in nature than the colonialism in Taiwan. This section seeks to understand the nature of colonialism maintained in Korea. This thesis reveals that Korea was exclusively purposed for extraction of resources and labour for Japanese colonial expansion. The Japanese government considered the Korean people- whether men or women- mainly as instruments to be expended for its war purpose (Min, 2003).

Japanese colonial rule over Korea was top-down, centralized, direct and intensive (Seth, 2016). Appointed by the Japanese emperor and directly responsible to the prime minister, governor-general possessed an enormously broad authority, including the right to issue laws, ordinances, and regulations and to appoint various officials (Seth, 2016). Under the assistance of centralized police apparatus, they were all military men, generals or admirals, and possessed power to mobilize and command the troops stationed in Korea (Seth, 2016). The governor general's power extended to every inch of the nation. It had more power than the previous kings in Korea. The governmental body not only had extensive control over every part of decision making process, but the numbers of people working for the government also grew immensely. By 1940, there were 708,418 Japanese residents in Korea, amounting to 3.2 percent of the population, where about 40 percent worked for the government (Seth, 2016).

Under the military ruling of the governor general, Japan strived to transform the economy of Korea. However, rather than developments, the economic transformation resulted in the range of structural, social issues and worsened living conditions for many Koreans. One of the most devastating change occurred under the new land ownership system. At the time of Japan's annexation, Korea possessed a largely subsistence-oriented agricultural economy, in which the land was controlled by traditional elites, commercial infrastructure was underdeveloped, up-to-date and accurate land survey data was lacking and the tax revenue base was unstable and deeply corrupted (Cai, 2008). Because previous traditional landholding system lacked official registration, the new complicated application system led many illiterate peasants and petit-farmers to lose their customary tenancy or land ownership rights (Tanaka, 2002). Vast amounts of land thus went into the hands of the Japanese. Even all formerly state-owned forest land was transferred to the government, making Japanese government the biggest landowner

of Korea. Evidence from 1930 show that the colonial state owned approximately 40 percent of Korea's agricultural and forest lands combined (Cai, 2008). In result of the new system, commercial value of arable land increased, allowing Japanese immigrants or large Japanese corporations, such as Oriental Development Company to purchase the land (Tanaka, 2002).

It is estimated that about 80 percent of the Koreans were engaged in agriculture during the period (Tanaka, 2002). Thus, the land reform led majority of Korean population to immense poverty and widened social, economic gap between the owners and tenants, raising high levels of tensions in the society. Also, the colonial agricultural policy was specifically designed to extract massive agricultural export for Japan. Korea's agricultural products were purposed for supporting colonial Japan. This intensified starvation and poverty for the peasants. Massive exports resulted in shortage of consumption for the local people. Adrian Buzo calls this Korea's famine export, which Korean farmers were forced to export rice to Japan while themselves had to consume cheaper grains such as barley, sorghum and millet (Cai, 2008). The living conditions for peasants worsened during the 20s and 30s. The Great Depression accompanied with bad weather led to further impoverishment for the peasants. In the mid-30s, the unemployment rate in rural areas was as high as 85 percent and it was reported that there were more than 20,000 beggars in South Kyongsang Province alone (Tanaka, 2002). This led many to seek for jobs in the urban area, causing high levels of unemployment rate in the urban areas as well.

In 1937, mass mobilization of Koreans for war support began with the outbreak of war between Japan and China. Range of associations, policies and campaigns were launched to mobilize laborers:

In April 1937, the government started an aggressive Official Employment Promotion Policy at the national level to supply Korean laborers to strategic industrial projects [...] Government labor mobilization became compulsory in 1939 with the promulgation of the Ordinance on the National Draft and intensified in 1941 with the extension of the age of those eligible for mobilization from 20-45 years to 18-45 years, as the demand for workers from the mining, transportation, and construction sectors all over Japanese empire became desperately urgent. The government also launched the Patriotic Labor Corps for National Support campaign for more extensive labor mobilization of students, women, and older males within Korea in late 1941, as the labor shortage intensified with the outbreak of the Pacific War, the Association for Korean Labor Affairs was established and made solely responsible for Labor mobilization (S.W. Park, 1999).

As of 1945, three quarters of a million workers had been mobilized (S.W. Park, 1999). These workers included 340,000 coal miners, 200,000 factory and other

workers, 110,000 construction workers, and 67,000 metallurgical workers, and in addition, 240,000 Koreans were mobilized as civilian workers for Japanese military, including the comfort women beginning in 1943 (S.W. Park, 1999). An estimated 7.82 million Koreans were pressed into labors (K. Kim, 2015). Considering that the population of Korea was between 22 and 25 million at the time, this means that one out of every three Koreans were mobilized (K. Kim, 2015). The choice to work as laborers were in times voluntary and many Koreans had no choice but to work as laborers due to their devastating living conditions. However, as the war proceeded, many Koreans were forcibly put into labor. The working conditions of those labors were highly exploitative, accompanied with extreme racial discrimination. It is under this distinctive colonial nature that sexual exploitation of Korean women began.

### **2.3.3. Expansion of Female Trafficking**

Although first official establishment of the comfort system began in early 1932 at Shanghai, sexual exploitation of Korean women began way before establishment of the comfort system. It was already widely prevalent in Korea under the Japanese colonialism. Tanaka argues that "... trafficking was a by-product of Japan's various policies of colonizing the Korean peninsula" (Tanaka, 2002). This section seeks to understand how the expansion of female trafficking in Korea resulted in easier mobilization of Korean women as sexual slavery.

After annexation of Korea, licensed prostitution system was introduced in Korea. "The Japanese government transplanted its practice of legalized prostitution [...] to meet the sexual needs of the Japanese people (Min, 2003). The system operated directly under the control of Japanese authorities (Kimura, 2016). In 1922, under the law regulating prostitute employment agencies, brothel owners and employment agents had to obtain license from the police to operate their business (Tanaka, 2002). If Koreans were to engage in the business, they had to be pro-Japanese collaborators. Thus, the licensing system created tendency for the prostitution industry to be exploited by the Japanese administration as a tool to foster Korean collaborators (Tanaka, 2002).

The conditions and rules for Korean prostitutes were extremely discriminatory compared to Japanese prostitutes. South Korean prostitutes were prohibited from leaving. "...Discriminatory rules were often applied to them, such as the lack of specification of freedom to leave the business for Korean prostitutes, and the differentiated minimum age applied to Japanese (eighteen years old) and Korean



(fifteen or sixteen years old)” (Kimura, 2016). Discriminatory measures can also be seen from the lower prices they were sold for. Some young women were sold to the brothels in return for advanced payment to their families (Tanaka, 2002). The amount paid for Korean woman was far less than Japanese woman. Several Korean women were able to be purchased at the cost of one Japanese woman (Tanaka, 2002).

It was quite common also for owners of “restaurants,” “cafes,” and “bars,” who operated clandestine prostitution businesses, to pay far less- between 50 and 100 yen in advance- in order to employ Korean women under the pretence of being “waitresses” and barmaids.” This “pricing mechanism,” which was closely interlinked with chronic poverty caused by colonization, seemed to be one of the main reasons for a rapid increase in the numbers of Korean prostitutes under Japanese rule (Tanaka, 2002).

The racial discrimination measures maintained in the licensed prostitution system in Korea, such as limiting the movement of prostitutes, surveillance and control by the military police has been extended and strengthened in the comfort system (Kimura, 2016).

As the economy worsened during the late 20s and 30s, cheap clandestine prostitution business expanded due to the decline of high-class brothel business in Korea (Tanaka, 2002). With the outbreak of war with China and depression, tax rate for food and drink was heightened (K. Hwang, 2016). It was around this period that comfort stations began to be established. The economic difficulties caused many Japanese and Korean proprietors in the prostitution businesses in Korea to move to China and operate those comfort stations for Japanese troops (Tanaka, 2002). It is against this background that Korean women began to be mobilized extensively for sexual labors.

The Japanese mobilization of Korean labor was carried out in the following three stages: recruitment (1939-1941), government led arrangements (1942-1943), and forced labor drafts (1944-1945) (Soh, 2008). The first stage of labor mobilization occurred during the period of extensive economic difficulties. This led many women to move to the city in search of jobs. However, because there were not a lot of jobs available for the uneducated, unskilled rural women in urban areas, many worked as low-paid factory workers, waitresses, barmaids, housemaids, nursemaids often for Japanese families living in Korea (Tanaka, 2002). The devastating living conditions pushed some of the young Korean women to turn to prostitution for survival. “They accepted the military’s offer to continue their work on military bases in exchange for relief from debts and to obtain secure wages” (S. R. Lee, 2014).



However, as the war dragged on, “voluntary” sexual labor seeking process could not be maintained any further. The small number of volunteered prostitutes could not make up for the numbers needed for the expanding troops. As in the case of other labors, the “voluntary” measures turned into forced mobilization. The military amassed its supply of sex slaves by using deception to “recruit” the women under the pretext that they would receive high wages from jobs in factories or military bases and have access to education (S. R. Lee, 2014). Although the drafting of women was legalized in 1942, “female recruitment was nominally carried out on the basis of ‘voluntary participation’” (Sikka, 2009). This is why the Japanese government persistently denied until 1993 of any coercion in the recruitment of Korean women into the Women’s Voluntary Labor Service Corps (Sikka, 2009). While majority of the comfort women fall into the third stage of mobilization carried out in 1944-1945, the Japanese government maintain that the comfort women were mobilized during the first stage of “voluntary” mobilization. They argue that the comfort women were recruited “voluntarily” on their own will. Due to harsh economic conditions, it was easy to recruit many young women under the false promise of employment for sexual slavery. “Many young women and girls who responded eagerly -or reluctantly, depending on their particular individual situations- to such enticements offered by compatriot human traffickers ended up in the Japanese military comfort stations” (Soh, 2008). As the war extended, the military also began to use illegal tactics such as abduction and kidnap:

With the help of local school- teachers, officials, and police, the Japanese military raided villages and abducted unaccompanied young girls or kidnapped them from their homes. Families who tried to prevent the kidnapping of their daughters were violently overpowered. In extreme cases, soldiers raped girls in front of their families, knowing that raped daughters were less desirable to the families, and they would therefore be less likely to resist their abductions. A document entitled "Matters Concerning the Recruitment of Women to Work in Military Comfort Stations" issued on March 4, 1938, by the Ministry of War confirms that the Japanese government was not only involved in the recruitment of comfort women, but was completely aware of the illegal tactics often used in the process. (S. R. Lee, 2014).

South Korea’s devastating living condition under the colonialism allowed easier mobilization of laborers required for Japan’s war purpose, especially sexual laborers for comfort stations. Korean women were easier targets for drafting and transporting to military brothels established in other countries (Min, 2003). Also, with many proprietors and sub-contractors for recruitment already widely available in Korea, “recruitment” process was able to easily proceed without much difficulties.

### 2.3.4. Women in Korean Culture and Society

The reason why Japanese government began seeking non-Japanese women for comfort stations was because there were limits to filling up the comfort stations only with professional Japanese prostitutes. “The military leaders realized that the required numbers of *Ianfu* would outstrip the number of professional Japanese prostitutes available to take up the position” (Orreill, 2008). Also, many of those women were older and often infected with VD, which made them not suitable for “gifts from the Emperor to his Imperial Forces” (Orreill, 2008). Thus, exploitation of Japanese women on such large scale was neither acceptable nor possible (Orreill, 2008). This led to the selection of Korean women as comfort women.

Korean women were better selection than women from other Japanese colonies because of the particular construction of women in the Korean culture and society. A strong traditional patriarchal society was maintained in Korea. In the Korean society, sexual culture condoned, if not encouraged sexual freedom for men (infidelity if married), while women’s sexuality was rigidly controlled by standards of virginity/chastity (Soh, 2011). Unmarried women had to maintain their virginity until marriage and widows were expected to be chaste (Soh, 2011). Young virgin women were believed to be safer and healthier options for the troops, thus, more suitable gift from the Emperor. A report submitted in 1939 by Dr. Asō Tetsuo – a gynecologist and a probationary medical officer at the Army Communication Hospital in Shanghai at the time – was partly responsible for the idea to use predominantly Korean women for this purpose (Orreill, 2008). After Dr. Tetsuo found VD among women, who were soon to become comfort women at a location in Shanghai, he released a report stating the following:

Among those from the Peninsula [hanto – the Japanese term used to refer to Korea as part of Japan] there was very little indication indeed of venereal disease, but those from the Homeland [Japan proper] although free of acute symptoms at present, were all extremely dubious. In age, these were all past 20, some approaching 40, and had already spent a number of years in prostitution. Those from the Peninsula presented a pleasing contrast, being the main younger and unsophisticated (Orreill, 2008).

This particular Korean culture was also the reasons for half a century of silence held by the comfort women in the post-war period. For a long time, those former comfort women had to keep silence because sexual subject matter was culturally and socially unacceptable for public discussion (B.S. Yoon, 2010). It was considered a shameful topic. Those women identified with the Korean ideal held at the time, that a

respectable woman was a virtuous woman, which remained as a cultural imprint ever since their birth (Orreill, 2008). The Korean society was deeply under the influence of Confucius cultural norms at the time. If an unmarried woman were sexually abused by foreigners, they were labeled as “defiled” (N. Lee, 2014). The defiled daughter or wife brought shame to her family (N. Lee, 2014). Thus, many of the former comfort women could not return home or had to hide their experience even from their families. When a surviving former comfort women came home, this was the condition they faced:

When they returned to Korea, they came back as *hwanghyang nyō*. To the Koreans around them, they were neither faithful nor chaste. They were not exemplary women. The families of *Ianfu* feared the ostracism they would suffer if the shameful past was discovered; the women became an extra burden, and there was little chance to marry them off (Orreill, 2008).

This is also the reason why many of the comfort women avoided revealing their true name and used pseudonyms instead. “A number of women testified, some using pseudonyms and hiding their faces to protect their privacy” (Edwards, 2013). Many of the comfort women were too embarrassed of their experiences and did not have the courage to speak up about their past. For instance, one of the former comfort women, Hwang So Gyun was able to escape from the “comfort house” in 1943, after she spent seven years serving Japanese soldiers as a sex slave (UNCHR, 1996). Later, at the age of 39, she was able to marry but never told her family about her past (UNCHR, 1996). It was only after the expansion of feminist movements in South Korea and around the world that helped those women to come forward.

Thus, the harsh exploitative nature of colonialism based on colonial, racial, gender discrimination; and particular cultural, social, geographical distinctiveness of Korea made South Korean women easier targets of sexual slavery.

## **Chapter 3. Justice Seeking Process for South Korean Comfort Women**

### **3.1. Japanese Government's Violations Under International Law**

According to Gay J. McDougall, a Special Rapporteur in the Commission on Human Rights of the United Nations, the violations by Japan under international law can be defined as mainly 3 crimes – slavery, rape and crimes against humanity (Koh, 2007). In this section, series of international law that the Japanese government was in violations are to be studied.

#### **3.1.1. Slavery and Rape**

The former comfort women, Kim Hak-Sun, states in her testimony: "The Japanese just came along in a truck, beat us and then dragged us into the back... I was raped that first day, and it never stopped for a single day for the next three months" (Hsu, 1993). The case of comfort women was an outright crime of enslavement and rape; a forced sexual slavery. There were several international laws already established prior and during the WWII that prohibited sexual slavery. The establishment of comfort stations were clearly in violations of those international laws. At least five major references prove that Japanese government's comfort system was in violations of international laws.

First, the 1926 Slavery Convention provides that every person has a right to be free from slavery "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised" (Argibay, 2003). The convention regulated the ban of slavery in order "to prevent and suppress the slave trade, and to bring about, progressively and as soon as possible, the complete abolition of slavery in all its forms in places including the colonial territories" (Koh, 2007). Japan was not a signatory to this convention. However, in the 1972 case in which Peruvian slave-traders were convicted, Japan have declared that it had always prohibited the slave trade (Argibay, 2003). By the time of the Rape of Nanking in 1937, the 1926 Convention was understood as declaratory of customary international law, which thus, binds Japan regardless of its ratification (Argibay, 2003).

Second, The Hague Convention of 1907, which Japan was clearly a signatory, codified the customary law prohibiting making slaves of prisoners of war or occupied civilian populations (Argibay, 2003). Furthermore, the 1907 Convention prohibits rape

and emphasizes the prohibition in article 46, which requires respect for “family honor” (Argibay, 2003). Although it does not specifically state “sexual slavery,” the language of the 1907 convention clearly proves that Japan was in violation of the customary international law. “Kidnapping and coercing daughters, sisters, and wives away from their families to be raped and murdered by the military was disrespect of the grossest kind for family honor and human life and undoubtedly constituted war crimes that violated customary international laws” (S. R. Lee, 2014). The 1929 Geneva Convention Relative to the Treatment of Prisoners of War reinforced and broadened the protection. Article 29 states: “No prisoner of war may be employed at labors for which he is physically unfit; and article 32 states: It is forbidden to use prisoners of war at unhealthful or dangerous work. Sexual slavery is obviously dangerous and unhealthy and falls within the purview of these protections” (Argibay, 2003).

Third, Japan ratified the 1930 ILO No. 29 Convention concerning Forced Labor. The first sentence of Article 2 of the convention prohibits any forced labor of women (Totsuka, 2006), which had to be applied in not only the homeland territory but also colonies of Japan (Yun, 2004). Shortly after Japan ratified to the convention, on March 1933, the Cabinet of the Japanese Empire decided to withdraw from the League of Nations (Totsuka, 2006). “This was a symbolic decision that inevitably isolated Japan from the international community and followed a series of undeclared wars waged against China by the Japanese Imperial Government and Military” (Totsuka, 2016). This, in a way, reveals that Japan had no intention to respect the international law.

Fourth, Japan was also signatory to range of other trafficking conventions: The International Agreement for the Suppression of the White Slave Traffic of 1904, the International Convention for the Suppression of the White Slave Traffic of 1910, and the International Convention for the Suppression of Traffic in Women and Children of 1921 and International Convention for the Suppression of the Traffic in Women of Full Age of 1933 (Argibay, 2003). These conventions all clearly forbid sexual slavery. These conventions state that parties must punish those who have “‘by fraud or by the use of violence, threats, abuse of authority, or any other means of constraint, hired, abducted or enticed’ a girl or woman for ‘immoral purposes’” (Argibay, 2003). Also, General Assembly of the League of Nations considered the prohibition on trafficking in women and girls to become part of customary international law before WWII (Argibay, 2003).



Lastly, sexual slavery was prohibited under the customary humanitarian law established in the aftermath of WWI. Japan was clearly in violation of all those war crimes prescribed in the 1919 War Commission Report of WWI:

After the First World War, the preliminary peace conference in Versailles created the Commission on the Responsibility of the Authors of the War and on Enforcement of Penalties to inquire into the responsibilities relating to the war. The Commission, composed of fifteen members including Japan, prepared a list of punishable war crimes, which included: rape, "abduction of girls and women for the purpose of enforced prostitution," "deportation of civilians," "internment of civilians under inhuman conditions," and "forced labour of civilians in connection with the military operations of the enemy." Japan committed all of these acts against the comfort women during World War II (Hsu, 1993).

### **3.1.2. Crimes against Humanity**

The comfort women case was a systematic, global-scale sex crimes committed against tens of thousands of women. "These crimes were widespread-occurring on a vast scale and over a huge geographic area-and systematic-being highly organized, heavily regulated, and sharing common characteristics" (Argibay, 2003). The comfort women case was not only war crimes, not only sex crimes, but crimes against humanity.

The Charters of the international military tribunals in both Nuremberg and Tokyo affirmed rape as crimes against humanity. In Article 6(c) of the Nuremberg Charter, there are "enslavement, deportation and other inhumane acts committed against any civilian population as crimes against humanity" (Koh, 2007). The Article 5 of the Tokyo Charter also define crimes against humanity as murder, extermination, enslavement, deportation and other inhumane acts committed against any civilian population before or during the war (UNCHR, 1996).

It is an undeniable fact that the comfort women case was crimes against humanity. The case has been concluded as crimes against humanity by the international judge multiple times throughout the past decades. At the end of 1994, the International Commission of Jurists concluded, in a special report, that "it is indisputable that these women were forced, deceived, coerced and abducted to provide sexual services to the Japanese military... violated customary norms of international law concerning war crimes, crimes against humanity, slavery and the trafficking in women and children" (Oh, 2001). On the Women's International War Crimes Tribunal on Japan's Military Sexual Slavery held in Tokyo on 2000, the judges found both the Japanese State and the Emperor Hirohito guilty of war crimes and crimes against humanity (Sakamoto, 2001).

### 3.2. International Military Tribunal for the Far East (IMTFE)

In contrast to the Nuremberg Trial, the International Military Tribunal for the Far East (IMTFE) or the Tokyo Trial was in many ways, a failure. Despite numerous evidence proving the crimes and violations of international laws committed by the Japanese government, proper justice has not been achieved at the trial delivered against Japan. The purpose of the trial was to deliver a justice and punishment against major war criminals, but instead has turned simply into a trial of “victor’s justice,” where the victors become the lawmakers, or more so a court for U.S. The result of the trial was significantly swayed by the Cold War intention. Since Japan was to be secured as Allies to combat against the spread of communism across the world, U.S. did its best to avoid harsh punishments against Japan. “[U.S.] provided amnesty to thousands of individuals suspected of committing atrocities” (Kaufman, 2016). The trial was “both an outgrowth of global idealism and a product of the early Cold War” (Sedgwick, 2012).

The trial failed to properly prosecute major war criminals of Japan. Many of those criminals walked away with no proper punishment. The failure to bring proper justice at the trial resulted in the relations maintained by Japan and Korea today, the one plagued by historical issues. The failure of the trial has caused all historical issues between Korea and Japan to drag on unresolved until today. Out of many issues left unresolved, the comfort women issue remains one of the most controversial issue since it was never even addressed at the trial. “Although documentation on ‘comfort women’ was available to the IMTFE in 1946, the issue was not addressed during the Tokyo Trial” (Postel-Vinay, 2017).

This section first seeks to examine the failure of the Tokyo Trial by comparing it to the Nuremberg Trial. The Tokyo trial was largely a failure due to U.S. Cold War strategic interest over the region. It was due to U.S.’s lack of willingness to properly prosecute Japanese war crimes in goals to secure Japan as its allies. Besides from this reason, this study argues that there are two other factors as to why the comfort women case was left unaddressed: sexual discrimination and racial discrimination. The second and third sections study the sexual and racial discrimination factors behind the trial. Finally, in the last section, the post-war reconciliation process of Japan and Germany is to be examined and compared. This study is important because the difference in the two trials have generated contrasting results of reconciliation process. The relation that

Japan keeps with its neighboring countries stands in contrast to the one Germany maintains with its neighboring countries.

### **3.2.1. Comparison to the Nuremberg Trial**

There were two major international trials that followed in the aftermath of WWII to prosecute political and military authorities that have committed war crimes- the Nuremberg Trial and the Tokyo Trial. The Tokyo Trial was established pursuant to a 1946 proclamation by U.S. Army General Douglas MacArthur, Supreme Commander for the Allied Powers in occupied Japan, the counterpart of the Nuremberg Trial (“Nuremberg Trial” n.d.). However, the trial, which was established as the “twin trial of Nuremberg in East Asia” (Postel-Vinay, 2017), was in many ways different from the trial held in Nuremberg. While there are shortcomings also found in the trial of Nuremberg, it was more successful than the trial held in Tokyo. The Tokyo Trial is often considered a failed trial. “In reality, the Tokyo War Tribunal was nothing more than an American show trial with the intention of turning Japan into a client state” (E. Park, 2011).

One of the main reasons why the trial is considered a failure is because Japanese Emperor Hirohito, the one man who held greatest responsibility over the war crimes was not accounted. The Emperor of Japan was considered sacred and inviolable and the supreme authority as sovereign possessor and head of the Empire (Zhang, 2006). In concern that Hirohito’s accusation would result in the national revolt, his name was not even mentioned in the trial. Neither the emperor nor any other members of the imperial family were indicted. “Japan fought World War II in the name of the Emperor, and there is abundant evidence pointing to the fact that the Emperor himself was aware of the Imperial Army’s atrocities in the war. However, the U.S. prosecutors were ordered to avoid even the mentioning of Hirohito’s name during the Tokyo Tribunal trials” (Zhang, 2006). U.S. also was in need of Hirohito as an ally, to combat the spread of communism.

The second reason is because many of the war criminals were given amnesty and left unaccounted for the crimes they have committed. As in the case of Hirohito, U.S. wished to facilitate Japan’s re-entry into the international community, particularly as a partner in the postwar efforts to prepare for the rising tension with Soviet Union (Kaufman, 2016). As historian James Bowen argues,

With the Cold War intensifying, the government of President Harry S. Truman felt that Japan needed to be moulded into an American ally and a bulwark against the spread of communism. Truman believed that these aims would be difficult to achieve if the Japanese people were alienated by continuing prosecution of their war criminals... The decision to halt the prosecutions was entirely based on political expediency. It had nothing to do with issues of legality, morality or humanity (Kaufman, 2016).

The series of war crimes committed by Japan can be separated into three categories:

Article 5 of the Charter of the International Military Tribunal for the Far East enacted by the Supreme Commander for the Allied Powers, Douglas MacArthur, defined the crimes within the jurisdiction of the tribunal: Class A, crimes against peace; Class B, conventional war crimes, namely violation of the laws or customs of war; and Class C, crimes against humanity (Hayashi 2013).

However, out of those crimes, only those charged with offences which included crimes against peace were to be tried. This stands in high contrast to the Nuremberg Trial. All other war criminals were to be tried by national and other courts (Dolgopol & Paranjape, 1994). Even with the Class A criminals, more than four dozen Class A war criminals were left unaccounted (Kaufman, 2016).

The eleven Allied Powers- The United States, United Kingdom, Soviet Union, France, China, Philippines, Netherlands, Canada, Australia, India, and New Zealand- charged twenty-eight high-ranking war criminals with Class A crimes (E. Park, 2011). Of the twenty-eight, seven were sentenced to death, sixteen to life imprisonment, one to a seven years term, another to a twenty years term (E. Park, 2011). Two died during the trial, one was declared unfit, and none of the accused were acquitted on all counts (Dolgopol & Paranjape, 1994). After the Nuremberg or the Tokyo trials, additional trials were held to try rest of the “minor” war criminals (“Nuremberg Trial” n.d.). These subsequent trials, however, were not held by the international tribunals but instead by domestic courts or tribunals operated by a single Allied power, such as military commissions (“Nuremberg Trial” n.d.). In Germany, for example, each of the Allied powers held trials for alleged war criminals found within their respective zones of occupation (“Nuremberg Trial” n.d.). These trials were held in Nuremberg and thus became known as the “subsequent Nuremberg trials” but in Japan, several additional trials were held in cities outside Tokyo (“Nuremberg Trial” n.d.).

At last, one that have stirred most criticisms is that no crimes against comfort women were prosecuted. The issue was not even mentioned in the trial. While some of the Class A and B crimes were tried at the Tokyo Trial, crimes accounting as Class C

crime, the crime perpetrated against comfort women, were not considered at the trial (Dolgopol & Paranjape, 1994). Sellars argue the following:

One silent casualty at Tokyo of this mismatch between German and Japanese crimes was the charge of crimes against humanity, which had initially been framed to address German crimes against Axis populations. Although the crime was listed in the Tokyo Charter along with crimes against peace and war crimes, it was mentioned just once in the Indictment, and only in passing in the majority Judgment. None of the books under review probe the reasons for its disappearance, but the decisive factors must have been the Allies' tacit recognition that nothing committed by Japan could compare to German crimes, combined with their reluctance to continue deploying this sovereignty-piercing instrument. Even though the war crimes and murder charges partly covered the same ground as crimes against humanity, many victims, such as the 'comfort women' from Japan's colonies of Korea and Formosa, were left to seek justice by different means. (Sellars, 2011).

Those crimes against humanity were left unpunished in the Tokyo Trial and in any other subsequent minor trials (Hayashi, 2013).

The main reason Tokyo Trial ended in a failure was because of U.S. Cold War strategic interest to secure Japan as its allies. Ever since, U.S. always took a soft stance against Japan and this has been one of the major reasons, which fails to bring true justice to the comfort women case. This is highly apparent when studying the "Hwang Geum Joo, et al v. Japan" case held in the year 2000. On September 18, 2000, fifteen former comfort women filed civil action against Japan in the U.S. District Court for the District of Columbia under the Alien Tort Claims Act (Koh, 2007). The suit follows after the successful suit brought in U.S. by victims of human rights abuses (Lai, 2002). A jury in New York ordered Bosnian Serb leader Radovan Karadzic to pay \$745 million to a group of women who accused him of killings and other atrocities (Lai, 2002). This case was the only lawsuit of comfort women case that has been filed in a U.S. court. The plaintiffs alleged that they were victims of human trafficking and endured rape and torture and demanded reparations and an official apology from the Japanese government (Song, n.d.). In response, the Japanese government filed a motion to dismiss the suit, arguing that the court lacked jurisdiction over Japan's conduct and that the government of Japan was immune from suit under the Foreign Sovereign Immunities Act (FSIA) and the district court granted Japan's motion (Song, n.d.). The case was dismissed on October 4, 2001 by U.S. District Judge Henry Kennedy Jr. on the following grounds:

A foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case: (1) in which the foreign state has waived its immunity either explicitly or by implication, notwithstanding any withdrawal of the waiver which the



foreign state may purport to effect except in accordance with the terms of the waiver; (2) in which the action is based upon a commercial activity carried on in the United States by the foreign state; or upon an act performed in the United States in connection with a commercial activity of the foreign state elsewhere; or upon an act outside the territory of the United States in connection with a commercial activity of the foreign state elsewhere and that act causes a direct effect in the United States; (Lai, 2002).

There were constant appeals and dismissals that followed for two more years, and the case was finally closed in 2006 (Song, n.d.). What needs to be recognized in the case is not the stance of Japanese government, nor the case result, but the stance of the U.S. government. In May, 2001, the Bush administration took a public stand against the comfort women's lawsuit. Filing a "statement of interest" with the court, John Ashcroft's Justice Department and Colin Powell's State Department asserted jointly that "Japan is entitled to sovereign immunity, and its wartime activities were dealt with decades ago" (Stetz, 2008). The Bush administration, at the invitation of Japan- the sole defendant, asked federal judge to dismiss the suit (S. Park, 2002). Nearly seven decades have passed since the Tokyo Trial but U.S. took the same stance of embracing Japan before justice.

### **3.2.2. Sexual Discrimination**

While the Nuremberg trial has been more successful than the Tokyo Trial, it too had some major flaws. One of the most severe point of criticisms is that it failed to contain any reference to the case of rape or sexual violence. In the Nuremberg trial, French and Soviet prosecutors introduced evidence of sexual and gender-based crimes. These were "evidence of vile and tortuous rape, forced prostitution, forced sterilization, forced abortion, pornography, sexual mutilation, and sexual sadism" (Luping, 2009). In spite of numerous evidence, no defendants were prosecuted for those crimes.

Some argue that gender based crimes were implicitly prosecuted. They were also prosecuted in some of the subsequent war crimes trials of so-called 'lesser' war criminals held in Germany and Japan (Askin, 2008). The vast amounts of various forms of sexual violence had been documented and entered into the evidence during trials, and sexual atrocities were subsumed within the judgments even if they were not highlighted or explicitly mentioned in them (Askin, 2008). In the Tokyo Trial, rape charges were brought against as war crimes, particularly with regard to the widespread rapes Japanese soldiers committed against civilians in Nanking in 1937 (Luping, 2009). Although there was charge against rape, it was essentially subsumed under general

charges of command responsibility for the atrocities and not one of the female victims was called to give evidence before the trial (Luping, 2009).

The mere fact that it had not been addressed explicitly is the exact reason why the justice has not been achieved for the comfort women. The fact that it was to be generalized as subordinate crime in category of other war crimes is in itself further victimization of women and the reason why sexual atrocities constantly fail to be resolved over the history. This attitude, as well as the lack of attention to cases of the sexual enslavement of Asian women in the Tokyo Trial, created the “hierarchies of both victims and rapes” and trivialized women’s experiences and their voices (Kimura, 2016). Whether it was out of shyness, prudishness, reserve, ignorance, revulsion, confusion, or intentional omission, the lack of both public documentation and official prosecution gave impetus to the notion that sexual assaults were less important crimes (Luping, 2009).

While a variety of gender related crimes—including rape, enforced prostitution, forced sterilization, forced miscarriage, and forced nudity—were prosecuted at the Nuremberg and Tokyo trials, countless sex crimes were ignored (Askin, 2008). The definition for sexual and gender based violence is as following:

Sexual violence is a form of gender-based violence and encompasses any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting. Sexual violence takes multiple forms and includes rape, sexual abuse, forced pregnancy, forced sterilization, forced abortion, forced prostitution, trafficking, sexual enslavement, forced circumcision, castration and forced nudity. Gender-based violence is considered to be any harmful act directed against individuals or groups of individuals on the basis of their gender. It may include sexual violence, domestic violence, trafficking, forced/early marriage and harmful traditional practices (United Nations Human Rights, 2014).

The sexual slavery in the case of comfort women was not prosecuted at the Tokyo trial and the survivors of these sex crimes have received no substantial legal redress to this day.

The silence on sexual crimes against women is not an issue that existed only for the Nuremberg Trial or the Tokyo Trial. In fact, sexual crimes against women, whether civilian or military, has been a long standing worldwide issue that have constantly failed to be held accountable over the human history. Criminal prosecution of sex crimes is absolutely critical in order to punish the crime and highlight its gravity (Askin, 2008).

### 3.2.3. Racial Discrimination

Other than from sexual discrimination, sexual slavery over comfort women was left unaddressed and never prosecuted at the trial due to racial discrimination factor. “There are many ways to explain in depth why such tribunals never mentioned Asian comfort women, but the predominant factor that led to this silence was racial discrimination by the Allied forces” (E. Park, 2011).

This factor should, first of all, be understood in the context of international law. From the very beginning, international law, including the rules of law was applied to “civilized” countries only (Hayashi, 2013). The justice was served according to “civilized” hierarchy. The justice was up to the hands of those who had the power; the colonial and civilized powers. This explains why, although atrocities against African, Asian, and American indigenous people by Europe and the U.S. were repeatedly carried out over the years, they were never punished (Hayashi, 2013). This still happens in today’s world, where many of the crimes committed by countries considered as “developing” or “underdeveloped” goes unrecognized or hidden from the international attention. Series of aggressive war and atrocities against the Arab people by U.S. and Israel are often left unrecognized (Hayashi, 2013). With colonialist stand-point still highly in place during the time of the Tokyo Trial, issues against small Asian countries of Korea and Taiwan, especially of the women in the weakest and lowest class in the society, were not much of an importance to be dealt with by the Allied forces.

The racial discrimination factor behind the silence of comfort women issue can further be understood from the subsequent national trials that was held after the Tokyo Trial. Out of all subsequent trials held for the comfort women case, only the crimes against Dutch comfort women were prosecuted. The Dutch held trials in Java, Borneo and elsewhere in the Netherlands East Indies (Dolgopol and Paranjape, 1994). One of the trials was held in Batavia, the current day Jakarta. The Batavia court was the only one to try and punish the Japanese for coercing 35 Dutch women into prostitution (Dolgopol and Paranjape, 1994). One of the accused was condemned to death and others were sentenced to imprisonment ranging from 2 to 15 years for committing crimes against humanity, namely coercion to prostitution, abduction of girls and women for forced prostitution, rape, and bad treatment of prisoners (Dolgopol and Paranjape, 1994). However, even in the Dutch comfort women case, the atrocities committed against local Indonesian women were ignored at the Batavia Trial (Dolgopol and Paranjape, 1994). It did not even mention thousands of other Asian women who were

placed in the same stations and conditions as those 35 Dutch women. The implication is clearly that, under the assumption of Western humanism, which was the philosophical basis of the Batavia Trials, Asians did not belong to the category of humanity and were all the more excluded (Lai, 2002).

The case of comfort women shows us that the justice is achieved according to the victims' gender and race. The calls for justice is heard only when its gender or race is "worthy" of attention.

### **3.2.4. Comparison to the German's Reconciliation Process**

The failure to properly prosecute the war criminals of Japan in the Tokyo Trial; the failure to bring proper justice at the trial have allowed Japanese governments to be in denial of the crimes they have committed. The failed trial has resulted in the failed postwar reconciliation process. Japan's reconciliation process stands in contrast with the German's reconciliation process. While both countries have history of committing vicious war crimes against many nations, Germany today is often praised of being paragon of post-World War II reconciliation while Japan is mired in animosity with its neighbors ("Many Praise", 2015).

Germany was not always the "paragon" of postwar reconciliation. In the aftermath of WWII, Germany was not so different from Japan. German public did not support restitution, and in general, the Germans were also unwilling as individuals to display and admit guilt or to acknowledge moral or legal responsibility (Barkan, 2000). Germany too, was under intense criticisms for its inability to face its mistakes. However, as time passed by, restitution became an inevitable process for Germany to move on from its past, to be acceptable to other nations and prove that it has truly renounced its past.

Philo-Semitism was becoming central to the newly emerging formal German political culture, and with it, the implied recognition of restitution. Hence philo-Semitism was transformed through the restitution into an official policy. Sponsored by Germany's struggle to cleanse itself of the past, restitution became a precedent for moral claims in international justice and was introduced into international public discourse as an implied new normative morality (Barkan, 2000).

In contrast to Japan, Germany have made honest and sincere efforts of reconciliation over the past decades. Some of those include:

...Apologies for its atrocities against Poland, France and other European nations; legal prosecution of former war criminals; the compensation for former slave laborers; the

voting of a no time limit statute for prosecuting Nazi crimes; a national civil memorial for all the victims of war; the legal prosecution of those who deny the Holocaust; the thorough documentation and public exhibition of war crimes committed by German soldiers; educational reconciliation cross-border exchange activities and so forth (Hein, 2010).

Germany also set up the Center for Investigating National Socialist Crimes in the town of Ludwigsburg which is still under operation (Hein, 2010). Many museums and memorials have been built for the victims of German's atrocities; its past mistakes are constantly taught to young people in the history textbooks; its leaders apologized to the victims frequently, sincerely, and in unflinching details (Lind, 2009). There are also commissions monitoring the language used in Germany textbooks and attempts to reclaim art seized by the Nazis (Rienzi, 2015). Germany also shows its efforts in legal measures. For instance, the denial of the Holocaust is punishable by law in Germany (Hein, 2010).

The lists of historical agreements and demonstrations carried out in the German-Polish case also reveals some significant reconciliation efforts made by the German government. For example, on the December 1970 Treaty between the Federal Republic of Germany and the People's Republic of Poland on the Basis for Normalizing Their Relations acknowledged Poland as "the first victim" of a murderous World War II and recognized the Oder-Neisse line as Poland's western border (Gardner-Feldman, 2010). Range of other agreements based on reconciliation include: the 1972 diplomatic relations; 1990 Border Treaty; 1991 Good Neighborliness and Friendly Cooperation Treaty; 1972, 1975 and 1991 compensation payments; 2000 agreement on slave and forced labor (Gardner-Feldman, 2010). There are also significant symbolic demonstrations from the government in seek of reconciliation. Some of those include:

...The 1958 speech at Warsaw university by Carlo Schmid, a key Social Democratic leader, who was also involved in reconciliation with France and Israel; Brandt's 1970 kneeling at the memorial for the Warsaw Ghetto Uprising; and the 1981 "Package Initiative" through which ordinary Germans demonstrated their help for Polish society after the promulgation of martial law; [...] There are similar examples from Germany's relations with France, Israel and the Czech Republic: treaties, agreements, statements, symbolic acts that acknowledged past misdeeds, memorized historical events or asserted a fresh start in relations compared to the past (Gardner-Feldman, 2010).

While there are still many victims unable to accept German's apologies, the overall acceptance rate of Germany's apologies is much higher than Japan's. The French scholar Alfred Grosser argued that whereas in 1944, the French view had been "no enemy but Germany," by 1960, it shifted its stance to "no friend but Germany" (Lind, 2009). In polls taken only 20 years after Germany's defeat, the French public



identified West Germany as “the best friend of France” (Lind, 2009). Ever since the end of the war up until today, Germany made unceasing reconciliation efforts; efforts to never repeat the historical mistakes; efforts to heal the victims’ wounds. After paying \$89 billions of compensation mostly to Jewish victims of Nazi crimes over the six decades, the Germany’s postwar reparations program still meets regularly to revise and expand the guidelines for qualification (Eddy, 2012). In prominent places among the government buildings at the heart of a reunified Berlin, Germany placed new memorials honoring the Jewish, gay, and Sinti and Roma victims (Eddy, 2012).

On the other hand, Japanese government’s reconciliation efforts stand sharply in contrast to the Germany’s reconciliation efforts. Ever since the 1950s, the Japanese government has issued nearly 50 official apology statements to former victims for its misconduct and wrongdoings during its wartime and colonial rule (Engert, 2016). However, reconciliation efforts made by Japan is nowhere close to being accepted by the countries of former victims. “China and the two Koreas, the prime victims of Japan’s aggression and repression, have rejected Japan’s manifold expressions of regret as insincere, tardy or too little, too late and have repeatedly called for a ‘real’ apology” (Engert, 2016).

Although statements of apologies have been delivered by the Japanese governments, many have criticized that Japan’s apology remain incomplete, adeptly avoiding responsibilities. For example, the statements fail to formally include the terms “apology” or “sorry” and lack specificity: failing to name the perpetrators and not substantiating the crimes that occurred (Engert, 2016). These statements of apologies were also followed by actions that contradict the words. First of all, Japan’s apologies have been made without any formal compensation measures. Material redress is often regarded as a necessary complement to apologies- that is a virtual proof that the perpetrator cares about the past misdeeds and actively tries to engage in the repair of social relationship with the victim (Engert, 2016). All of Japan’s apologies have arrived without the voluntary offer of material compensation (Engert, 2016). The distrust and criticisms against Japan’s compensation measures can clearly be found in the case of comfort women.

While in the recent 2015 agreement, compensation of approximately \$8.3 million has been offered, it was to be delivered indirectly through a foundation. The payments to the victims have never been sent directly from the government. Also, Japan repeatedly failed to issue a written apology in the form of a Diet resolution. “When

liberal parliamentarians proposed a landmark national apology in the form of a Diet resolution, prominent conservatives denied, justified, and sometimes even glorified Japan's past violence" (Lind, 2009). On top of those factors, there are numerous actions that raise doubts over apologies. Such actions include the government's visits to the Yasukuni Shrine, revision of historical textbook to whitewash their past, and lists of statements in denials of their past atrocities and historical truths.

Ever since the end of war, Germany has constantly made further progress in the reconciliation with its former victims. This led Germany to construct its new postwar image, which clearly distinguishes itself from the prewar Germany. Germany's efforts have slowly but successfully convinced rest of the world that it strives to change and seeks never to repeat its historical mistakes again. The decades long sincere demonstrations of apologies have at least eased some pains of the victims. However, Japan, on the other hand, have constantly refused to acknowledge its past by issuance of empty apologies filled with meaningless words that have made the former victims impossible to forgive. The case of comfort women proves that the former victims have constantly been held under extended victimization through Japanese government's decades long incapability to make proper apologies. In the next section, the history of resolution efforts between South Korea and Japan will be studied in further details.

### **3.3. Comfort Women Resolution History Between S. Korea and Japan**

The comfort women issue first became public in 1991 after decades long silence, when Kim Hak-Sun testified to her life as comfort woman. In an interview Hak-Sun gave to the Japanese Broadcasting Corporation, she declared: "I wanted to sue for the fact that I was trampled upon by the Japanese military and have spent my life in misery. I want the young people of South Korea and Japan to know what Japan did in the past" (Sikka, 2009). When the accusation first surfaced, Japan largely denied of the involvement in either the establishment of comfort stations or recruitment of comfort women. Japan also stipulated that the 1965 Treaty of Basic Relations solved all legal wartime issues between the two countries, thus comfort women issue cannot be addressed (Yamashita, 2009). In 1992, when series of historical documents proving the involvement of Japanese government were released, the Japanese government did finally admit its role in the recruitment of women, yet still stipulated that there was no evidence of coercion (Tongsuthi, 1994). It was in 1993 under the Kono Statement that

the Japanese government finally confirmed the use of coercion in recruiting the comfort women and made apology. However, despite Japan's apology, the issue remains unresolved today.

This section seeks to understand the reasons for the failure in resolving comfort women issue by studying the following three major resolution attempts: 1) the 1965 Treaty on Basic Relations 2) Kono Statement of 1993 3) 2015 Comfort Women Agreement.

### **3.3.1. 1965 Treaty on Basic Relations**

Although the 1965 Treaty on Basic Relations was not specifically purposed for the resolution of comfort women case, it is highly relevant to the topic due to the following three reasons: 1. The 1965 Treaty resulted in the same outrage as the 2015 agreement. The reasons for South Korean public's inability to accept the treaty also explains the public's unacceptability of the 2015 agreement. 2. Japanese government believes that all issues relating to Japan's wartime wrongdoings were resolved with the signing of this treaty, including the issue of comfort women. 3. Japanese government argues that there is also no need for the government to directly transfer compensation measures to the victims because it has already been dealt with in this treaty.

The 1965 Treaty was signed under the governments of President Park Chung Hee and Prime Minister Eisaku Sato in Tokyo on June 22 1965 (Koo, 2011). Along with the treaty, there were additional four documents signed between the two: Agreement on Fisheries; Agreement Concerning Cultural Assets and Cultural Cooperation; Agreement Concerning the Legal Status and Treatment of the Korean Residents in Japan; and Agreement on the Settlement of Problems concerning Property and Claims and the Economic Cooperation Between Korea and Japan (S. Kim, 2015). The normalization treaty provided \$845 million package of government and commercial loans, grants in aid, and property claims (Koo, 2011). The treaty also cleared the way for an extensive expansion of trade relations that helped Japan to surpass U.S. as South Korea's number one trading partner within just a year and South Korea became increasingly important to Japan as its market grew to import a greater quantity of Japanese goods (Koo, 2011). The treaty allowed for both countries to enjoy stable economic relationship and it became the basis of South Korea's economic miracle. However, the establishment of the treaty raised severe criticisms and protest from the leftists and the South Korean public, which was the same phenomenon

occurred against the 2015 agreement. K. J. Noh, a longtime activist and member of Veterans for Peace states:

When the treaty needed to be passed, Kishi [Nobusuke, the grandfather of the current Prime Minister, Shinzo Abe, was drafted into the process, and called in his cards with his loyal former subaltern, Park, who passed the treaty in June of 1965, which renounced all reparation claims on the part of Korea. The people of South Korea exploded in protest and outrage; Park Chung Hee declared martial law arresting, imprisoning, and torturing thousands of people in order to ratify and implement the legislation. Park the daughter may now be looking at the same bleak history (Noh, 2015).

Although the treaty has contributed enormously on South Korea's economic growth, it was and still is considered a failed and problematic negotiation; a settlement often considered a sellout over economic assistance. It has won high criticisms from the citizens and the left-wing party for it lacked any legal apology or reparation measures from Japan. "The opposition vehemently protested that this all added up to a national sell-out" (P. Kim, 2011). After signing of the treaty, thousands of students took part in long protest against the agreement. The government responded in military actions. Nearly 600 students were arrested in Seoul after six hours of protest ("WSJ Archive", 2015). The protest did not subside easily. The WSJ report released two months later states that the "Seoul police used tear gas and clubs to break up demonstrations by 700 students protesting [...] About 200 students were arrested and scores were injured" ("WSJ Archive", 2015). The agreement was ratified despite intense public uprisings. Many of the unresolved colonial issues such as issues regarding Koreans exposed to the atomic bombings of Hiroshima and Nagasaki; ethnic Koreans forced to work on Sakhalin Island, a former territory of Japan in Russia; territorial dispute over Dokdo; the comfort women issue that were not publicized at the time; and much more that should've been thoroughly discussed at the time have not been discussed in the treaty (S. Kim, 2015). It left questions as to whether the economic grants and loans were compensation measures for the colonial rule (S. Kim, 2015). The treaty with unclear purpose and murky language has hastily been settled amid pressure from Washington in the Cold War era (S. Kim, 2015). The agreement has also been reached at the grounds of "final and irreversible" condition, without taking the opposition, public or victims' opinions into consideration. The 1965 treaty was an agreement that have left scars on the Korean citizens' national dignity and a reflection of distorted democracy maintained under Park Chung Hee.

The ambiguous agreement has resulted in today's unceasing controversy between the two governments over colonial issues. For South Korea, the main purpose of the payments that followed with treaty was for economic promotion between the two countries in forms of grants and loans. Article 1, Clause 1 of the treaty is summarized as the following:

Supply the products of Japan and the services of the Japanese people, the total value of which will be so much in yen as shall be equivalent to three hundred million United States dollars (\$300,000,000) at present computed at one hundred and eight billion yen (¥108,000,000,000), in grants [on a non-repayable basis] within the period of ten years from the date of the entry into force of the present Agreement [...] Extend long-term and low-interest loans up to such amount in yen as shall be equivalent to two hundred million United States dollars (\$200,000,000) [...] within the period of ten years from the date of the entry into force of the present Agreement. Such loans shall be extended by the Overseas Economic Cooperation Fund of Japan [...] The above-mentioned supply and loans should be such that will be conducive to the economic development of the Republic of Korea (Japan and Republic of Korea, 1966).

On the contrary, Japanese government argues that all issues including the case of comfort women has been resolved and finalized, thus compensation measures on all colonial issues are unnecessary. This argument derives from the Article 2, section 1 of the of the 1965 Claims Agreement:

...Article 2, section 1 of the Agreement on the Settlement of Problems Concerning Property and Claims and on Economic Cooperation between Japan and the Republic of Korea, signed in 1965 which states: "The Contracting Parties confirm that [the] problem concerning property, rights, and interests of the two Contracting Parties and their nationals ...is settled completely and finally (Lai, 2002).

However, Article 3 states: "Any dispute between the Contracting Parties concerning the interpretation and implementation of the present Agreement shall be settled, first of all, through diplomatic channels" (Japan and Republic of Korea, 1966). Korean legal scholars highlight that the grants and loans provided by the Japanese government under Article 1 are not directly linked to the compensation listed under Article 2 (S. Kim, 2015). Doh See Hwan, a research fellow at the Seoul-based Northeast Asian History Foundation argues: "Article 2 is disjointed from Article 1 and does not cover Japan's liabilities for its colonial rule [...] Nowhere in the text can you find any acknowledgement of Japan's responsibility for its colonial rule" (S. Kim, 2015), Doh continues stating that:

The Japanese government believes its coerced annexation of Korea in 1910 was concluded by the signing of a legitimate annexation treaty which only became invalid at the end of the war, thereby making Japanese occupation of and colonial rule over Korea



lawful. But we need to question the legality of Japan's coerced annexation in itself. The crimes against humanity linked with its colonial rule were not addressed in the 1965 Basic Treaty, which is why it is imperative for scholars to review the issue today under modern and international law (S. Kim, 2015).

Japanese government also insist that all claims have been settled through the agreement, including whether the right of the plaintiffs to file individual suits have been waived (S, Kim, 2015). Legal experts say that under the modern law, a state should not be able to waive a citizen's individual right to raise a claim, without individual's consent (S. Kim, 2015). In contrast to the post-war agreements with the Allied Powers that contained specific provisions addressing claims of individuals, the 1965 treaty did not contain any provisions for individual claims (Lai, 2002). For example:

The Greece-Japan Agreement, the Great Britain- Japan Agreement and the Canada-Japan Agreement provided compensation 'for personal injury or death which arose before the existence of a state of war ... for which the Government of Japan is responsible according to international law (Arakawa, 2013).

This proves that the reparation measures were solely for the property and economic purpose, not compensation measures for the victims of comfort women.

Also, the comfort women issue was unknown and hidden during the time the treaty was established. The case of comfort women was simply non-existent for negotiations between the two governments. Dr. Totsuka Etsuro argues the following:

Japan had made the existence of the military sexual slavery system as a top secret until January 1992, when the Government for the first time acknowledged the existence of the system. It was impossible for the both parties to conceive an agreement for nothing in 1965. How can Japan claim that Japan intended to include in the term of the treaties the system, which did not exist officially at the time? No evidence was found yet that the issue of military sexual slavery was discussed in any part of the negotiations towards the 1965 treaties between the ROK and Japan. No human rights issues, no personal injuries, and no wrong doings by Japan during colonization were treated in any of the provisions of the said treaties (Etsuro, 2008).

Yoo Euy Sang, a professional diplomat who has been working for the Ministry of Foreign Affairs since 1981 argues: "The comfort women issue was never discussed as one of the major agenda items during the meetings [...] Japan's claim that the issue has been settled in accordance with the agreement is an arbitrary interpretation that is not correct" (Wi & Chang 2016). Etsuro also argues that during the time of negotiation for the treaty, the Japanese chief representative, Mr. Kanichiro Kubota denied of the existence of any wrongdoings by Japan and declared to the Korean representatives on

13 October 1953, “If any wrong doings are found later, then the Japanese Government should pay compensation for them at that time” (Etsuro, 2008).

The Japanese government make similar assertions regarding the comfort women cases of other nations. They argue that the 1951 Treaty of Peace between Japan and the Allied Powers, known as the San Francisco Treaty settled all wartime issues. The Article 14(b) states of the San Francisco Treaty states:

Except as otherwise provided in the present Treaty, the Allied Powers waive all reparations claims of the Allied Powers, other claims of the Allied Powers and their nationals arising out of any actions taken by Japan and its nationals in the course of the prosecution of the war, and claims of the Allied Powers for direct military costs of occupation (Arakawa, 2013).

United Nations Special Rapporteur Gay McDougall argues that the distinction in the text between “reparations” and “other claims” indicates that the “waiver does not apply to compensation of the Allied Powers' nationals since the only reparations contemplated in the waiver are those of the Allied nations themselves” (Arakawa, 2013). Thus, the waiver would not bar claims by former comfort women since such claims would not fall within the claims contemplated by the treaty (Lai, 2002). “For states such as China, North Korea, and Taiwan, Japan's assertion that treaties have extinguished rights to compensation is unpersuasive for none of these countries were signatories to any settlement treaty with Japan” (Lai, 2002).

### **3.3.2. Kono Statement of 1993**

After constant denials of the involvement and assertions that all issues have been dismissed on the grounds of the 1965 treaty, Japanese government's position took a shift on the comfort women issue on 1993. It was the first moment when the Japanese government made gesture of acknowledgement and apologies regarding the issue.

In 1992, a Japanese historian, Yoshimi Yoshiaki, outraged by the government denials, went to the Self-Defense Agency's library and after two days of searching, unearthed documents revealing military involvement in the establishment of the comfort stations (153 Cong. Rec, 2007). This led to the release of the Kono Statement on August 4, 1993, under Yohei Kono, the Chief Cabinet Secretary of the time (Lin, 2016). Following is the content of the Kono Statement provided in the book by Kumagai Naoko:

The Government of Japan has been conducting a study on the issue of wartime “comfort women” since December 1991. I wish to announce the findings as a result of that study.

As a result of the study which indicates that comfort stations were operated in extensive areas for long periods, it is apparent that there existed a great number of comfort women. Comfort stations were operated in response to the request of the military authorities of the day. The then Japanese military was, directly or indirectly, involved in the establishment and management of the comfort stations and the transfer of comfort women. The recruitment of the comfort women was conducted mainly by private recruiters who acted in response to the request of the military. The Government study has revealed that in many cases they were recruited against their own will, through coaxing, coercion, etc., and that, at times, administrative/ military personnel directly took part in the recruitments. They lived in misery at comfort stations under a coercive atmosphere.

As to the origin of those comfort women who were transferred to the war areas, excluding those from Japan, those from the Korean Peninsula accounted for a large part. The Korean Peninsula was under Japanese rule in those days, and their recruitment, transfer, control, etc., were conducted generally against their will, through coaxing, coercion, etc.

Undeniably, this was an act, with the involvement of the military authorities of the day, that severely injured the honor and dignity of many women. The Government of Japan would like to take this opportunity once again to extend its sincere apologies and remorse to all those, irrespective of place of origin, who suffered immeasurable pain and incurable physical and psychological wounds as comfort women.

It is incumbent upon us, the Government of Japan to continue to consider seriously, while listening to the views of learned circles, how best we can express this sentiment.

We shall face squarely the historical facts as described above instead of evading them, and take them to heart as lessons of history. We hereby reiterate our firm determination never to repeat the same mistake by forever engraving such issues in our memories through the study and teaching of history.

As actions have been brought to court in Japan and interests have been shown in this issue outside Japan, the Government of Japan shall continue to pay full attention to this matter, including private research related thereto (Naoko, 2016).

However, the statement was considered an empty apology and failed to be accepted by the former comfort women and their supporters. From their point of view, by issuing the declaration under the chief cabinet secretary but not adopted by the Parliament, the government was not fully acknowledging its responsibility (153 Cong. Rec., 2007). They also argued that the government was avoiding direct responsibility by refusing to provide direct compensation. The Japanese government offered “atonement money” under the establishment of a private, nongovernment fund, AWF in 1995 (Morris-Suzuki, 2014). The AWF was established in 1994 under the government headed by Prime Minister Tomiichi Murayama with the ideal of fulfilling Japan’s responsibilities toward the former comfort women from a moral perspective (Naoko, 2016). The money was drawn strictly from donations by the general public,

while the government undertook to cover the operating expenses of the AWF and provide funding for its other projects (Naoko, 2016). The system of the project was structured in such a way because the Japanese government believed that it had completely fulfilled its legal responsibilities for issues of reparations, property and claims related to the war through past treaty and other international agreement; and because there was intense opposition from the rightists to any government involvement in paying a form of compensation to former comfort women (Naoko, 2016).

Although the Kono Statement raises many criticisms, out of all the statements released by the Japanese government, it is considered one of the most effective form of acknowledgement. Thus, this statement has become the major stepping stone for any other subsequent resolution efforts. However, for decades after the release of statement, Japanese government have often shown regrets over its acknowledgement and shifted its stance against the Kono Statement. This is clearly seen from the comments stated by the Prime Minister Abe on 2007. “On July 31st, [2007], the Prime Minister Shinzo Abe commented that he regretted the resolution implying that the Government has no intention of making a formal apology to the survivors. His attitude contradicts the Kono statement of 1993” (Koyama, 2013).

The ever-shifting position of the Japanese government have permanently impaired South Koreans from trusting them. Any small efforts of building trust and reconciliation over the past decades have constantly been eroded with the overpowering right-wing influence over the Japanese government.

### **3.3.3. The 2015 Comfort Women Agreement**

This section now focuses on studying the 2015 agreement. Since there is no official written document available to analyze the content of the 2015 agreement, this section studies the content of the announcement made to the media by Foreign Ministers of two countries. This is the content summarized by The Women’s Active Museum on War and Peace (WAM):

[Table 3-1] The Announcement to the Media by the Foreign Ministers of ROK and Japan

Japan	Republic of Korea (ROK)
<p>(1) Foreign Minister Kishida announced as follows: The Government of Japan and the Government of the Republic of Korea (ROK) have intensively discussed the issue of comfort women between Japan and the ROK at bilateral meetings including the Director-General consultations. Based on the result of such discussions, I, on behalf of the Government of Japan, state the following:</p>	<p>Minister Kishida: The issue of “comfort women” has been intensively discussed so far between Japan and Korea, including through the Director-General level meetings. Based on those outcomes, the Government of Japan states the following.</p>
<p>(i) The issue of comfort women, with an involvement of the Japanese military authorities at that time, was a grave affront to the honor and dignity of large numbers of women, and the Government of Japan is painfully aware of responsibilities from this perspective.</p> <p>As Prime Minister of Japan, Prime Minister Abe expresses anew his most sincere apologies and remorse to all the women who underwent immeasurable and painful experiences and suffered incurable physical and psychological wounds as comfort women.</p>	<p>The issue of “comfort women” was a matter which, with the involvement of the military authorities of the day, severely injured the honor and dignity of many women. In this regard, the Government of Japan painfully acknowledges its responsibility.</p> <p>Prime Minister Abe, in his capacity as Prime Minister of Japan, expresses anew sincere apologies and remorse from the bottom of his heart to all those who suffered immeasurable pain and incurable physical and psychological wounds as “comfort women.”</p>
<p>(ii) The Government of Japan has been sincerely dealing with this issue. Building on such experience, the Government of Japan will now take measures to heal psychological wounds of all former comfort women through its budget. To be more specific, it has been decided that the Government of the ROK establish a foundation for the purpose of providing support for the former comfort women, that its funds be contributed by the Government of Japan as a one-time contribution through its budget, and that projects for recovering the honor and dignity and healing the psychological wounds of all former comfort women be carried out under the cooperation between the Government of Japan and the Government of the ROK.</p>	<p>The Government of Japan has been seriously dealing with this issue, and on the basis of such experience, will take measures with its own budget to heal the psychological wounds of all the former “comfort women.” More specifically, the Government of the Republic of Korea will establish a foundation for the purpose of providing assistance to the former “comfort women.” The Government of Japan will contribute from its budget a lump sum funding to this foundation. The Governments of Korea and Japan will cooperate to implement programs to restore the honor and dignity and to heal the psychological wounds of all the former “comfort women.”</p>
<p>(iii) While stating the above, the Government of Japan confirms that this issue is resolved finally and irreversibly with this announcement, on the premise that the Government will steadily implement the measures specified in (ii) above.</p> <p>In addition, together with the Government of the ROK, the Government of Japan will refrain from accusing or criticizing each other regarding this issue in the international community, including at the United Nations.</p>	<p>Along with what was stated above, the Government of Japan confirms that through today’s statement, this issue will be finally and irreversibly resolved on the condition that the above-mentioned measures are faithfully implemented.</p> <p>Also, the Government of Japan, along with the Government of the Republic of Korea, will refrain from mutual reprobation and criticism in international forums, including at the United Nations in the future.</p>
	<p>Regarding the above-mentioned budgetary measure, the expected amount will be around 1 billion Yen. What I have stated is the outcome of consultations held under the instruction of the</p>



	leaders of both countries, and I am confident that Japan-Korea relations will thereby enter a new era.
(2) Foreign Minister Yun announced as follows. The Government of the Republic of Korea (ROK) and the Government of Japan have intensively discussed the issue of comfort women between the ROK and Japan at bilateral meetings including the Director-General consultations. Based on the result of such discussions, I, on behalf of the Government of the ROK, state the following:	Minister Yun: Now, I would like to state the position of the Government of the Republic of Korea on today's agreement. The issue of "comfort women" has been intensively discussed so far between Korea and Japan, including through the Director-General level meetings. Based on those outcomes, the Government of Korea states the following.
(i) The Government of the ROK values the GOJ's announcement and efforts made by the Government of Japan in the lead-up to the issuance of the announcement and confirms, together with the GOJ, that the issue is resolved finally and irreversibly with this announcement, on the premise that the Government of Japan will steadily implement the measures specified in 1. (1) (ii) above. The Government of the ROK will cooperate in the implementation of the Government of Japan's measures.	The Government of the Republic of Korea takes note of the statement by the Government of Japan and the measures leading up to the statement, and, along with the Government of Japan, confirms that through today's statement, this issue will be finally and irreversibly resolved on the condition that the above-mentioned measures stated by the Government of Japan are faithfully implemented. The Government of the Republic of Korea will cooperate in the measures to be taken by the Government of Japan.
(ii) The Government of the ROK acknowledges the fact that the Government of Japan is concerned about the statue built in front of the Embassy of Japan in Seoul from the viewpoint of preventing any disturbance of the peace of the mission or impairment of its dignity, and will strive to solve this issue in an appropriate manner through taking measures such as consulting with related organizations about possible ways of addressing this issue.	The Government of the Republic of Korea is aware of the concern of the Government of Japan over the memorial statue placed in front of the Embassy of Japan in Seoul with respect to the maintenance of the peacefulness and respectability of its mission, and will make efforts to appropriately address the concern, including through consultations with relevant groups on possible responses.
(iii) The Government of the ROK, together with the Government of Japan, will refrain from accusing or criticizing each other regarding this issue in the international community, including at the United Nations, on the premise that the Government of Japan will steadily implement the measures it announced.	The Government of the ROK, along with the Government of Japan, will refrain from mutual reprobation and criticism in international forums, including at the United Nations in the future, on the condition that the measures stated by the Government of Japan are faithfully implemented.
Furthermore, Foreign Minister Kishida announced that the amount of budget contributed to the foundation would be approximately one billion yen.	

Source: The Announcement to the Media by the Foreign Ministers of ROK and Japan. Reprinted from "Japan's Military Sexual Slavery: NGO Alternative Information to the Government Reply to the List of Issues" by Women's Active Museum on War and Peace, 2016, *Women's Active Museum on War and Peace (WAM)* (63). Geneva: Women's Active Museum on War and Peace.

The comfort women agreement made on December 28, 2015 between the governments of Japan and South Korea is one with many problems. First, no formal written document of the agreement is available for the public to review and understand.

“The Seoul administrative court ruled that the foreign ministry should make public diplomatic documents on the ‘final and irreversible’ agreement, which South Korea reached with Japan on Dec. 28, 2015” (“South Korean Court,” 2017). Despite the court order on January 2017, to release the documents of the agreement to the public, there has been no active response from the governments. The foreign ministry refused to unveil the documents stating that it might lead to possible break-up in the diplomatic relations, but the court placed people’s right to be informed before the national interests (“South Korean Court,” 2017). This statement in itself is a proof revealing that the agreement is purposed for anything but a sincere reconciliation. If the agreement was meant for sincere reconciliation, there would be no need for concern over the possible break-up of diplomatic relations. Prof. Tae Jin Lee from Seoul National University argues:

Foreign Ministers of both countries have announced that the comfort women issue has been settled but no formal document was ever released. Thus, no one knows for sure what deals have been agreed upon. The document has to be released for clear analysis (S. H. Park, 2017).

Second, the agreement was made without any consultation with the former comfort women. One of the former comfort women, Gun Ja Kim argues: “This is unfair. I cannot accept the agreement just between the two governments. We are the victims, and how come they just make such an agreement? We cannot accept this. We want reparations and official apology on individual basis” (WAM, 2016). Another former comfort woman Bok Dong Kim states:

Without even talking to us victims about what the two governments have discussed, I really can’t understand how they can say that they came to an agreement. We are not beggars. About what Japan had done wrong in the past, it would be acceptable only if Abe apologizes and settles things legally and educate their students the truth and fix their textbooks. However, without even a word, they talk amongst themselves and now this? Are they giving pity money to the poor? Giving kids candy money? And it’s not even reparation. [...] And I can’t accept this kind of apology. Why would we have been fighting until now if it was going to be settled ambiguously like this? If they are going to apologize, then do it properly, and if the Korean government wants to resolve the issue, then do it properly. If they are doing this for peace, then I hope they will do it the right way instead of hurting our feelings” (WAM, 2016).

In contrast to the 1965 treaty, in which the comfort women case has never been discussed, the 2015 agreement was solely purposed for the settlement of comfort women issue. However, both governments have again marginalized the former victims, silencing them from seeking proper justice. The past cases of 1965 treaty, the San

Francisco Treaty or the trial of IMTFE have all proven that historical issues cannot be dismissed hastily without consultation with the victims. The past agreements which have failed to reflect the opinions of the victims resulted in decades long unceasing tension and quarrels. The settlements that fail to bring true justice cannot and will never be accepted at the national level.

Also, the comfort women issue has been settled on the grounds of “final and irreversible” condition. Prof. Cho from Dongseo University argues that it is difficult to finalize historical issues under a single government, especially crime against humanity (Yoo, 2017). It is absurd to finalize crime against humanity as final and irreversible. It has been more than 70 years since the first Nuremberg trial was held in November 1945 but the trials are still ongoing. The German government is making unceasing efforts of reconciliation by education, establishment of agreements, extension of compensations, constant statements of acknowledgement and apologies...etc. Hein argues that “war reconciliation similar to restorative justice is an ongoing, never-ending process” (Hein, 2010). It is only through constant unending reconciliation efforts that the victims’ pain can be eased.

Third, as seen from the above summary of the announcement, same problematic use of loose and ambiguous terms in the 1965 treaty, which led to contradicting interpretations between the two governments is repeated again in the 2015 agreement. The major point of contradiction arises from the statement concerning responsibility. The meaning of “responsibility” has not been fully clarified. While South Korean government used the phrase “painfully acknowledges its responsibility”, the Japanese government used “is painfully aware of responsibilities” (WAM, 2016). The statement used by Japan is weaker and more ambiguous (WAM, 2016). In contrast, regarding the comfort women statue in front of the Japanese Embassy in Seoul, Japanese government used the phrase that South Korea “acknowledged” Japan’s concern, whereas South Korea says they are “aware of” Japan’s concern (WAM, 2016). South Korea also stated: “Prime Minister Abe, then, explained that his government would faithfully carry out the programs to help restore the honor and dignity of the comfort women victims and heal their wounds” (WAM, 2016). However, from Japan’s side, this comment is missing. Instead, Prime Minister Abe stated that the “issue of claims were settled in the ROK-JAPAN treaty in 1965. There is no mention of this statement from the ROK side” (WAM, 2016).

Fourth, no formal public apology has been given by the Prime Minister Abe. The Foreign Minister Kishida spoke on behalf of Prime Minister Abe in front of the media stating that Abe offered an apology, which Abe states to have made via phone call to the South Korean President Park (WAM, 2016). However, the comfort women themselves were excluded from hearing the apology. It is not the first time Prime Minister Abe has refrained from making forms of apology or acknowledgement. The past stance held by Prime Minister Abe in regards to the issue has constantly won international criticisms. Not only has he denied of the atrocities in 2007, stating that there was no evidence to prove the use of coercion (Tabuchi, 2007), he also constantly avoided offering any explicit apologies by “questioning the need for Japan to repeatedly apologize for events more than seven decades ago” (“Scholars Urge,” 2015).

Fifth, none of the facts regarding sex crimes committed against the comfort women were mentioned in the agreement. It did not mention anything about the controversial “use of coercion.” Instead, request to remove the comfort women statue in front of the Embassy of Japan in South Korea was emphasized by the Japanese government. The former comfort women, Bok Dong Kim argues: “...about the Peace Statue, both of the governments should leave it alone. The citizens erected it across the embassy on the peace street to teach our future generations of the tragedy that our nation once suffered. They have no rights to say anything regarding the Statue” (WAM, 2016). In January of 2017, Japan recalled top two diplomats from South Korea after the statue identical to the one placed in front of Japanese embassy in Seoul, has been placed outside the Busan consulate office. It was against the grounds that the action breached the agreement (Han & Griffiths, 2017). Japan also halted talks on a planned currency swap and delayed high-level economic dialogue as part of an “initial response to the statue” (Han & Griffiths, 2017). The assertive actions held by the Japanese government in response to the statue raises questions and doubts over the reconciliation effort of agreement.

Sixth, again the payments for the victims were to be made indirectly through a foundation, not formally and directly from the government. The method of payment is important in proving its purpose. The Japanese government fails to acknowledge its responsibility by avoiding direct, legal compensation to the former victims. Japan also specifically stressed that the purpose of the payment was not reparation. FM Kishida stated: “This foundation is for ROK and Japan to cooperate and carry out projects; [the ¥1 billion payment] is no reparation” (WAM, 2016). Some also criticize that the amount

of payment is humiliating. Lee Sung-yoon, a professor in Korean studies at the Fletcher School of Law and Diplomacy at Tufts University. “You know what you get for a personal injury lawsuit after spilling hot coffee on yourself in America? [...] Victims of systematic and widespread rape or, in today’s parlance, crime against humanity, deserve much more than that” (Soble & Hun, 2015). The amount finalized in the deal however, was still higher than the amount initially offered by Japan (Choe, 2015).

For decades, former comfort women have been seeking the following four main demands from the Japanese government:

First, an official apology accompanied by the Cabinet or Diet (parliament) resolution (rather than something that can be and have been construed as one leader’s personal view, such as the Prime Minister’s letter); second, formal compensation to the victims of the “comfort women” system; third, the teaching of “comfort women” issue in the country’s history classes and textbooks, and finally, the investigation and persecution of responsible parties (FeND, 2016).

However, not even a single demand has been taken into consideration in the 2015 agreement. The hastily achieved agreement failed to reach the demands of not only the former comfort women but of the two governments. “The so-called ‘final and irreversible’ deal apparently attempts to solve the long-standing thorny issue once and for all, but with so many details unclarified, differences still remain between the two sides and await to be further addressed” (“Strategic Ambiguity”, 2015).

Not only did the agreement fail to seek proper justice for the former comfort women, it also failed to clearly encompass the demands of the two governments. The two governments’ decision to hastily arrive at an agreement should be understood in the regional context. “The agreement was welcomed by the United States, for whom both South Korea and Japan are vital allies. All three countries are eager to improve security cooperation in the face of an increasingly assertive China and an advancing North Korean nuclear weapons program” (Soble & Hun, 2015). The next chapter studies how the regional powers of U.S. and China influenced the two governments’ decision to arrive at the agreement.



## **Chapter 4. Behind the 2015 Comfort Women Agreement**

### **4.1. Perspectives of the two Governments**

For the past decades, there seemed to be little possibility for the two governments to find common grounds in the settlement of comfort women issue. The issue has caused endless disputes between the two countries. The two governments have long been divisive over the issue. However, on 2015, the two governments have made an announcement that the issue was to be settled.

As seen from previous section, the agreement was far from the deal former comfort women were seeking for. It did not reflect any views of the former comfort women. It raises the questions of, for whom and for what purpose was the agreement intended? This chapter seeks to study what major factors have pushed both governments to arrive at an agreement; what was the major purpose of the agreement for the two governments. Before engaging in this study, this section first seeks to trace the past and present stance of the two governments over the issue.

#### **4.1.1. Past and Present Stance of Japanese Government**

Although previous chapters already revealed the general stance held by the Japanese government regarding comfort women issue, this section seeks to trace and summarize the official positions and arguments held by the Japanese government over the issue. The cyclical patterns of apologies and denials characterize the past stance of Japanese government. This thesis reveals that any minor efforts of reconciliation were overruled by the right extremists influence over the Japanese government.

Even before the public testimony of former comfort women, Kim Hak-Sun in 1991, the existence of comfort women was, to a certain extent, already known through historical publications on the war and newspaper reports based on interview research conducted by scholars (Naoko, 2016). However, the Japanese government was in complete denials of the case; labeling and accusing many of those publications as complete fabrication. The government began to seriously engage with the issue only after the release of historical documents by Yoshiaki Yoshimi in January 1992. The documents clearly indicated the involvement of Imperial Japanese Military in the recruitment of comfort women; and the establishment, operation, and hygienic inspection of comfort stations (Naoko, 2016).

This led to the release of the Kono Statement, in which the government acknowledged direct or indirect involvement in the establishment of the comfort stations; and direct participation of administrative and military personnel in the recruitment of the comfort women, which in many cases took place against their will through coaxing and coercion (Naoko, 2016). It also expressed “sincere apologies and remorse” for the injuries to the honour and dignity of the former comfort women (Naoko, 2016). After the release of the Kono Statement, series of apologies have been made by numbers of Japanese leaders. Some of them more effective than the other.

In 1994, the Socialist Prime Minister Tomiichi Murayama was inaugurated into the office. On August 31<sup>st</sup> of that year, Murayama issued a statement looking ahead to the 50th anniversary of the end of the war (AWF, n.d.). He expressed profound and sincere remorse and apologies with regard to the comfort women issue and stated his desire to find an appropriate way, which enables a wide participation of Japanese people (AWF, n.d.). Although Murayama’s statements and the Kono Statement are not without criticisms and have failed to be accepted by the former comfort women, the two statements are still considered the most effective forms of acknowledgement and apologies made by the Japanese government. Following is the statement given by Murayama in 1995:

I would like to share with you my sentiments on the occasion of the establishment of the "Asian Women's Fund." This year marks the 50th anniversary of the end of the War, an event that caused many people, both in Japan and abroad, great suffering and sorrow. During these past 50 years we have worked hard to cultivate, step by step, friendly relations with our neighbouring Asian countries and others. However, the scars of war still run deep in these countries to this day.

The problem of the so-called wartime comfort women is one such scar, which, with the involvement of the Japanese military forces of the time, seriously stained the honor and dignity of many women. This is entirely inexcusable. I offer my profound apology to all those who, as wartime comfort women, suffered emotional and physical wounds that can never be closed.

Established on this occasion and involving the cooperation of the Government and citizens of Japan, the "Asian Women's Fund" is an expression of atonement on the part of the Japanese people toward these women and supports medical, welfare, and other projects. As articulated in the proponents' Appeal, the Government will do its utmost to ensure that the goals of the Fund are achieved. Furthermore, to ensure that this situation is never again repeated, the Government of Japan will collate historical documents concerning the former wartime comfort women, to serve as a lesson of history.

Turning from yesterday to today, we still see many women suffering violence and inhuman treatment in many parts of the world. The "Asian Women's Fund," as I understand it, will take steps to address these problems facing women today. The Government of Japan intends to play an active role in this regard.

I am convinced that a sincere effort on the part of Japan to implement these measures will further strengthen the true relationships of trust we share with our neighbours in Asia and other nations around the world.

The Government of Japan intends to cooperate, to the greatest extent possible, with the "Asian Women's Fund," in order that its aims are achieved. I call on each and every Japanese citizen, asking for your understanding and cooperation (MOFA, 2014).

Following the Prime Minister's statement, the three ruling parties launched a "Project to Deal with Issues Fifty Years After the War," and established the Subcommittee to Address the Wartime Comfort Women Issue (AWF, n.d.). The Asian Women's Fund was announced as an official government project by Chief Cabinet Secretary Igarashi Kozo on 14 June 1995 (Naoko, 2016). Although Murayama made some efforts, it was still far from the measures demanded by the former comfort women. The apology was not an official one accompanied by the Cabinet or Diet resolution but more of a personal apology. Also, the letter was "delivered by the Asian Women's Fund rather than by diplomats" (Lin, 2016). The indirect form of payment cannot be seen as an official reparation. While most former victims refused to accept the payment, some of those who were living under difficult circumstances accepted (Jonsson, 2015). The welfare money was two million yen (\$19,572) whereas medical services amounted to three million yen (\$29,357) (Jonsson, 2015). It was reportedly sent under the name of the ghost company Asia Dialog to avoid direct payment (Jonsson, 2015). The seven victims who ended up receiving the payments were intensely criticized by the Korean media and NGOs for "having sold their souls for money" (Jonsson, 2015). Eventually, with most women refusing to accept the money and due to heavy criticisms arising from the South Korean public, AWF was dismantled in 2007 (Lin, 2016).

Former Prime Minister Junichiro Koizumi, who was once reviled by South Koreans because of his visits to the Yasukuni Shrine, also made some efforts in raising awareness about his country's past misdeeds by visiting a former Japanese prison in Seoul, where he apologized and laid a wreath at a monument for Korean independence fighters (Lind, 2009). Former Prime Minister Hatoyama Yukio also visited the prison and mourned for the Korean independence activists. "Hatoyama took off his shoes in front of a monument for them, laid flowers, knelt down, joined his hands in prayer and bowed his head" ("Hatoyama Mourns" 2015).

However, even these minor efforts of reconciliation have won harsh criticisms and objections from the rightists. This is often the case with the Japanese government,

in which sincerer forms of apologies, acknowledgement and compensation measures are constantly eroded by the right extremists. For instance, the decision for indirect transfer of compensation under the establishment of AWF was due to the overruling influence of the rightists. It rejected direct compensation in arguments that the wartime reparation, material restitution and the right to claim compensation have all been dealt with under the San Francisco Peace Treaty, bilateral treaties and other relevant accords (AWF, n.d.). Thus, until this day, any forms of payments for the comfort women are never directly transferred from the governments but indirectly through a fund. Murayama's apologies in 1994 and 1995 have also won high criticisms from the rightists including those within his own cabinet (Lind, 2009). Furthermore, whenever the liberal parliamentarians proposed a landmark national apology in the form of a Diet resolution, prominent conservatives denied, justified and sometimes even glorified Japan's past violence (Lind, 2009).

Japanese right extremists have not only rejected and criticized against efforts of reconciliation but denied of historical facts. This is apparent in the rightist Prime Minister Abe's statement made in 2007. Japanese rightists have often denied of the comfort women case, arguing that those women were not ordinary women coerced into sexual services but simply prostitutes. They argue that South Koreans' version of the history is false and fictitious. Henry Scott Stokes, one of the journalists who support the rightist view states: "The comfort women were prostitutes. Some of them may be sold by their parents to brothels due to their family poverty and they were not in what they thought was an ideal profession. The fact remains, however, that they were not sex slaves of the Imperial Japanese Army" (Stokes, 2014). Kase Hideaki, another supporter of those views states the following: "Japanese authorities never abducted women. Nor did they force them to become comfort women against their will. Accusations involving the comfort women, Japanese aggression during World War II, and the Nanjing 'massacre' are complete fabrications, with absolutely no basis in fact" (Hideaki, 2014).

There are two profound problems with those arguments. First of all, it is true that there were women who joined "voluntarily" due to the devastating conditions of livelihood during the colonial period. Some of those women have been sold by their parents to brothels due to their family poverty. This also seems to be the case for many Japanese comfort women. However, this does not mean that atrocities against those women can be justified.

Yamashita argues that claiming that damage to virgins was greater than that to

prostitutes simply separates “victims.” discriminating against the latter (Kimura, 2016). Yamashita maintains that such an argument is problematic as it seems to suggest that rape is only a crime when the victim is a virgin (Kimura, 2016). The atrocities that those women have faced in the stations cannot in any ways be justified. Whether those women were virgins or prostitutes who ended up in the comfort stations, their experiences cannot be undermined. Fujime argues that women who had been prostitutes before they became comfort women were equally the victims of sexual slavery by the Japanese military, and this statement was acclaimed by many feminists (Kimura, 2016).

It is indeed important to recognize that many Korean comfort women were virgins. The fact that they were virgins exposed those women to become easier targets of sexual slavery. The difference in background of the comfort women is an important factor to consider when understanding those women’s individual victimization. However, this accentuation of dichotomy between virgins/prostitutes in many ways create problems of marginalizing or legitimizing the atrocities faced by those women who stepped into the comfort stations “voluntarily” as prostitutes. It is exactly under this dichotomy of prostitute/voluntary that Japanese right extremists constantly withhold their arguments. Fujime strongly insists that women who had been prostitutes before they became comfort women were equally the victims of sexual slavery by the Japanese military (Kimura, 2016).

Second of all, it is already proven through numerous evidence that there was use of coercion and direct involvement of the military in the operation of the stations or the recruitment of the women. As the war proceeded towards the latter colonial period, there was use of coercion in the recruitment process since more women were in need, other than those who “volunteered.” The expression of “forcefully” taken away should include:

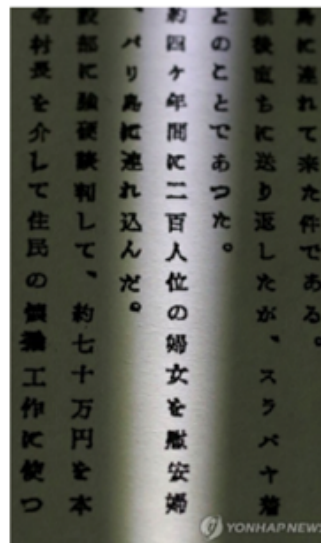
such ploys as swindling women by offering jobs at a distant location, human trafficking and even abduction, together with the notion of armed Japanese troops taking away maidens who were out in the fields collecting wild vegetables, and loading them onto military trucks (Youn, 2008).

There were three types of comfort stations run by the Japanese Army: the first type was run directly by the Japanese Army; the second was run by private businesses selected by the Japanese Army; the third consisted of existing houses of prostitution used by the Japanese troops (Youn, 2008). Majority of the comfort women were forced to serve in the second type of private businesses selected by the Japanese Army. As



mentioned in Chapter 2, this type of comfort system was similar to the licensed houses of prostitution. One difference is that the Army or the government “directly” operated, controlled and supervised the stations (Youn, 2008). Even the business owners were selected by the Army, recruited the women in close cooperation with the local police or the military police and then transported them to the comfort stations via military trucks, trains or ships (Youn, 2008).

[Fig 4-1] Batavia Trial Evidence #25 Proof of Coercion



Source: Yonhap News (2017). Batavia Trial Evidence #25. Reprinted from *Despite Official Document of Japanese Military's Forced Recruitment of Comfort Women, Japan's Denial "No Direct Evidence"* In *YonHap News*, Retrieved from <http://www.yonhapnews.co.kr/bulletin/2017/04/19/0200000000AKR20170419096800073.HTML?input=1195m>

There are even official Japanese documents, which prove that there was military coercion in the recruitment process of comfort women [Fig. 4-1] (B. Kim, 2017). The Batavia Trial Evidence No. 25 contains a statement from the Japanese authority stationed in Indonesia reporting to the Japanese Ministry of Justice that around 200 women and children is to be taken to the Bali island under the order of Okuyama Troop (B. Kim, 2017).

#### 4.1.2. Past and Present Stance of South Korean Government

One of the common arguments held by the Japanese right extremists is considering the long-term silence held by the South Korean comfort women. They argue that the entire issue is a lie for the issue first began in Japan, not in Korea. Hiromichi argues: “How did this whole controversy begin? Not in Korea, but in Japan! The first assertions that Korean women were coerced into serving as military prostitutes

were made not by Koreans, but by Japanese. The anti-Japanese movement in Korea owes its existence to Koreans who were fooled by the lies of a Japan-hating Japanese” (Hiromichi, 2012).

As mentioned in Chapter 2, the distinctive cultural and social factors of South Korea was what led those women to hold their long-term silence but another significant domestic factor which further pushed those women in silence was the position held by the South Korean government at the time. South Korea at the time was a weak and poor country with a dictatorial political system filled with pro-Japanese collaborators that had no power nor much of an incentive to confront Japan over colonial issue (B.S. Yoon, 2010). The military dictatorship in South Korea did not provide the environment for those women to come forward. Japan was also an essential allies for the U.S. Cold War strategy, which pressured South Korean government to be silent over Japan’s war time atrocities (B.S. Yoon, 2010).

During the postwar period, communist expansion as well as political factionalism were threatening South Korea’s political stability (B.S. Yoon, 2010). The anti-communist nation building through institutionalization of political, social, and economic infrastructure was the immediate concern (B.S. Yoon, 2010). The first Korean president, Seung Man Rhee, was both anti-communist and anti-Japanese, who had interest in overcoming historical animosity but also well-aware of the necessity of building a strategic partnership with Japan (T.R. Yoon, 2011). There were some negotiations made few times over the compensation measures, but his strong anti-Japanese posture and the somewhat emotional demand for compensation -\$3.6 billion representing 100 million dollars a year for 36 years of colonial suffering- ended the negotiations in failure (B.S. Yoon, 2010). Soon after, the Korean War broke out on June 25, 1950 and the first priority of the government was to stop the expansion of the communists, which required South Korea to cooperate with Japan. It obviously was not the appropriate time for compensation demands to be made, especially regarding the comfort women, who have not yet even identified themselves in the public. B.S. Yon argues: “Even if the Rhee government had settled with Japan on compensation money, it is unlikely that it would ever have reached the KCW victims whose very identity was as yet surfaced in South Korean society” (B.S. Yoon, 2010).

After the Korean War, South Korea was suffering from extreme poverty and was in urgent need of economic support. South Korea had no ability to raise unsettled

historical issues against Japan. The country's first priority was economic development, not reconciliation:

South Korea's national issues should not be dismissed. An unsettling colonial history and legacy, the U.S. military occupation, national division, the Korean War, and continued national poverty caused the Korean government's inability to raise the issue of "comfort women." Moreover, humiliating negotiations with its former enemy seemed inevitable to achieve the nation's prior goal of economic growth and security at the expense of its people (N. Lee, 2014).

Park Chung Hee over his time of presidency during the 60s and 70s, constantly propagated the rhetoric of prosperity for the *minjok*, "nationalism" (Chang, 2006). Park Chung Hee government solely focused on rapid economic development by excluding the popular sector (K. Park, 2007). For instance, on December 6, 1971, the government declared a national emergency because of a perceived North Korean threat, and banned all activities opposing or slandering the government (K. Park, 2007). For economic purpose, Park Chung Hee also promoted the influx of foreign currency, encouraged sex tourism catering to foreign military personnel and businessmen, and encouraged Koreans to work abroad (T.R. Yoon, 2011). Many Korean women were especially encouraged to work in the sex industry in Japan (T.R. Yoon, 2011). Even if the comfort women issue was publicized at the time, Park Chung Hee could not have cared less.

As mentioned in Chapter 3, Park settled on the 1965 Treaty with Japan, which was solely purposed for economic development:

During Park Jeong-Hee's military dictatorship, the regime tried to rebuild the country's relationship with Japan and signed the 1965 Korea-Japan Accord. Essentially, "Korea gave up the right of its citizens to sue the Japanese government for civil damages," which came in the form of reconstruction funding, which means "economic development grants and loans" from the U.S (N. Lee, 2014).

The claims were mostly on the property rights (i.e., bond holdings, postal money orders, land holdings, stocks, unpaid wages, forced savings, etc) rather than compensation measures for individual victims (B.S. Yoon, 2011). The comfort women issue was not even mentioned during the negotiation. "Even though KCW [Korean comfort women] was included, it would not make any difference anyway, for the 'claims' had to be factually documented to be considered valid, and the 'claims' didn't mean reparations to be paid to victims" (B.S. Yoon, 2011). The government of Park Chung Hee had no interest in handling historical issues. It rather strived to put historical issues behind to prioritize economic cooperation. The fact is, after the treaty was signed between Korea and Japan, one of the comfort women did try to bring her case forward with the

government. The following reference proves that the Park Chung Hee's administration had absolute no interest in handling the issue:

A Korean victim-survivor, Hwang Kum-ju, told Kim-Gibson that she tried to report their experience after the Treaty on Basic Relations between Korea and Japan was signed in 1965. As delivering a petition to the Presidential office was impossible, Hwang approached Mrs Park, then the First Lady, when Mrs Park was visiting her home town to see her parents and to celebrate the Buddha's birthday. However, after listening to Hwang's brief talk about her and other women's experiences of sexual slavery, Mrs Park turned pale and urged Hwang never to tell this story to anyone. Mrs Park also remarked that what happened during the war and under Japanese colonialism is now something of the past, and it should not be mentioned again as Korea had to move forward now (Kimura, 2016).

After the assassination of President Park Chung Hee, his eighteen years of military dictatorship ended. However, it was followed by another military dictatorship under Chun Doo Hwan. People generally have no voice to raise under the military dictatorship. Also, Chun's government maintained the same type of economic centralized ruling, thus there was no space to raise any colonial issues. Thus, for nearly half a century after the liberation in 1945, comfort women suffered from further marginalization and extension of victimization by having to keep their silence under their own government.

The comfort women issue first began to be mentioned by the South Korean government only in the 1990s after the democratic reform by Roh Tae Woo on June 29, 1987 (Jonsson, 2015). Prior to the state visit by President Roh to Japan in May 1990, Korean women's organizations made a timely statement on the comfort women, asking for the Japanese government's formal apology and appropriate compensation (Youn, 2008). The President Roh, in response, submitted a request for a list of comfort women but the Japanese government responded that there was no such list (Jonsson, 2015). A representative of the government refused to investigate whether the military had been part of forced labor drafts during the war, claiming that it was impossible to investigate the matter since those women had been accompanied by the troops under the supervision of "private operators" (Naoko, 2016). The Japanese government also argued that the investigation was unnecessary for all issues had been resolved under the 1965 Treaty. This led to the public testimony of Kim Hak Sun on 1991, which allowed the issue to rise as one of the central colonial issues in need of proper settlement.

Since then, South Korean government tried to stand on the side of comfort women for compensation and apologies from the Japanese government. However, none of the attempted resolution efforts have been successful. During the 1990s, there were

some initial efforts of reconciliation made, with the statements raised by Prime Minister Murayama. In 1998, Kim Dae Jung took actions by raising the “lifestyle stability subsidies” to comfort women survivors from 5 million won (US\$4,100) all the way to 43 million won (US\$35,600) (J. Kim, 2016). The government aimed to pressure Japan into acknowledging legal responsibility, serving as a response to the AWF for compensation (J. Kim, 2016). An agreement named Japan- ROK Joint Declaration has been made (Lin, 2016). However, the condition of the deal asserted by Japan raised intense criticisms. Again, Japan aimed to close entire historical issues once and for all (Yoichi, 2015). The condition was not to “resurrect the historical issue with Japan again” (Yoichi, 2015). It carried the same point of criticism as the 1965 treaty and the 2015 agreement. Thus, all initial reconciliation moves made in the 90s ended in a failure.

After the 90s, reconciliation seemed more and more difficult. Especially under the anti-American president Roh Moo Hyun, who was unlikely to budge even under the pressure of U.S (J. Kim, 2016). In fact, President Roh was the first to argue that the comfort women issue has not been resolved under the 1965 treaty; a claim supported with the release of related diplomatic documents from the talks (J. Kim, 2016). For the first time since Liberation, President Lee Myung Bak also raised the comfort women issue as part of the official agenda in a summit meeting with Japan, held after the 2011 Constitutional Court decision (J. Kim, 2016). The resolution efforts constantly failed as the presidents of South Korea held tougher stance against Japan and as the Japanese government fought back under the ever-growing influence of right extremists.

#### **4.1.3. Purpose of the Agreement for Japanese and S. Korean Governments**

The possibility of reconciliation over comfort women issue also seemed difficult under the South Korean President Park Geun Hye and rightist Prime Minister Shinzo Abe. Japan has long been expressing its frustration over South Korea’s criticism against their handling of past wrongdoings (M. Kim, 2016). President Park have refused to meet with Prime Minister Abe for nearly three years (Minegishi, 2015). Kim Tae Hyo, a former adviser to president Lee Myung-Bak argued that:

...the chance of a meeting between Ms Park and Mr Abe was relatively low as long as South Korea’s government and people perceived a lack of remorse from Tokyo over the wartime sexual slavery. It’s a matter of the personal relationship between Park Geun-hye and Shinzo Abe [...] Both sides don’t want to lose face (Sevastopulo & Mundy, 2014).



However, in defiance of those expectations, a sudden announcement was made in 2015 by the two governments that the comfort women issue has been resolved. If domestic politics were prioritized, Abe would not have stepped away from “his firm conviction that no further apology is necessary [...] he is likely to place more priority on domestic politics and comfort to his right-wing support groups” (C. Park, 2015). Also, Park, “who takes a principled position on history-related issues, would not step back from her insistence that Abe show a sincere attitude toward issues stemming from the unhappy historical experience between Korea and Japan including the comfort women issue” (C. Park, 2015). What then has convinced Japan to make gesture of apology? What made the two governments to arrive at the agreement? In order to understand the two governments’ purpose of the 2015 agreement, we need to look back at the very basis of what led to the establishment of their bilateral ties:

Korea would not have allowed itself to make an easy compromise in the process of decolonization from Japan, but for the restrictions caused by the Cold War. The Korean government needed economic cooperation with Japan under the restrictions of the Cold War, i.e. due to the pressure applied by the US for friendly relations with Japan and the confrontation with the North. These experts say that Korea could not have secured a satisfactory outcome (Tadashi, 2008).

In the midst of Cold War strategic confrontation between the southern triangle (the United States, Japan, and the ROK) and the northern triangle (Russia, China, and North Korea), and in urgent need of economic support, South Korea had no other choice but to pursue a virtual alliance with a former enemy and colonizer (Sohn, 2016). South Korea had to put aside colonial issues for strategic and economic cooperation. U.S. strategic interest was the tie that bound those two former enemies together as strong alliance partners. “The North Korean nuclear crisis improved the tainted image of trilateralism” (Sohn, 2016). The same phenomenon can be seen from the case of 2015 agreement. Due to the ever-arising power of China over the region and unceasing threats from North Korea, the two countries had to put aside historical issues for strategic cooperation. “After all, troubled ties between the two countries would only work to the benefit of China and North Korea, while deeply undermining U.S. strategic interests and shaking its trust in what have been strong alliance partners” (C. Park, 2015). North Korea was a constant threat to U.S., South Korea and Japan ever since the Cold War. There were times when situations were better but when President Park took

the office, North Korea was posing serious threats to the region. Thus, it was time when security alliance had to remain stronger than ever.

After a dispute with U.S. in 2012 over the launch of rocket, North Korea voided the agreement made with U.S. to suspend nuclear tests, uranium enrichment, and long-range missile tests in exchange for food aid (Nuclear Threat Initiative, 2017). Around the time President Park took the office in 2013, North Korea conducted a nuclear test and the North Korean state media announced that the country would restart all nuclear facilities at Yongbyon, including its 5MW graphite-moderated reactor, and uranium enrichment plant (Nuclear Threat Initiative, 2017). In August 2013, satellite imagery confirmed steam venting from the 5MW reactor's turbine and generator building (Nuclear Threat Initiative, 2017). By September of 2015, North Korea confirmed restarting its nuclear reactor, seen as its main source of weapons-grade plutonium (Stanton, 2015). In the end of 2015, North Korea claimed that it added the hydrogen bomb to its arsenal (Hanna, Hume & Griffiths, 2015). Tensions further escalated as President Park took a tough stance against North Korea's provocations. South Korea resumed propaganda broadcasts across the border for the first time since 2004. It was an act of retribution for a landmine attack that Seoul blames on Pyongyang — firing of two rockets over the border towards the speakers (Fifield, 2015b). Until today, North Korea conducted five nuclear weapons tests in total: 2006, 2009, 2013, and twice after the year of 2015 (Nuclear Threat Initiative, 2017). The one conducted immediately after the end of 2015 was claimed to be a thermonuclear device (Nuclear Threat Initiative, 2017).

Due to escalating threats of North Korea, U.S. continued to pressure South Korea that it was time to put aside historical issues and improve relations with Japan for stronger trilateral alliance. The South Korean President Park was under a great pressure to put aside the comfort women issue, which remained as the biggest obstacle in the bilateral relations with Japan, for security cooperation. “Diplomatic pressure as a result of the United States believing that tension between its two allies over history problems was damaging its national interests [...] forced Park to call for a resolution by the year's end, marking the 50th anniversary of diplomatic normalization” (Sohn, 2016).

North Korea was one of the major threats in the region, but the rising power of China, North Korea's longtime ally, was another factor that have pushed the Japanese government to reach the agreement. Soeya argues: “China-centered Asia, which is not

a reassuring sign for neighboring countries. Given this dynamic, Japan and South Korea need close relations with the United States in order to promote a liberal international order in East Asia and to socialize China into this order” (Soeya, 2016). China’s rising power is more of a threat to Japan than to South Korea. South Korea holds more positive relations with China as it shares more historical common ground and since China is also a necessary power for South Korea when negotiating with North Korea. South Korea often take a stance to balance itself between U.S. and China:

Whereas Japan is firmly aligned with the United States, South Korea has attempted to take a different approach by increasing its connectedness with both great powers. It maintains a long-standing alliance with the United States (and partially with Japan), while recently crafting an amicable relationship with China (Sneider, 2016).

“China is often perceived as a challenger and even as a potential enemy. How to cope with rising China is the fundamental concern of Abe’s external strategy” (C. Park, 2015). China’s rising power is perceived as more of a threat for Japan due to range of geographical and maritime tension Japan hold with China. For instance, China is currently claiming its sovereignty over the offshore islands, such as the Spratly and Paracel Islands in the South China Sea, and the Diaoyu/Senkaku Islands in the East China Sea (Yee, 2011). The control over these areas is key to securing the rights of resource exploitation, the safety of sea channels of communication and regional naval power projection (Yee, 2011). Japan also carries territorial disputes with China over Diaoyu Island in the East China Sea (Graham-Harrison, 2017). With various historical, territorial and maritime controversies between the two countries, China has increasingly become the major reason for Japanese military enhancement:

There is no longer any ambiguity about the underlying rationales for Japan’s long-term military development: it is China-directed. Japan’s latest Defense White Paper makes these arguments explicit. Though North Korea’s fourth nuclear test reaffirms Tokyo’s strong opposition to Pyongyang’s actions and its decided preference for enhanced U.S.-Japan-ROK cooperation (including on ballistic missile defense), its eyes are increasingly cast on Beijing, seeking wherever possible to consolidate relationships across the region to counterbalance Chinese power. (Pollack, 2016).

As China expand its power over the region, Japan take stronger stance against China. Japan sees China's increasing assertiveness over the waters as a threat to its own country and over the region. Regarding the dispute over Diaoyu/Senkaku Islands, U.S. defence secretary James Mattis confirmed its commitment to defend the islands was at top of the foreign minister’s agenda (Graham-Harrison, 2017). U.S. has always been highly supportive of Japan’s move to make proactive contributions to international as well as

regional security (C. Park, 2015). Japan's interest over the region to counterbalance China is backed by U.S. interest over the region. "The United States has begun to recognize this strategic requirement by talking about the need to 'pivot to Asia' or 'rebalance toward Asia'" (Bower, Hiebert, Nguyen & Poling, 2015).

In need to regain its influence over the region, U.S. needed the two allies to refrain from disputes and to hold stronger relations. U.S. not only pressured South Korea but also encouraged Japan to make more positive moves on historical issues with South Korea, especially on the comfort women issue. Ever since the end of WWII, as seen from the case of IMTFE, U.S. have generally held softer stance against Japan. However, U.S. still drew a clear line on some moves made by Japan that intentionally worsened its relations with its neighboring countries, especially South Korea. U.S. warned Japan to avoid provoking its other ally on historical and territorial controversies (C. Park, 2015). Prime Minister Abe made several irritating actions and statements that made South Korea and other neighboring countries furious. Abe made remarks such as "In the U.S., they had a Civil War between the South and the North [...] How can two countries like Korea and Japan share similar historical perceptions when even people living in the same country hold different perspectives?" (C. Park, 2015). Abe even suggested that Japan could learn from the Nazi approach to constitutional revisions when it tries to revise its peace constitution (C. Park, 2015). Abe also visited the Yasukuni Shrine with three other cabinet members; and in 2013, Hashimoto Toru, a mayor of Osaka, stated that comfort women were available everywhere and Japan should not be blamed (C. Park, 2015). In response, U.S. began to pressurize Japan to refrain from such provocative actions:

"...thinking that Abe was blocking progress between Japan and Korea, on the one hand, and Japan and China, on the other hand, it began putting pressure on the Abe cabinet to show restraint. Abe toned down his political rhetoric, eventually. He did not visit the Yasukuni Shrine on August 15, although he sent gifts to the shrine" (C. Park, 2015).

Thus, in the case of 2015 agreement, in order to secure regional balance and counter North Korea and China's threat over the region, Japanese government had to follow the persuasion of U.S. in making apologies and to reach a deal with South Korea. U.S. plays a crucial role in tying South Korea and Japan together.

While the two governments' decision to hastily reach an agreement was largely due to the regional security purpose based on U.S. strategic interests, internal pressure certainly cannot be omitted. The comfort women issue has been a frustration for both

countries for a long time. The two countries' tension over the issue was heading for its worst since the former comfort women and their advocates installed the first comfort woman statues in front of the Japanese Embassy in Seoul on 2011 (Choe & Motoko, 2017). There are now dozens of the statues in Korea and six in other countries including U.S., Canada and Australia (Han & Griffiths, 2017). The statue is seen as an international humiliation for Japan and wishes to remove them, while South Korea views Japan's anger as another attempt to hide its past. Japan not only attempts to remove the statue within South Korea but also ones that are abroad. Japanese government filed a lawsuit in 2014 seeking to remove the statue in California. "The lawsuit was filed against the city of Glendale [...] The plaintiffs claimed the city unconstitutionally disrupted the US government's foreign policy and relationship with Japan" (Zhu, 2017). The supporters argued that "The Japanese government's recent involvement in a lawsuit demanding the removal of a comfort women memorial statue in Southern California is nothing but intimidation and an intentional downplay of the historical facts" (Zhu, 2017). Kim Eun-Sung, the artist of the statue also argued that Japan is overreacting. Kim argued: "Which part of a statue of a girl is harming Japan? It's a statue with a message of peace and for the rights of women" (Han & Griffiths, 2017). Kim argued that he never expected the statue, which was commissioned by a local civic group and paid for with donations, to cause diplomatic incident (Han & Griffiths, 2017). The Japanese government's frustration over the issue is clearly reflected from the following two terms of the 2015 agreement: 1. the removal of the statue and 2. to refrain from further criticisms in the international community.

#### **4.2. Understanding the Agreement in Regional Context**

This section seeks to study the perspective of regional powers- U.S. and China- regarding the 2015 agreement. First, this section seeks to focus on understanding the U.S. strategic interest over the region and the implication of the 2015 agreement for U.S. Then, China's position on the 2015 agreement is to be examined. China is not only one of the former victims of Japan's colonial aggression; one of the victims of sexual slavery, but the country shares a lot of common grounds with South Korea when it comes to historical issues with Japan. For China share historical affinity with South Korea, the two countries have been widely in support of one another in certain historical issues, such as the comfort women issue. Since China is also the major factors, which



influenced U.S. and Japan to push the 2015 agreement, China's position and opinions towards the issue and agreement is worthwhile to examine.

#### **4.2.1. U.S. Rebalance to Asia**

From 2011, the Obama administration took series of steps to expand and intensify its role over the Asia-Pacific region in goals to “pivot” and “rebalance” (Sutter, Brown, Adamson, Mochizuku & Ollapally, 2013). Explicitly identifying the region as a geo-strategic priority for U.S., the Obama administration began to pay higher levels of attention to the region (Sutter et al., 2013). To extend its influence over Asia is not something new for U.S. It had significant power and control over the region ever since the end of WWII. U.S. carried an extensive influence over the decision-making process across the region, more so in the case of Japan and South Korea- the two major allies of U.S.

The United States has had powerful national interests in the Asia-Pacific region since World War II and was deeply engaged in the region – militarily, economically, and diplomatically – throughout the Cold War. The post-Cold War administrations of presidents Bill Clinton and George W. Bush were actively engaged in Asia (Sutter et al., 2013).

Thus, the meaning of rebalance to Asia Pacific was not to restart and rebuild its influence over the region, but to prioritize and rebalance the already established relations with Asia (Sutter et al., 2013). The new U.S. commitment was driven from several factors. Largely, it was for the strategic reassurance in the face of rising and increasingly assertive China and to reassure U.S. allies of its commitment to the region (Sutter et al., 2013). The strategy also encompassed broader goal of U.S. foreign policy. The Obama administration tried to place more emphasis on Northeast, Southeast, and South Asia- parts of the world that will be growing strategic and economic importance in the first half of the 21st century (Sutter et al., 2013).

The new policy to rebalance toward Asia were based on the following two objectives: “to embed the United States more deeply in the world's most dynamic economic region, and to prevent a regional vacuum to be filled predominantly by China as it continues its rise” (Bader & Dollar, 2015). In result, there has been visible changes across the region, most notably in the military sectors:

The United States is shifting substantial military capacities from other theaters of operation to the Asia-Pacific and restructuring its regional security arrangements to generate more widely dispersed U.S. forces across the region. This has included high-

profile new military deployments to Australia and the Philippines, and has been accompanied by expanded security arrangements with regional partners which emphasize greater military integration (Sutter et al., 2013).

For security rebalance over the region, the U.S. Pacific Command conducted a robust exercise and engagement program focused on “maintaining a credible defense posture, strengthening relationships with our allies, expanding our partner networks, and preparing to accomplish the full range of military contingencies” (Saunders, 2014). This included eighteen major exercises involving joint military forces, inter-agency activities with thirty partner nations (Saunders, 2014). U.S. military forces also annually participated in more than 150 service exercises in the region (Saunders, 2014). The U.S. worked to reinvigorate and modernize relations with its treaty allies in the region, while also expanding military engagement with India, Indonesia, Vietnam, Singapore, Malaysia, Brunei, and other partners (Saunders, 2014). In 2015, the U.S. Navy also based fourth attack submarine in Guam and shifted six destroyers from Europe to the Asia-Pacific, in goals to increase the U.S. naval presence from fifty-two to sixty-two ships by 2020 (Saunders, 2014).

Although results have not been so successful, efforts have also been apparent in the economic field. The Trans-Pacific Partnership (TPP) agreement was in the process, which was considered one of the vital economic cooperation needed for the U.S. rebalance in the region. The agreement was held between 12 member countries, with U.S. and Japan being the largest winner if the agreement succeeded. If the TPP succeeded and many countries decided to join the agreement, China was to face the biggest loss in the region (Bader & Dollar, 2015). It was perceived as a project that could succeed the new objectives of U.S: “to embed the United States more deeply in the world’s most dynamic economic region, and to prevent a regional vacuum to be filled predominantly by China as it continues its rise” (Bader & Dollar, 2015). As of now, U.S. is no longer engaged in the TPP.

At last, there has been an intense U.S. diplomatic engagement in the region. “U.S. diplomatic activism has involved strengthening U.S. alliances; building deeper relationships with partners such as Singapore and India; deepening engagement with multilateral institutions; and managing the U.S.-China relationship” (Sutter et al., 2013). At the core of the U.S. political and security objectives, rested the goal to strengthen alliances with Japan and South Korea. The goal to strengthen the trilateral relations became ever more important as U.S. began its strategic rebalance to Asia.

Before the U.S. announcement to rebalance to Asia, China was already taking assertive actions across the region. China's assertive actions was particularly found in its maritime sovereignty claims in the South China Sea and East China Sea:

Sometimes China initiated contentious actions, such as increased patrolling in disputed waters; other times Chinese nationalists clamored loudly for strong reactions to actions by countries such as Vietnam, the Philippines, and Japan that challenged Chinese sovereignty claims (Saunders, 2014).

China also used economic coercion in some sovereignty disputes, including a temporary ban on exports of rare earths to Japan and import restrictions on Philippine bananas (Saunders, 2014). China also interfered with U.S. ships and aircrafts. In March 2009, Chinese paramilitary vessels attempted to snag the towed sonar array of the USNS Impeccable off of Hainan Island (Saunders, 2014). These actions stimulated U.S. strategic rebalance to Asia.

The U.S. rebalance to Asia, however, further escalated tension over the region:

While Obama tried to show balance at each stop, the security-dominated visit may have strengthened the widespread misperception among officials and the public in China that the United States is manipulating Asian countries, Japan included, to contain China's modernization and deny China what it considers to be its rightful place in the world (Hubbard, 2015).

China and North Korea both saw U.S. strategic rebalance as a threat to its own countries. Just within the month of April of this year, North Korea launched four ballistic missiles into the East Sea (Mody, 2017). China expanded its territorial claims and adopted more assertive actions towards maritime territorial disputes. "A harder Chinese line is evident in actions such as Beijing's November 2013 declaration of an Air Defense Identification Zone in the East China Sea and May 2014 oil exploration operations in disputed waters off Vietnam's coast" (Saunders, 2014).

#### **4.2.2. Understanding the Agreement in U.S. Perspective**

Securing relations with Japan and South Korea has long been part of the strategic goal of U.S. foreign policy:

As the Korean War made clear to U.S. policymakers, the United States' security commitments to the ROK and Japan are interlinked, both conceptually and operationally. The defense of Korea depends on the infrastructure of U.S. bases and other rear-area support in Japan, and Korea is the de facto front line, the strategic buffer, for the security of Japan (Sneider, 2016).

As mentioned several times throughout the paper, the establishment of South Korea-Japan diplomatic ties were only possible due to the influence of U.S. “The normalization of diplomatic relations between the ROK and Japan in 1965 was a milestone, accomplished thanks to the efforts of South Korean and Japanese leaders but not without behind-the-scenes U.S. mediation” (Sneider, 2016). The hasty normalization of relations without proper colonial resolution resulted in the present-day relations, where the two countries constantly quarrel over the unresolved colonial issues. This has led the U.S. to always play an arbitrator in the relationship of South Korea and Japan. The failure to adequately conclude the colonial wartime issues have burdened U.S. with long-term frustrations over dealing with the unresolvable historical issues of South Korea-Japan.

Amidst rising threats from China and North Korea where the trilateral alliance had to remain stronger than ever, South Korea and Japan remained increasingly reluctant to cooperate. The two relations were mired in controversy over range of historical issues, especially the comfort women issue. The plagued diplomatic relations prohibited even the modest trilateral efforts, particularly in the defense realm (Chanlett-Avery, 2017). As the Obama administration advanced its strategic rebalance to Asia, U.S. officials openly lamented the disconnection between South Korea and Japan, pointing out that it damaged U.S. security interests over the region (Chanlett-Avery, 2017).

The U.S. sees its alliances and emergent partnerships in Asia and the Pacific as integral to international security and to protecting American interests. These security ties enable the U.S. to continue to exert ample political influence in the region, even as established alliance bargains are undergoing ample change. It is through these relationships that the U.S. is able to extend its reach and influence well beyond the U.S. homeland. Without these alliance structures and other less institutionalized security partnerships, it would be impossible for the United States to sustain its political and security strategies (Pollack, 2016)

U.S. openly pressured both countries to reach an agreement on the comfort women issue, which was at the center of dispute. U.S. openly showed its frustration over South Korea by criticizing that it kept moving the goal posts on historical issues (Hyun, 2015). Even the first top-level meeting held between President Park and Prime Minister Abe was under the persuasion of U.S:

In March 2014, Barack Obama persuaded the two leaders to sit together in a trilateral setting on the sidelines of the Nuclear Security Summit in the Hague, which was the first top-level meeting between South Korea and Japan since Park and Abe took office. Soon thereafter, the United States successfully persuaded a reluctant ROK to join talks on a

trilateral arrangement for sharing military information, participate in trilateral defense ministerial meetings, and hold a bilateral summit meeting. is trend continued when the three countries signed a memorandum of understanding on sharing intelligence on North Korean issues in December 2014 (Sohn, 2016).

When the agreement was reached, U.S. hailed it as a breakthrough (Chanlett-Avery, 2017). “Washington was motivated by the desire to foster more effective trilateral security cooperation as part of its strategic rebalance to Asia” (Chanlett-Avery, 2017). Thus, the 2015 agreement was “the work of the trilateral relationship between Japan, the United States and South Korea, out of which the United States emerged as the biggest winner and South Korea the loser” (M. Kim, 2016).

#### **4.2.3. Understanding the Agreement in China’s Perspective**

While Japan have always firmly aligned with the U.S, South Korea have always refrained from taking sides and strived to maintain its balance between the two regional powers, U.S. and China. Although South Korea was bound to U.S. in security and political relations, South Korea increasingly maintained close relationship with China economically, culturally and historically. Also, China was a necessary negotiator when it came to dealing with North Korea. South Korea’s positive willingness to get closer to China has allowed the two countries to enjoy massive economic and socio-cultural cooperation. China and South Korea have also shared some levels of support when it came to historical issues with Japan for both countries were former victims of Japan’s wartime atrocities. Park Geun Hye administration enacted new policy effort to assure that the diplomatic relationship between the two matched their impressive economic relationship, which led many to wonder whether South Korea was tilting towards China (Friedhoff, 2017).

However, by the end of 2015, worries over South Korea tilt seemed antiquated due to the rapidly deteriorated relations of the two (Friedhoof, 2017). The reason for the worsened relations between the two is largely because of South Korea’s reassurance and commitment to strengthen trilateral alliance with United States and Japan. South Korea’s decision to further enhance the three countries’ strategic cooperation to contain North Korea angered China. South Korea’s siding towards U.S., in dealing with North Korea led China to suspend all major cooperation between the two countries. Against the background of intensively deteriorated relations between the two, it is noteworthy to recognize China’s response towards the 2015 comfort women agreement. This section first seeks to briefly understand the relations maintained by China and South



Korea, then seeks to study China's perspective over the 2015 comfort women agreement.

### **A. China-South Korea Relations**

Historically, China and Korea maintained close relationship for over thousands of years. Sino-Korean relations date way back to the time Korea began emerging as a unified state in the sixth century A.D. (Renner, 2006). Although Korea and China often accentuate their 2000 years of history when encouraging their relationship to grow, the current relations held by South Korea and China is one purely based on economic relations.

Despite the two countries' difference in ideologies and political systems, mutual economic ties enabled the two from enjoying strong and peaceful relationship. Ever since the normalization of relations in 1992, China and South Korea's bilateral economic relations developed dramatically. Trade and economic ties became the strong foundation of China- South Korea relations. After one year of normalization, China already became South Korea's third largest trading partner after the U.S. and Japan (Chong, 2007). In 2001, China became the number two destination for South Korean export; in 2003, China surpassed the U.S. as Korea's top export market; and in 2004, China replaced U.S. as South Korea's top trading partner (Chong, 2007). In total, from year 2000 to 2014, the trade amount between South Korea and China rose by eight-folds from \$31.2 billion to \$235.4 billion (Schott, 2015).

Although trade in the service sector remains much smaller than trade in goods, its growth has also been significant over the past two decades. The total bilateral trade in services increased from \$4.6 billion in 2000 to \$36.1 billion in 2014, growing on average 17% a year (Schott, 2015). More than six million Chinese tourists visited South Korea in 2014, an incredible year-on-year increase of 42% (Liu, 2015). China's inbound tourism from South Korea have also highly expanded. There was a total of 16.6200 million visitors from Asia in 2015 and most of them were from South Korea ("China Inbound", 2015). In terms of FDI, South Korean FDI abroad rose 349% in the past decade, and South Korean investment in China increased almost seven-fold (Schott, 2015). In 2014, China's share of South Korean outward FDI reached 18.4%, which amounts \$132 billion out of the total \$717 billions of FDI in China (Schott, 2015). South Korea and China also agreed on the free trade agreement (FTA). The FTA signed by South Korea and China governed almost \$300 billion in trade in goods and

services (Schott, 2015). The extensive economic interaction also led to active socio-cultural interaction. Tourism, education, and culture have been flourishing since the extensive people-to-people exchanges.

In 2012, people-to-people exchanges increased 50 folds from 13,000 in 1992 to 690,000 (J. Hwang, 2014). One of the major reasons people-to-people exchanges have intensified between two countries was due to the cultural phenomenon of “Hallyu.” Hallyu refers to contemporary South Korean pop culture that includes songs, films, and television dramas that have gained global popularity over the past decade (T. Wong, 2009). Hallyu had a significant impact on improving perception of South Korea in China. An article from the Korean Herald stated that the Chinese people felt closer to Korean culture thanks to access to pop culture, even if they have never been to the country (S. J. Lee, 2011).

However, the extensive economic, socio-cultural relations between the two turned for its worst as South Korea decided to strengthen cooperation with U.S. and Japan in dealing with North Korea. Over the past years, South Korea have constantly shifted its stance between the tougher “stick” approach of U.S. and softer “carrot” approach of China. South Korea have not always sided with U.S. when it came to dealing with the North. For example, “the Roh Moo Hyun government regarded trilateralism as a spoiler rather than a catalyst for denuclearizing North Korea” (Sohn, 2016). South Korea was also more willing to engage with North Korea under the Kim Dae Jung administration, which pursued the Sunshine Policy (Sohn, 2016).

Nonetheless, the Park Geun Hye administration thought it was time to take a tougher stance against the North. The former administrations’ efforts to contain North Korea through softer stance seemed to be ineffective in stopping the country from constant nuclear provocations. Thus, series of toughest sanctions began to be imposed on North Korea. The President Park called for U.N to implement “bone-numbing” sanctions (Tiezzi, 2016). She argued that these sanctions must be strong enough to change North Korea’s attitude (Tiezzi, 2016). As the trilateral cooperation strengthened, South Korea decided to deploy the American anti-missile system called Terminal High Altitude Area Defense (THAAD) to protect itself and the region from North Korea’s missile attack (Mody, 2017).

In the past, China constantly made it clear that it did not value South Korea’s role as a potential bridge in Northeast Asia (Friedhoff, 2017). Instead, it has exhibited blatant disregard for South Korean security concerns and even warned of the

consequences should Seoul defy Beijing's preferences (Friedhoff, 2017). As South Korea shifted its position to strengthen trilateral strategic cooperation with Japan and U.S., China responded in harsh economic coercions:

China has lashed out at high-profile Korean firms in entertainment, consumer goods, travel and the like. Lotte did not immediately return a CNBC request for comment. Also, this month, Beijing began impeding tourist travel from China to South Korea [...] Some estimates suggest that Beijing's travel ban could reduce the number of Chinese visitors to South Korea by up to 70 percent, resulting in billions of dollars in lost tourism-related revenue (Mody, 2017).

China, already furious over U.S. and Japan's intention to counter its regional influence, was angered by South Korea's decision to follow U.S. The action was depicted as joining the "U.S. plan to contain China." The action was seen as a betrayal and distrust. "Its biggest fear [...] is a unified, U.S.-allied Korea, with American forces directly on its border. In that case, given Washington's treaty ties with Japan on the east, and increasingly close relations with India to the west, China would feel itself encircled" (Mathews, 2017). South Korea's decision to deploy the THAAD was not seen as a means of national defense as South Korea contended, but it was rather seen as a threat to its own nation and split of South Korea from China: "On August 3, Beijing ribao depicted THAAD as not aimed at defending against North Korea, but rather splitting China from South Korea" (Rozman, 2016).

## **B. China's Perspective on the Agreement**

On top of strong economic and extending socio-cultural, there was one other important ties which bound China and South Korea together. When South Korea was in severe controversy with Japan on historical issues, China was often the supporter that held the common ground with South Korea against Japan. China often used common historical struggle as the card to tie itself to South Korea:

Beijing's dual focus on emphasizing Japanese atrocities during WWII and memorializing Korea's anti-colonial struggle against Japan has brought China and South Korea closer together in pursuing their mutual goal of countering the increasingly assertive and revisionist government in Tokyo. The strategy of highlighting the history of shared victimhood is effective because it carries currency in both countries where the people are already intimately familiar with the narrative. (Kwon, 2014).

This has especially been the case for the comfort women issue, which is one of the common Japanese colonial atrocities shared by South Korea and China.

Chinese comfort women have faced similar extremity of victimization as the South Korean comfort women, in not only the atrocities they faced in the comfort stations and in the trials of IMTFE but in the long-term silence they had to hold in the postwar period under China's dictatorial political system. The recent findings by Zhiliang Su and other Chinese researchers suggest that the commonly held total estimated numbers of 200,000 women detained during the war period do not reflect the large number of Chinese comfort women (Qiu, Su & Chen, 2014). They state that the number of women forced to become military comfort women from the Japanese army's occupation of the Manchurian area in northeastern China in 1931 to Japan's defeat in 1945, were approximately 400,000 (Qiu et al., 2014). While the exact number of Chinese comfort women is unknown, they argue that at least half of them were Chinese (Qiu et al., 2014). Studies prove that many of the Chinese comfort women were randomly kidnapped by Japanese troops (Qiu et al., 2014). Due to the lack of investigation on the part of the Chinese government and the IMTFE, Chinese comfort women case has also been hidden from the public for a long time. As in case of South Korea, the Chinese society, also under the strong influence of Confucian tradition pushed those women to hold their silence. The dictatorial communist political system further disabled those women from speaking out. Although sociopolitical environment has changed a lot over time, former Chinese comfort women were still reluctant to admit to having been raped by the Japanese troops and even those who have stepped forward are hesitant to have their stories published (Qiu et al., 2014).

In the end of 2015, the last surviving comfort women in China passed away. The lack of living victims actually allows China more leeway to decide when it is prepared to draw a line under the issue. (Mitter, 2017). Although China no longer has its own comfort women to avenge, it still maintains its position that Japan needs to issue an apology and provide compensation for all comfort women, regardless of nationality (Lin, 2016). Chinese state-run media also often calls "for Japan to apologize to and compensate comfort women of all nationalities" (Lin, 2016). Although not so successful, China also continues to fight for international recognition of its own comfort women by attempting "to have documents related to the comfort women issue inscribed in the UNESCO Memory of the World Register" (Lin, 2016). "During the Second World War, Japanese militarism forcefully recruited 'comfort women' across China [...] They have committed a grave crime. We urge the Japanese side to take seriously the concerns of the relevant parties and deal properly with the issue" said the Foreign

Ministry Spokesman Lu Kang (C. Wong, 2015). Unfortunately, seeking justice for Chinese comfort women is deemed to be far more difficult than South Korean comfort women. As seen from the case of Taiwan, most of the comfort women in countries other than South Korea face far more difficulties in reaching an agreement:

Unfortunately, comfort women in nations other than South Korea are unlikely to see any more Japanese money or an apology on the issue. Japan's chief cabinet secretary has announced that "Tokyo does not, in fact, intend to start a new round of negotiations with other countries based on the South Korea deal [...] Japan has dealt with the issue 'in a sincere manner considering each circumstance' in different countries." Japan believes that each country has a different situation that cannot be compared to South Korea's situation. By refusing to make any actions on an agreement, Japan is "impl[ying] some women are deserving of having their suffering recognized and acknowledged, while others are not." Japan's lack of accountability has widespread implications for women's rights. By refusing to own up to its historical actions, Japan is setting a precedent for those who continue to act violently toward women in warfare (Lin, 2016).

In the midst of China's own struggle against Japan for its formal compensation and apologies, South Korea and Japan announced that it reached the agreement on the issue. The response held by China was simply skepticism. "In China, many social-media users denounced Tokyo for what they saw as lack of contrition over similar historical wrongdoings on the mainland" (C. Wong, 2015). China denounced the deal, suggesting it did not go nearly far enough (Mitter, 2017). Zhan Debin, an expert on Korea at Fudan University in Shanghai, criticizes President Park that she sought to turn to the future to emphasize cooperation and accept U.S. push for trilateral security by abandoning the historical issue, which is contrary to the wishes of Korean citizens (Rozman, 2016).

Since the time Park Geun Hye began her presidency in 2013 until the agreement was made in 2015, China expected more positive outlook on the relations with South Korea. The country knew that in dealing with North Korea, South Korea was at the crossroad between reliance on U.S. for security; and maintaining China's economic and "trust" in diplomacy (Rozman, 2016). China anticipated that President Park would depart from U.S. and shift towards China:

Tang Yanlin and Bi Dabo at the same time optimistically anticipated new breakthroughs in Sino-ROK relations, balancing the ROK's ties with Beijing and Washington. They suggested that Park has already made the choice of abandoning heavy reliance on Washington, putting this in the context of the development of Sino-ROK ties since the time of bilateral normalization (Rozman, 2016).

However, the 2015 agreement and the decision to deploy THAAD revealed that the President Park was to prioritize security ties with U.S. With the common historical



issues held against Japan, China hoped that it could weaken the ties South Korea had with U.S., taking advantage of spillover from South Korea-Japan divisions (Rozman, 2016). While for South Korea, prioritization of trilateral strategic alliance was based on its decision to defend itself from North Korea's threat, China saw the action as the abandonment and refusal to side with China. China saw South Korea's decision to follow U.S. as a loss of its own battle against U.S and Japan; and the 2015 agreement as a reckless decision of abandoning historical issues over U.S. strategic purpose.



## **Chapter 5. The National Response of Japan and S. Korea**

### **5.1. The Public Perspective on the Issue**

This chapter seeks to study the public response of Japan and South Korea regarding the 2015 agreement. It proves that the South Korean public do not support the agreement and holds intense criticisms against the Park Geun Hye administration's decision. The 2015 agreement is considered an agreement which fails to reflect the opinions of the former victims and the citizens; thus, a failed agreement that is to be annulled. In contrast to the South Korean people, Japan's public opinion is rather supportive of its right leaning government position. The divided public opinions of two countries prove that the agreement will not lead both sides satisfied and the issue will remain an obstacle in the diplomatic relations of South Korea and Japan. The agreement has not only failed to resolve the issue but has further heightened distrust and frustration between the two countries.

#### **5.1.1. Public Response of South Korea**

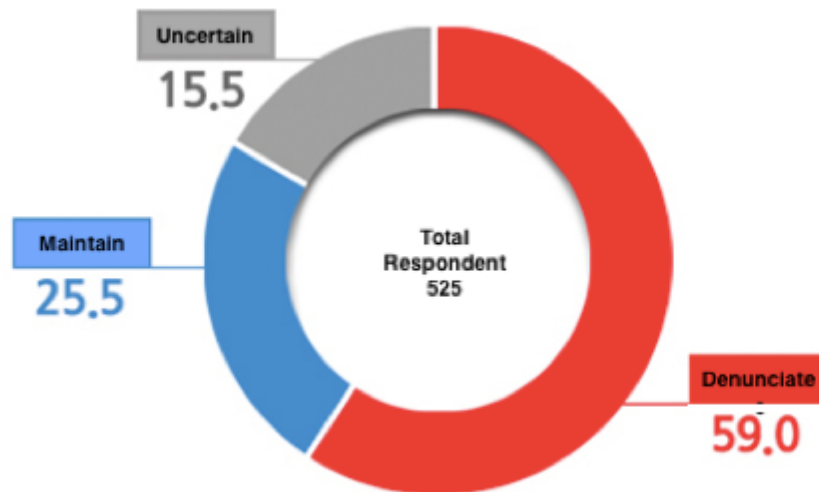
The comfort women issue has become a symbol of the sufferings and pains of the Korean people under the Japanese colonialism. It is a historical truth that must be justified and must never be forgotten as the citizens of South Korea. The inability of the Japanese government to properly reconcile led the issue to become the major factor, which influence public opinions against the Japanese government.

The Ianfu symbolize diverging perspectives to all parties concerned. For Korea, surviving Ianfu victims symbolize '... not only the degradation of the Korean people but also the collective wish to reclaim national sovereignty and integrity.' Thus, Korea is making efforts to reclaim this lost national sovereignty through popularization of the Ianfu issue. As such, Korea has utilized surviving Ianfu as a symbolic tool to bolster Korean nationalism and to remind Japan of its obligation to the Korean nation. For example, Korea raised the Ianfu issue to oppose Japan obtaining a permanent seat on the UN Security Council. (Orreill 2008).

The survey conducted by Real Meter shortly after the agreement was announced revealed a negative public opinion against the agreement. "According to the survey from Real Meter, 43.2% viewed it positively while 50.7% viewed it negatively [...] In general, conservatives evaluated the agreement positively whereas opposition or left-aligned groups remained fiercely critical" [Fig. 1-1] (Real Meter, 2015). The survey conducted a year later in December of 2016 reflected even higher percentage of negativity in the public opinion. Within a year, including the two months of South Korea's political turmoil regarding President Park's scandal, public negativity towards

the agreement has risen. The number of percentage that believed that the agreement should be voided rose to 59.0%, which was more than twice the number of 25.5% that believed the agreement should be maintained. The public's positive view on the agreement dropped significantly, while the negative view rose higher [Fig. 5-1] (Real Meter, 2016).

[Fig 5-1] 2016 Public Opinion on the Dec 28 2015 Comfort Women Agreement



Source: Real Meter (2016). 2016 Public Opinion on the Dec 28 2015 Comfort Women Agreement. Reprinted from *South Korea-Japan Agreement, must be Denunciated*, In *Real Meter*. Retrieved from <http://www.realmeter.net/2016/12/한일-위안부-합의-파기해야-한다-59/>

The comfort women statue placed in front of the Japanese Consulate in Busan also reflect strong disapproval of the South Korean public against the 2015 agreement. A poll has found that “76 percent of South Koreans oppose removing a statue of a girl symbolizing the ‘comfort women’ in Seoul, no matter whether Japan implements an accord with their country” (“76% of People”, 2016). South Korean public thinks that the President Park forced a deal by abandoning national history and justice.

The sensitivity of the comfort women issue for South Korean public is reflected even from the polls conducted in 2007. In the 2007 popularity poll against global leaders, which included Hu Jintao in China (19.8%), Bush administration in U.S. (13.4%), Putin in Russia (12.7%) and Kim Jung Il in North Korea (10.1%), Prime Minister Abe had the lowest rating of 2.3% (Real Meter, 2007). This is highly due to the speech given by Abe in that same year, in which he denied of the use of coercion in sexual slavery (Real Meter, 2007). It was even a lower rate than the 3.3% marked by former Prime Minister Junichiro Koizumi (Real Meter, 2007). After 7 years, in the bi-

monthly survey of leader ratings conducted by Asan Institute for Policy Studies in Seoul, Prime Minister Abe again marked the lowest rating, a rating even lower than the current North Korean leader, Kim Jung Un. “The North Korean leader had a rating of 1.3 on the survey’s 0-10 scale, compared with 1.1 for Mr. Abe. Of those questioned in Asan’s March 3 phone survey of 1,000 people, 61% gave Mr. Abe a zero rating, compared with 58% for Mr. Kim” (Panda, 2014).

The South Korean media, civil society and the public all reflect high levels of negativity towards the 2015 agreement. The agreement that fails to carry true historical reconciliation purpose can never be accepted by the nation as a whole. The high level of national unacceptability is even found from the recent presidential election held in 2017. All the top five leading presidential candidates of South Korea pledged to renew the comfort women agreement. As soon as Moon Jae In, the newly elected South Korean president of this year, took the office, he told Japanese Prime Minister Abe that “The reality is the majority of our people cannot emotionally accept the comfort women agreement” (Griffiths, 2017). Moon also emphasized that “the two sides should work together based on understanding of the emotions and reality of the people” (Griffiths, 2017). The wide dissatisfaction over the 2015 agreement is also one of the leading reasons for the high disapproval rate of president Park Geun Hye near the end of her terms. “A Gallup Korea survey of 1,021 adults conducted nationwide on January 5 and 7, 2016 linked President Park Geun-Hye’s handling of the comfort women agreement with Japan to her fall in popularity. Her ruling conservative party was defeated at a general election in April 2016” (Hein, 2016). The deal was considered a sellout of the national history and dignity for diplomatic and geopolitical purpose: “...Critics in the media and civil society described the deal as Park effectively selling out the dignity of survivors of wartime sexual slavery for short-term diplomatic and geopolitical gain” (Panda, 2017b).

“This week showed that the premature conclusion of an agreement on the issue without public support, especially in South Korea, may doom the 2015 “comfort women” deal to unravel” (Panda, 2017b). The recent controversy over the statue -high levels of resistance from the South Korean public against the removal of the comfort women statue and Japan’s assertive actions of recalling its envoys in response- reflects worsening of the diplomatic relations and intensified tensions between the two countries. The agreement not only failed to solve the issue but instead intensified diplomatic disputes between the two countries.

### **5.1.2. Public Response of Japan**

South Korea and Japan both believe that the comfort women issue is one of the greatest obstacle in the development of their relationship. In the 2015 poll carried out in both countries, “When asked what constitutes the greatest hindrance to development of the relationship, 63 percent of Koreans and 58 percent of Japanese identified the comfort women issue” (Genron NPO, 2015). Although both countries want the issue to be resolved, there is a clear difference in the way two countries want the issue to be resolved. This section seeks to study the public response of Japan over the agreement and the issue. This thesis finds that Japanese public is more in support of the right leaning government. While one of the major reasons of Japanese right leaning national response is due to active right extremists’ influence in various sectors across the nations, another important factor is the Japanese distinctive socio-cultural factor. It is found that Japanese hold different perception towards their colonial history and their past wrongdoings, which disables them from facing its past as the Germans. Thus, following a brief study of the public response, this section seeks to understand the Japanese public opinion by studying the comfort women issue from Japanese socio-cultural context.

#### **A. Right Leaning Public Perspective of Japan**

In contrast to the negative public opinion held by South Korea against the 2015 agreement, the survey carried out in Japan rather showed positiveness. In the survey by the Genron NPO, 47.9% of Japanese respondents said they support the deal, while 20.9% disapproved of the agreement (Hein, 2016). It is not only regarding the 2015 agreement, but the Japanese public opinion regarding the “acknowledgement of coerciveness in sexual slavery” differentiates from South Korea. In a lot of ways, the Japanese public is supportive of the right-leaning Japanese government. In regards to the Kono statement, which acknowledged the coerciveness of the comfort women system, higher percentage believed that it should be revised:

In February 2014 poll conducted on behalf of the right-leaning Sankei daily newspaper, with a circulation of 1.7 million copies, for example, a high percentage of respondents in Japan stated that they would be in favor of a revision of the Kono statement, which acknowledged the coerciveness of the comfort women system (Hein, 2016).

The difference in the public perspective of two countries raise further concerns that the comfort women issue will continue to remain unresolvable in the foreseeable future.



The right-leaning public opinion in Japan should be understood in the wider context of right extremists influence over the country. The right extremists are expanding its influence not only within the government but over the education sector and even in the media. Eriko Ikeda, the chair of the Steering Committee of the WAM argues: “the media is becoming more right, and politics are also becoming more nationalistic. I feel that Japan is becoming a country that hides information and does not tell and report the truth” (Nakayama, 2013). In the government, Japan seems to have reverted to one-party government (Cortazzi, 2014). In the education sector, the right extremists are constantly asserting its heroic and victimized rhetoric on history textbooks. “In the eyes of Japanese right-wing nationalists, the only crime committed by Japan’s military leaders was that they failed. The rightists lack ethical principles and are opposed to democratic institutions” (Cortazzi, 2014). At last, there has been constant pressure from the right extremists even in the media. The media that used to be politically neutral increasingly assert tones of the right extremists.

On Oct. 18 it was reported that NHK, in a notice to journalists on its English-language services, had banned any references to the Nanking massacre and to the Japanese use of “comfort women,” the euphemism used for sex slaves. NHK is supposed to be like the BBC and to be both politically neutral and objective. Under the direction of Katsuto Momii it seems to have been turned into a tool of the Japanese government. As professor Koichi Nakano has apparently said, it looks “increasingly like a mirror of CCTV,” China’s state broadcaster (Cortazzi, 2014).

The right extremists are not only threatening the country’s democratic practice but it is blocking and interrupting the country from building more respectful and trustful image to its surrounding countries, especially South Korea.

## **B. Japanese National Response from Socio-Cultural Context**

The reason behind high levels of Japanese public in support of right leaning Japanese government is due to the expanding influence of Japanese right extremists in various sectors across the nation. The right extremists have educated and influenced its thinking over the public through governments, media and education. However, there is another important factor that needs to be recognized in order to understand the overall right leaning national response held in Japan. In order to understand the different response held by the Japanese public over the issue, the issue needs to be understood from Japanese unique socio-cultural context.

For the Germans, confronting the past and making apologies to its former

victims was seen as an inevitable process of recovering post-war national dignity (Hashimoto, 1999). “Examining the past is indeed personal, grounded in the examination the self and the evil within the self. As such, it is recognizably an act that requires much courage, integrity, and maturity to accomplish [...] examining the self can enhance one’s standing, and command the respect of others” (Hashimoto, 1999). To self-examine oneself of the past and to repent over past mistakes was seen as a necessary step to move on from the past. “Germans have chosen to confront the past directly as their strategy for moral recovery, in part because, for them, the very act of self-examination is praiseworthy and evidence of moral responsibility” (Hein & Selden, 2000). However, for Japanese, this cultural and moral concept does not exist. “In Japan, confronting the past does not necessarily connote a person of dignity, honor and learning. One may think about the past all one wants, but this act does not command special respect or social rewards. [...] If anything, esteem is due to those who have the courage to cut off and disown the past” (Hashimoto, 1999). The notion to examine oneself of the past carries no cultural legitimacy in Japan (Hashimoto, 1999).

Gattig provides following examples to show the different cultural perception between Germany and Japan. In the 60s and 70s, young Germans began rejecting their parents and to what they stood for (Gattig, 2015). “It was a clash of generations, with the young demanding from their parents that they come clean about who they were. It was a ruthless- at times masochistic- picking at scabs, an angry attack cutting deeply into personal shame” (Gattig, 2015). In Japan, younger generations would not demand accountability to their elders. “The culture abhors confrontation. Consideration for others demands that you sense their shame, and lay off. This leaves most Japanese at a loss when confronted about shame from outside. It is felt as a breach of tact- they have no cultural tools, emotionally or rhetorically, to respond” (Gattig, 2015). During the 1960s unrest, Japanese students also challenged authority but they would spare their own parents by not mentioning the sins of the past (Gattig, 2015). This is the reason why increasing numbers of Japanese believe that they have made enough apologies and Koreans fail to move on from the past. Many Japanese have come to feel that the Koreans take up the historical issues too often and politicize them in an inappropriate manner (Matake, 2000).

## **5.2. The Worldwide Supporters of the Comfort Women**

The study on public opinion have not been much helpful in positing hopeful outlook on the possibility of successful reconciliation. However, there are still large groups of people in both countries that have not given up hope and made endless efforts over the past decades for proper reconciliation in support of the comfort women. It is the efforts of those supporters that the comfort women issue is now largely recognized around the globe; and it is those efforts that have constantly pushed the former victims to continue fight for justice.

The supporters of the comfort women first include the civic organizations not only in Japan and South Korea but around the globe. They have done great contributions in helping the former comfort women; to support them in speaking out publicly, to raise awareness of the issue and to pressure the governments into making proper reconciliation. They have done more than what the governments in both countries have done for the victims. Those organizations, however, would not have been established and expanded if it weren't for the efforts and sacrifices of many scholars and reporters. Those groups of people have been the sole supporters of the comfort women in fighting against the issue, in speaking out the truth and in healing the wounds of the former comfort women. This section seeks to study the efforts and process of worldwide supporters of the comfort women.

### **5.2.1. The Comfort Women Activists in Japan**

As mentioned in the previous chapters, the comfort women issue was first disclosed to the public not in South Korea but in Japan. The truth regarding the comfort women issue first emerged in Japan on 1962 when Senda Kako, a journalist researching the war, uncovered a previously censored wartime photograph (Sikka, 2009). After years of research and investigation on the comfort women system, Kako published his book to the public in 1978 (Koh, 2007). More people began to actively investigate and study the issue within Japan after it has been publicly disclosed by the efforts of few historians, scholars and former victims. In 1990, Motooka Shoji, one of Socialist members of the House of Councilors of Japan, requested that the Japanese government investigate the comfort women case but the government refused this demand (Koh, 2007). The study on the issue became more active starting from the 1990s, as the issue

became widely recognized in South Korea with the testimony of former comfort women.

It was also the efforts of Japanese historian, Yoshimi Yoshiaki that allowed the Kono Statement to be possible in 1993. Another important scholar that needs to be recognized is Uemura Takashi, a former reporter of the *Asahi Shimbun* and currently an adjunct lecturer at Hokusei Gakuen University in Sapporo (Takashi, 2015). In 1991, when Takashi was a reporter for the *Asahi Shimbun*, he wrote two articles on Kim Hak-Sun. Because of these two articles, Uemura has been the target of denunciations by the right extremists (Takashi, 2015). He has then been labeled as the reporter who fabricated the comfort women issue and denounced as a traitor (Takashi, 2015). “Attacks against him became more severe after 2014, to the extent that he and his family risk losing their right to a livelihood” (Takashi, 2015).

Most of the Japanese former comfort women remained silent because of the dichotomy of virgin/prostitutes stressed by the comfort women redress movement in the early 1990s (Kimura, 2016). “As they were supposed to have worked as prostitutes or to have been sold into prostitution, it was likely that they did not consider themselves as deserving victims” (Kimura, 2016). However, there were still few Japanese comfort women, who spoke publicly about their experiences. “Shirota Suzuko strove to make her voice heard to convince the government to build a memorial for comfort women. Although her wish was granted and a memorial was built, her story never reached society properly” (Yamashita, 2009). Shirota Suzuko is one of the few Japanese comfort women survivors who was active in publicizing her biography in Japan. She recounted her experience to newspaper reporters, went on radio, and raised money to build a modest memorial shrine in Japan to victims of the military system (Norma, 2016). The shrine remains in Chiba prefecture near the women’s shelter where Shirota lived from 1965 with other survivors of prostitution (Norma, 2016). Before she died in 1993, she quoted in a newspaper expressing happiness that South Korean comfort women had spoken out publicly (Norma, 2016). Although her story hardly reached the society at the time, her biography now contributes widely in strengthening the support base for comfort women. It is never easy to speak up against its own nation about the ugly atrocities that have been committed by their own people. It is those efforts and courage, which adds up to the process of reconciliation.

With the investigation of numerous historians and scholars, many civic organizations have been established in Japan. There are currently seven major NGOs

that are working on the comfort women issue within Japan: The Women's Active Museum on War and Peace (WAM), the Hainan Net, the Women's Action Network (WAN), the Asia-Japan Women's Resource Center (AJWRC), and the Peace Boat, the Violence Against Women in War-Network Japan (VAWW-NET Japan) and the War Responsibility.com (Nakayama, 2013). Many of those activists believe that reconciliation with right extremists is not a practical way to resolve the issue (Nakayama, 2013). In difficulties facing the rightist political trend within the country, Japanese activists used the help of various international organizations, such as U.N., the International Labour Organization, non-governmental organizations, labor unions and professional organizations in trying to change their government's position on the issue (Koh, 2007).

Ikeda says: "We need to use global pressure. We try to change our government by using pressure from victim countries, other countries, and the international organizations" (Nakayama, 2013). Nohira, the executive for Peace Boat also states, "We need international pressure because the Japanese government does not respond to domestic pressure" (Nakayama, 2013). The Japanese activists also use the strategy to strengthen the South Korean government's pressure on the Japanese government by strengthening the global pressure (Nakayama, 2013). They also try to raise awareness within the country for majority of the Japanese people have misunderstanding or little knowledge over the issue. Nohira states that the strategy is to speak to the majority of people who do not know the issue and to get their support: "To solve this problem, the most important thing is to call on the majority of the public who is indifferent to this issue" (Nakayama, 2013).

Many Japanese comfort women supporters have also made unceasing efforts in directly pressuring its own governments. For instance, in recent years, prior to the 70<sup>th</sup> anniversary of the end of WWII, nearly 200 scholars, journalists, lawyers and rights activists signed a statement urging Prime Minister Abe to renew apologies for the country's imperialist past and offer to compensate former comfort women ("Scholars Urge," 2015).

The Japanese public tend to hold more right leaning perspectives due to the ever-expanding right extremists influence across the nation. However, it is important to recognize that there are also progressives within Japan who are highly in support of the comfort women. Those groups of people believe that Japan has committed war crimes and believe that the Japanese government should take proper responsibility over



the crimes. It is the efforts of those groups of people that builds hope in the reconciliation process.

### **5.2.2. The Comfort Women Activists in South Korea**

Due to the colonial legacy of state involvement in the promotion of sex tourism; the male-centered, authoritarian political system; and patriarchal socio-cultural structure in the country, the issue was extremely difficult to be disclosed within South Korea in the beginning. It was an uncomfortable issue that many preferred to avoid. The comfort women issue was disclosed in South Korea as the feminist movement gained some strength under the democratic reform. “Having successfully protested against police sexual abuse of women political prisoners, and having developed a network to support the women raped or abused, South Korean feminists gradually moved on to direct their attention to the issue of comfort women” (Nozaki, 2001). It was the efforts of few feminist scholars and small-scale women’s NGO that allowed the issue to become one of the central issues that is to be addressed by the government. They played crucial role while historians and other established social or academic organizations were virtually silent or non-involved (B.S. Yoon, 2010).

The development of organizational investigation regarding comfort women started taking actions since the 1988 when a number of local women’s groups, (the KCWU, the Korean Women’s Associations United, the University Women Student Association) issued a joint public statement requesting then President Roh Tae Woo to raise the comfort women issue to Japan during his forthcoming state visit to Japan (B.S. Yoon, 2010). Soon after, a research unit was created within the KCWU in July 1988 (B.S. Yoon, 2010). In 1990, Yun Chung-Ok, a professor at Ewha Womans University published series of reports in major South Korean newspaper based on her interviews with surviving former comfort women living in Japan, Thailand, and Papua New Guinea (Nozaki, 2001). This was also around the time when issues of women’s human rights, including wartime violation of those rights, were widely raised in the international field with the expansion of international women’s movements (Nozaki, 2001).

In June 1990, the administration headed by Prime Minister Toshiki Kaifu, dismissed the request for an investigation of the comfort women issue made by a Diet member of the Japan Socialist Party, then the major opposition party (Nozaki, 2001). The government stated that the private business had been the perpetrators, suggesting

that there was no involvement of the state or the military in the case (Nozaki, 2001). The first denial of the historical fact by the Japanese government led to the watershed moment in the history of the Korean women's movement (Tsukamoto, 2017). In June 1990, an independent organization, the Korean Research Group of Women Drafted for Military Sex Slavery by Japan (the Korean Research group) was established followed by the creation of the Korean Council for Women Drafted for Sexual Service by Japan (the Korean Council) in November 1990 as an umbrella organization of various South Korean women's organizations (B.S. Yoon, 2010). Enraged by the denial, the organization sent an open letter to the Japanese Prime Minister Toshiki with six point demands:

The six points included the recognition of the forced draft of Korean women as "comfort women," a public apology, the full disclosure of all the barbarities, a memorial for the victims, compensation for the survivors or their bereaved families, and last, the inclusion of the "comfort women" accounts in history education in Japan (Oh, 2001).

The Korean Council initiated research by collecting the testimonies of the survivors, retrieving public records, and facilitating the availability of information amongst academics (Tsukamoto, 2017). "It was hoped that the issue might be resolved by disseminating the historical truth" (Tsukamoto, 2017).

With the early development of South Korean women's activism, the first former comfort woman Kim Hak Sun provided her testimony to the public. Kim filed a lawsuit against the Japanese government with the Tokyo District Court asking for a formal apology and compensation on December 6, 1991 (Nozaki, 2001). The lawsuit was supported by number of feminist groups in Japan (Nozaki, 2001). Kim's public testimony raised many scholars and historians in South Korea and Japan to investigate the issue. Since then, the comfort women issue has become the central issue addressed by the governments on both sides. Both the Japanese and the South Korean governments could no longer avoid the issue. The South Korean government who constantly withdrew from addressing the issue to avoid damaging the bilateral relations now formally began to request the Japanese government to conduct investigation into the comfort women system (Oh, 2001).

### **5.2.3. The International Comfort Women Activists**

The disclosure of the issue in both countries also drew wide international attention and support. A Washington, D.C.-based organization, The Washington Coalition for Comfort Women Issues (WCCW), was established in December 1992

(Oh, 2001). It was not only the investigation of Yoshimi Yoshiaki but numerous disclosures of documents “by the newspaper such as Asahi Shimbun, by women’s groups, by former Japanese military personnel, and by Grand Goodman, an American university professor who submitted a long-neglected document, as well as the United Nations taking up the issue” within the period of another year and eight months that finally led the Japanese government to admit its “unspecified role in the military brothels” in 1993 (Oh, 2001). Since then, range of organizations within Japan, South Korea and in the international fields gathered to push the Japanese government in making official apology and reparations. By 1994, the International Commission of Jurists already concluded in a special report:

It is indisputable that these women were forced, deceived, coerced and abducted to provide sexual services to the Japanese military... [Japan] violated customary norms of international law concerning war crimes, crimes against humanity, slavery and the trafficking in women and children (Oh, 2001).

Even in 2015, U.N. Committee against Torture also called on Japan and South Korea to revise the agreement. U.N. panel argued that the agreement should be modified to “ensure that the surviving victims of sexual slavery during WWII are provided with redress, including the right to compensation and rehabilitation and the right to truth, reparation and assurance of non-repetitions” (“UN Panel”, 2017).

Many other countries of former victims have also raised voices against the Japanese government for proper reconciliation. In Taiwan, there has not been much progress from the government, but there have been apparent efforts from the non-government organizations in helping the comfort women and in raising awareness of the issue. The Taipei Women’s Rescue Foundation (TWRP) is a non-profit organization formally registered in 1987 that provided legal counsel and psychological support for the victims (About TWRP, n.d.). TWRP raised awareness through production of documentary and establishment of museum. The document by TWRP is produced under the following framework:

The Song of the Reed, produced by TWRP last year [...] instead of focusing on the darker aspects of the women’s experiences or getting mired in controversial historical details, the documentary focuses on the therapy that the women went through and the courage with which they confronted their horrific pasts, putting a personal touch on a terrible story. This framing likely makes it more palatable for Japanese audiences to take away the key message – that this is an important lesson to remember so we, as humanity, never commit the same crimes against women again (Pollmann, 2016b).

In China, since the death of last surviving comfort women, rather than active fight against the Japanese government, China has instead concentrated more on raising the awareness of the issue under actions such as building of “comfort women” memorial in Nanjing (Mitter, 2017). The civic organizations from China also collaborated together with South Korea to erect two statues of a Korean and a Chinese girl at a park in northern Seoul to memorialize Korean and Chinese comfort women (“Statues Honoring”, 2015).

Despite decades-long pressure from all around the world, the Japanese government stubbornly remain reluctant to acknowledge its past until today. However, it is the endless and unified efforts of those supporters across the world that strengthen the voices of the former victims. Raising public awareness is the least we can do for the former victims and a step that is necessary to remember the history and strive for justice.



## **Chapter 6. Conclusion**

### **6.1. Research Findings: Why the Issue Failed to be Resolved**

This thesis was to study the issue from historical and regional perspective. In studying the issue from historical and regional contexts, this thesis revealed range of perspectives held by the comfort women; governments of South Korea and Japan; two regional powers, U.S. and China; citizens of South Korea and Japan; and the supporters of comfort women.

Regarding the 2015 agreement, the South Korean public and the former comfort women have shown intense anger and criticisms towards the agreement. It was considered a sellout of national dignity and history over geopolitical and diplomatic purpose. The 2015 agreement intended for the comfort women was agreed solely by the two governments on “final and irreversible” ground without any consultation with the former victims. It did not encompass any of the demands of former comfort women. It did not include official apology accompanied by the Cabinet or Diet. It did not include formal compensation to the victims. It did not reiterate any of the historical facts regarding the issue, such as the “use of coercion.” This thesis proves that the 2015 agreement was not an agreement of sincere reconciliation but one based on strategic and diplomatic purpose.

The failure of the comfort women agreement should be understood from the wider context of understanding the bilateral relations of Japan and South Korea. The relations of Japan and South Korea have always been a troubled one that was plagued by historical issues. The reason why the two countries is still struggling over the historical issues is because none of the historical issues have been properly resolved at the end of colonialism. The IMTFE trial was held in the midst of Cold War. For Japan was the partner that was to be secured by U.S. as Allies, to combat against the spread of communism, U.S. strived to avoid extensive punishments against Japan. In the case of Germany, the U.S. and its Allies took certain “denazification” measures to remove the Nazi influence that prevailed over the nation. This included actions such as disciplining and educating the citizens on the war atrocities their country has committed. The Germans were taught of the unknown atrocities that were committed by their own people through media and education:

The Psychological Warfare Branch of the United States Army, being charged with the control of public information in Germany, undertook a campaign through Radio Luxemburg, the controlled German-language press, and special posters and pamphlets



to acquaint the German people with the extent and nature of concentration-camp atrocities. The development of a sense of collective responsibility was considered a prerequisite to any long-term education of the German people (Janowitz, 1946).

Such efforts never took place in Japan. The IMTFE trial itself was a court for U.S. The result of the trial was swayed by the Cold War intention. Without proper justice served, Japan was released to re-start its post-colonial reconstruction of the nation. The Japanese colonial issues were left unresolved without proper apologies and compensation measures carried out to its past victims. A proper reconciliation process with former victims was an inevitable process for Germany in rebuilding itself and regaining international acceptance. However, this was an unnecessary task for Japan. While U.S. prioritization of regional strategic purpose is the major reason in the failure of the trial regarding the comfort women issue, there are also sexual, class and racial discrimination factor against the issue which further prohibited the issue from seeking proper justice.

It was under this Cold War circumstances that U.S. continued to pressure both countries in making bilateral relations. The 1965 treaty was settled amid pressure from U.S. during the Cold War era. Identical to the 2015 agreement, the 1965 treaty was reached at the grounds of 'final and irreversible' condition, without taking the public or the victims' opinions into consideration. President Park Chung Hee prioritized national economy and security over the country's history and national dignity. This raised enormous national outrage but was silenced under militarism. Even after the administration of Park Chung Hee, South Korean governments continued to prioritize economic and strategic purpose over historical issues. The authoritarian political system increasingly left historical issues unresolved.

The comfort women issue was further marginalized not only because of the male-centered authoritarian political structure but also because of the strong patriarchal socio-cultural structure of South Korea. Under South Korea's particular political and socio-cultural environment, former comfort women have suffered extended marginalization and victimization. For decades, not only the Japanese government but the government and socio-cultural structure of South Korea failed to help the former comfort women.

With the democratic reform in South Korea, women's activism began to expand in the country. It was around this time that women's movements also began expanding in Japan and across the world. The South Korean government and feminist

activists increasingly began to pressure the Japanese government to acknowledge; and to make formal apology and compensation. The situation not only frustrated the Japanese government but also the Japanese public. Moreover, Japanese governments' constant attempts to hide its past, denial of its past wrongdoings and failure to properly make reconciliation further raised anger among the former comfort women and their supporters. Japanese governments' constant apologies accompanied with actions that contradict the words have permanently disabled South Korean people from trusting the Japanese governments. For decades, the issue remained unresolved and has become the permanent barrier between the two.

In the midst of the two country's constant quarrels over the issue, there were expanding regional threats from North Korea and China. China, was especially enjoying the incompatibility of Japan and South Korea over the historical issues. Meanwhile, recognizing the arising threats from North Korea and China, U.S. wished to re-enforce its influence and power over the region to "rebalance" Asia. When cooperation was strongly required from the two closest allies of U.S. -Japan and South Korea- the two were mired in historical controversies. This led U.S. to once again push both countries into resolving the issue. U.S. has always been the arbitrator of the two countries ever since the end of the WWII. The establishment of the bilateral relations of South Korea and Japan; the trilateral relations of U.S.-Japan and South Korea; the 2015 agreement are found to be all based on the U.S. regional strategic purpose.

This thesis reveals that there are range of factors which have contributed to the failure of resolving the comfort women issue. There are sexual, class and racial discrimination factors against the issue; South Korea's particular socio-cultural, political structure; Japan's socio-cultural, political structure. However, out of all those reasons, prioritization of U.S. regional strategic purpose has been the major factor, which failed to bring proper justice and reconciliation over the issue.

The 2015 agreement was a hasty decision arrived from the pressure to prioritize strategic purpose over historical issues. It is proven from the past agreements that any historical agreements that fail to reflect opinions of the victims and the public; the agreement that lack the purpose of sincere reconciliation only result in worsening of the relations. It only deepens the roots of the unresolved issue. The 2015 agreement not only failed to resolve the issue but only intensified tension and anger between the two countries.

## 6.2. Future Prospect and Suggestions

The study of the 2015 comfort women agreement reflects little hope in the reconciliation process between South Korea and Japan. The agreement not only failed to resolve the issue but failed to satisfy both parties. It not only raised tension between the two countries but has worsened the diplomatic relations of the two. This thesis proves that no historical wartime agreement could be settled over a single agreement and no agreement can be successful without reflecting the demands of the victims. As seen from the case of Germany, historical issues are only resolved through constant and endless efforts in goals to seek even a minor progress of reconciliation; a reconciliation purposed to achieve the demands of the victims. As Gardner- Feldman argues, there is no foreseeable end to reconciliation but it is an ongoing process and it never ends (Rienzi, 2015). Thus, the comfort women issue will continue to remain unresolved, unless Japanese government take actions and efforts as the German government. However, this is highly unlikely to occur.

In this case, the only way to make the reconciliation efforts more hopeful is to strengthen the leftist and supporters of the comfort women not only within Japan but across the world. There needs to be constant efforts in raising awareness of the issue and expanding the support base of the comfort women. The bottom-up grassroots approach provides more positive outlook in the reconciliation prospect. The supporters of the comfort women in both countries and around the world have put enormous efforts in pushing for proper reconciliation. While there has not been much progress from the government level, activists and scholars in support of the comfort women have made endless efforts in seeking justice. The expanding support base of comfort women and heightening interest over the issue exerts immense pressure on the Japanese government. In the endless road to seek justice, those efforts may someday push for sincere reconciliation.

Meanwhile, the South Korea and Japan should strive to build more closer relationship in other sectors. While the two countries were increasingly reluctant to move along historically, both enjoyed more positive relations economically, culturally and socially. Since the establishment of diplomatic ties in 1965, cooperation in other fields increased and deepened between the two countries. In 1965, the bilateral trade between the two countries was only \$240 million (C. Park, 2009). The bilateral trade amount in 2011 was \$108 billion (“S. Korea’s Trade”, 2015). In 1965, the number of

people visiting the other country was approximately 10,000 (C. Park, 2009). In 2016, 2.30 million Japanese tourists visited South Korea (“Growth Rate”, 2017). The number was an increase of 23.4% from the declines for three consecutive years (“Growth Rate”, 2017). In 2015, when the agreement was announced, 5.09 million South Korean tourists visited Japan, which was an increase of 27.2% from the previous year (“Growth Rate”, 2017). This shows that close relationship could be maintained despite historical controversies. The “Hallyu” that is prominent in the socio-cultural ties of China and South Korea, is also evident in the South Korea-Japan relations:

The Korean Wave craze has expanded to Korean traditional culture, food, literature and language, creating more and more enthusiasts. According to the latest figures, there were 987 *hallyu*-related organizations as of July 2013 with a combined membership of 9 million people (“Hallyu”, 2017).

The cultural ties help to build more positive image of one another and enhances public opinions over the other. Following the March 2011 triple disasters in Japan, South Korea sent a recovery team and many K-pop stars who had won popularity in Japan were prominent donors to the relief effort (Glosserman & Snyder, 2015).

In certain times, historical issues often disturb the closer ties maintained in other sectors, but overall, those ties based on common interests were able to balance the relation collapsing from historical controversies. Thus, it is important to sustain those ties in order to avoid further breakdown of the relation between South Korea and Japan.

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## Illustrations

*Figure 1-1.* 2015 Public Opinion on the Dec 28 2015 Comfort Women Agreement. Reprinted from *Japanese Military Sexual Slavery Agreement, Good 43.2% vs Bad 50.7%*, by Real Meter, 2015. Retrieved from <http://www.realmeter.net/2015/12/일본군-위안부-합의-잘했다-43-2-vs-잘못했다-50-7/>

*Figure 2-1.* 1877 Statement Regarding Takeshima (Ulleungdo) and Dokdo. Reprinted from *The Truth: Dokdo is Korean Territory*, by Dokdo Research Institute,

2008. Retrieved from [www.dokdohistory.com](http://www.dokdohistory.com)

*Figure 4-1. Batavia Trial Evidence #25. Reprinted from Despite Official Document of Japanese Military's Forced Recruitment of Comfort Women, Japan's Denial "No Direct Evidence" by YonHap News. 2017. Retrieved from <http://www.yonhapnews.co.kr/bulletin/2017/04/19/0200000000AKR20170419096800073.HTML?input=1195m>*

*Figure 5-1. 2016 Public Opinion on the Dec 28 2015 Comfort Women Agreement. Reprinted from South Korea-Japan Agreement, must be Denunciated, by Real Meter, 2016. Retrieved from <http://www.realmeter.net/2016/12/한일-위안부-합의-파기해야-한다-59/>*

*Map 2-2. The Map of Japan in San Francisco Peace Treaty. Reprinted from The Truth: Dokdo is Korean Territory, by Dokdo Research Institute, 2008. Retrieved from [www.dokdohistory.com](http://www.dokdohistory.com)*

*Table 3-1. The Announcement to the Media by the Foreign Ministers of ROK and Japan. Reprinted from "Japan's Military Sexual Slavery: NGO Alternative Information to the Government Reply to the List of Issues" by Women's Active Museum on War and Peace, 2016, Women's Active Museum on War and Peace (WAM) (63). Geneva: Women's Active Museum on War and Peace.*