

History's "Me Too" Movement:  
Recognizing the Political Agency of Korean "Comfort Women"

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by

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## Introduction

One particular issue that continuously sparks controversy between South Korea and Japan is that of the “comfort women.” The term “comfort women” is a euphemism that denotes young girls and women from countries in East Asia, Southeast Asia, and even Europe such as Korea, Taiwan, China, Philippines, the Dutch Indies, and the Netherlands that were forced to serve as sexual slaves for the Japanese military from the 1930s to the end of World War II. The number of girls forced into sexual slavery ranges anywhere between 80,000 and 200,000, with 80 percent of the victims being ethnically Korean (Chang, 2009, p. 34). Most were under the age of 18 when taken into the comfort stations.

The main point of contention arises from claims by the surviving “comfort women” and their advocates that Japan has shirked legal responsibility from their human rights violations. The campaign for justice began in the late 1980s when various women’s groups started to speak out and protest about how the governments of Korea and Japan have not properly addressed the history of the “comfort women.” The campaign became more stimulated in 1991 when the survivor Kim Hak-sun broke the decades-long silence on the issue and gave a public testimony about her experience as a “comfort woman.” One of two demands that living “comfort women” make is that Japan take legal responsibility under the premise of international law for the war crimes that they have committed (Kuki, 2013, p. 248). Such a grievance comes from the fact that no international legal body has yet to indict Japan for war crimes specifically regarding the “comfort women” system. As such, the survivors and their supporters feel that Japan is trying to avert responsibility altogether. Additionally, these women want the Japanese government to pay them direct compensations. Although the Asian Women’s Fund (AWF) was set up in 1995, critics claim that AWF was essentially a private charity organization that solicited donations

from the Japanese people (Kuki, 2013, p. 248). In other words, this fund was not an example of the state being held accountable but of charitable giving by private actors. Some surviving victims argued that any sort of compensation would be welcomed as many of the survivors would not live long. Kim Hak-sun was sixty-seven years old when she testified; many of the survivors were also very old and were of poor health. However, the vast majority upheld their beliefs that it would be more important receive a sincere apology as well as direct government compensation from Japan (Min, 2003, p. 946). Thus, measured in terms of legal responsibility – state reparations and state apology – there has not yet been justice.

Thus far, both academic literature and media discourse have focused on and still emphasize the lack of justice for these women and how the Japanese government denied and is still refusing them state fiscal and moral responsibility. Therefore, there have been little to no literature on what the survivors have achieved in their campaign for justice. In centering attention on the absence of justice, society has rarely recognized the presence of agency in how the surviving “comfort women” and their advocates started to render their stories a part of history. During the past quarter of a century, the survivors have held and led rallies in South Korea and made political gains both within South Korea and internationally. Women’s organizations that support the survivors’ efforts have publicized their stories in the creative space such as films, art exhibitions, and museums. Collectively, the surviving “comfort women” and the women’s groups involved in the activist efforts have been exercising agency in their own way.

Measured in conventional terms and within the broader discourse of whether or not the end goal of justice has been achieved, the gains that these women accomplished may seem scant and small, but from a gendered lens of agency, it is possible to see a greater and deeper

contribution. First, such a change in perspective reveals the limitations of conventional transitional justice spaces in post-conflict societies. Traditionally, legal frameworks and truth and reconciliation commissions have been hailed as spaces in which victims are given a voice and the perpetrators are brought to justice. However, for women these two factors are never fully realized. Women, who do not have a large voice in society if there is even voice at all, are silenced and made invisible in pre-conflict and conflict scenarios. Especially with regards to women, this silence and invisibility are oftentimes mimicked and sustained in the very transitional justice mechanisms that are in place to rebuild communities and emancipate afflicted victims of conflict. This understanding of how traditional instruments of transitional justice are inhospitable to women helps us look for other ways women are working towards making themselves visible and sheds light on spaces where agency is exercised. Applying a gendered lens expands the concept of agency to include critical efforts that women undertake to normalize and universalize the narrative that is of their own making. Women have been active in building peace in their communities and doing the most they can to assist each other in making personal and political gains. The gendered lens then simply clarifies efforts that were nebulous before; it makes us see what was formerly invisible. Thus, the aim of this paper is to uncover moments of agency, specifically in the case of the surviving South Korean “comfort women,” through a gendered lens.

Ultimately, this paper seeks to answer a few questions. Within the context of how justice is delivered in post-conflict settings, in what ways are women’s agency limited? In other words, why is a gendered lens to agency needed? Additionally, how have the South Korean “comfort women” exercised their agency in the political space, and what lessons do they leave behind? The next section delves more specifically into ways that tools of transitional justice have

reproduced the silence and invisibility that women experience in pre-conflict and conflict situations. Building off criticisms of transitional justice mechanisms, the paper suggests what a gendered lens to agency may look like, building upon the theories laid out by Björkdahl and Selimovic in their 2015 article “Gendering Agency in Transitional Justice.” The consequent section will apply this gendered lens of agency to the case of the South Korean “comfort women,” looking at details of how the survivors have exercised agency in their campaign for justice. Here, the central concern of the theorization of a gendered lens to agency or the case examination is not on institutional or policy changes that result from their campaign and activism; even if there is an institutional change or a policy concession, we may not necessarily see women’s experiences, their political requests, and needs being fully reflected and incorporated. The ends is not the measure of success; rather, it is the voice that women have articulated and the steps that they have taken that expands our understanding of politics and agency.

Finally, the paper will conclude with a discussion on implications of applying the gender agency lens to victims of gender violence in conflict-ridden societies. To this day, women comprise a subset of the population that is one of the most heavily impacted in conflict and war-torn situations. In addition to the adverse conditions that affect the entire population, women are victims of gender-based violence; institutions of sexual slavery, rape, forced pregnancy, coercive abortions, and others still plague women to this day. While it is disheartening to think that transitional justice and peacebuilding mechanisms have still yet to fully recognize and address the specific misfortunes and suffering of women, it is important to note that women are not silent. In spaces and times they deem appropriate, be that public or private, sooner or later, women attempt to insert themselves into the historical narrative. This paper observes those

attempts by the South Korean “comfort women” through a gendered lens when examining agency, recognizing that women are active agents in seeking justice and building peace.

### **A Gendered Lens on Examining Agency**

#### **I. Limitations of Legal Proceedings and Truth and Reconciliation Commissions in Creating Gender-Just Peace**

In times of conflict, women have traditionally been the demographic to suffer the most. It is common for women to experience gender-based violence in addition to all of the adverse consequences that result from a war. Violations include, but are not limited to, forced marriage, enforced prostitution, intentional infection of HIV/AIDS, sexual mutilation, forced sterilization, forcible pregnancy, and abortion (Askin, 2002, p. 519). Women’s bodies become battlegrounds in and of themselves. However, despite the intensity of the battle fought on a woman’s body, women are rarely the center of discussion in peacebuilding and transitional justice practices. The two main spaces in which transitional justice is discussed and carried out is the realm of international law and truth and reconciliation commissions. These two settings are ones that the international community turns to when needing to indict perpetrators and hear victims’ stories. However, in many ways, neither of the two mechanisms is particularly friendly to women. In various instances, the instruments that are brought forth to deliver justice oftentimes do not administer a gender-sensitive justice and frequently overlooks the voice of women.

One of the most prominent and widely accepted method of delivering justice is through legal accountability mechanisms. Legal or court settings, which rank high in people’s estimation of the place where justice should be delivered, traditionally have not been able to confront and address the gravity of gender-based violence and its breach of international humanitarian law (Franke, 2006, p. 816). As Franke (2006) notes, rape, despite its being one of the most prevalent

violations of a woman's body, was not seen as being on par with more detrimental violations of humanity such as genocide; violations of a woman's body was "a crime against dignity and honor" (p. 816) rather than a crime against humanity. In essence, for a long time, violence against women carried diminished importance in international humanitarian law. Crimes that specifically did not include men were almost seen as having a lesser degree of gravity and need for prosecution.

Fortunately, there have been promising developments in the recognition of gender-based violence within the realm of international law. In recent history, tribunals such as the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for Yugoslavia (ICTY) has allowed the international community to make great legal strides in elevating the status of gender-based violence. Both tribunals have released indictments and convictions against perpetrators of sexual violence, declaring that rape and other gender-based violence constitute one of the most serious crimes that the tribunals had to prosecute (Franke, 2006, p. 817). The Rome Statute, established in 1998, explicitly states that most common forms of gender-based violence constitute war crimes and crimes against humanity (Art. 7). In truth and reconciliation commissions that were subsequently established in Haiti, Sierra Leone, and East Timor/Timor Leste, gender and gender-based violence was specifically included into the commissions' mandates (Bell and O'Rourke, 2007, p. 28).

The recognition, however, has largely been symbolic than transformational. Despite being landmark court cases that heightened the understanding how sex-based violence should be treated and reconciled with, judges of the ICTR and ICTY have been criticized for failing to properly investigate and prosecute sexual violence (Franke, 2006, p. 818). Moreover, a court and its procedures are not friendly to women who come to testify about their personal experiences

with gender-based violence. While it is a valid litigation technique, the Yes-No method of questioning makes it hard to hear women's testimonies in full and fails to capture the elaborate and varying stories (Franke, 2006, p. 818). Women who gave testimonies note that "the Tribunal's efforts to render their testimony relevant and concise when they sought to narrate their pain and their suffering" made them feel dominated; in essence, women become, once again, a setting on which external forces display their power (Franke, 2006, p. 819-820). Instead of taking women's words at face value and allowing them to become an agent within the trial process, women are conferred "a particular type of agency – passive, protected, civilian, and peaceful" (Björkdahl and Selimovic, 2015, p. 204). At the stand as witnesses, women are treated and seen as passive and helpless victims who are expected to be submissive to the processes and procedures of the court. The main and perhaps sole identification of a woman in these legal settings then becomes that of a victim, a person that was forcefully deprived of her agency. This perspective is perpetuated and extended throughout legal proceedings as women are not given space to be agents that control their own stories. And even when given a certain outlet, such as the space of a public trial or stand of a witness, women's testimonies are suppressed and remolded to be that of victims that are in need of help. Such methodical and segmented treatment of testimonies and the narrow understanding of a women's identity in court become sources of domination over women.

Recognizing the limits of legal proceedings, establishment of truth and reconciliation commissions (TRC) has gained popularity as an alternative form of addressing past injustices. The goals and intentions of the TRC are broad and all-encompassing; it seeks to "document human rights violations and identify the individuals and institutions responsible for the abuse while also acknowledging survivors' experiences and giving them a forum to testify" (Nesiah et

al., 2006, p. 1). Because TRCs are not trials, victims are able to tell their stories outside of a legal framework and without being subject to litigation techniques (Cahn, 2005, p. 242-243).

Despite its potential, TRCs have also been criticized for not placing the victims' testimonials first and foremost. Using the South African TRC as an example, Kashyap (2009) contends that the "TRC was captive to the project of nation-building" (p. 456). In other words, because the political leadership hoped for a reconciliation at the larger societal and national level, each narrative of victims was consumed by the need to create a consensual history (Kashyap, 2009, p. 456). Only about ten per cent of all testimonies were selected for public hearings, essentially establishing a hierarchy between the various experiences of the victims. The criteria of selection was never made public (Kashyap, 2009, p. 456). By favoring and prioritizing the need to create a national historical narrative, women's stories and testimonies are deemed inferior. Even when giving women a space to speak, the TRCs failed to recognize the plurality and diversity of what women may experience in conflicts. Narratives that were amenable to the project of peacebuilding were selected to be highlighted, which consequently pushed other narratives and testimonies to the sidelines. A testimony, when given by victims, does not simply serve as evidence to prosecute gender-based violence. While the finished good of testimony-as-evidence is crucial, the process through which women are able to make their voices heard and aid the prospects of bringing about justice is why valuing each testimony for its individuality is important.

In general, there has been too great of an emphasis on women's being the object of transitional justice rather than the subject. In other words, women are part of a host of problems that need to be resolved in the transition rather than being co-creators of solutions. Such an object-based perspective of women is short-sighted and unhelpful; it indicates that women and

their experiences in conflict can be used for both domestic and international political agenda. It reinforces women-as-victims and women-as-witnesses identifications and fails to recognize the various ways in which women are agents in reconciling with their own sufferings. Moreover, Nagy (2008) claims that the emphasis on legalistic approaches of concentrating on violations of civil and political rights as well as criminal acts have rendered structural and social injustice to be peripheral (p. 284). Ní Aoláin (2009) supports this view and states that oftentimes, physical violence that they have suffered during times of conflict and their state of security in post-conflict environments are not “discontinuous realities, but rather part of one singular experience that is not compartmentalized” (p. 1064). Ní Aoláin (2009) aptly summarizes the obstacles that women face in coming to the public sphere to share their experiences:

the lack of a secure physical environment, making it dangerous for women to function in any meaningful sense in the public sphere for fear of harm; particular vulnerability to sex-based violence unchecked by the formal end of hostilities or the change-over in regime; allied with a lack of political acknowledgement giving credence to a wider and more embracive notion of security beyond a narrow militaristic and state-oriented approach (p. 1063).

Thus, there is a gender gap in the attempts to achieve justice in post-conflict transitional periods. Although the inclusion of women in legal proceedings and truth and reconciliation commissions have brought greater recognition of specific hardships women suffer during conflicts, both places have not perceived the women to be people that have agency. Women who are brought to the forefront to relay their stories are then cast aside in terms of how they have to deal with the ubiquitous nature of shame and how their stories are then remolded to fit a larger historical narrative. Even if they take courage and open their mouths to speak, their stories get

lost in unamenable court settings, a larger historical consensus, and societal structures that made that violence possible in the first place. Women are not viewed as being anything other than victims; they are constantly vulnerable to shame and stigma and are left on the periphery of a nation-building, historical narrative.

## II. The Need for a Gendered Lens on Agency

Scholars Annika Björkdahl and Johanna Mannergren Selimovic use this gap as a point of departure in their discussion of gender agency. Citing the context of Bosnia-Herzegovina as their basis of research, Björkdahl and Selimovic (2015) claim that “the peace that has been constructed in Bosnia-Herzegovina through nearly two decades of extensive peacebuilding including transitional justice processes is fragile, externally driven, and riven with contradictions and gender inequalities” (p. 166). They note that while previous research has “proved important insights into the gendered nature of war and peace,” it does not say much about the “potential for women’s agency” and does not “unpack the blurry concept of agency” or “what women actually do as agentive subjects” (Björkdahl and Selimovic, 2015, p. 168). Ultimately, the authors seek to employ gender analysis to reveal places where the traditional discourse of transitional justice and peacebuilding fall short of recognizing how women come into the picture. The notion of “women are victims” is still prevalent, and while there have been important insights made on how gendered war and peace is or can be, not many researchers have examined what women actually do to build peace in their own capacities. This paper seeks to use Björkdahl’s and Selimovic’s setting of the problem as support for why a gendered lens is needed to examine women’s agency in post-conflict settings. The paper will focus on the idea that applying a gendered lens is a critical exercise and actually apply the lens to the empirical case of South Korean “comfort women” and their campaign for justice.

Women tend to have a passive existence in times of war and peace. Traditionally, conflict and peacebuilding have been domains that are dominated by males. Women are regarded as pawns of war and then are quickly switched to being pawns of peace without having much say or sway in the matter (Bell and O'Rourke, 2007, p. 25). In essence, they are used for the greater good of some other segment of society regardless of who may be in control or what the situation may be. Additionally, even as women start to become a larger part in the historical and transitional justice narrative, simple inclusion has not been sufficient to secure a reform in practices and perceptions. Legal proceedings are unfriendly to women who have to share their painful stories, and truth and reconciliation commissions lose sight of the female experiences of conflict in trying to mold women's reality into the larger societal narrative that the TRC is developing.

International institutions involved in this transitional justice process are culpable as well. When international institutions step into the setting of a post-conflict society, they already have a narrative in mind that they want to memorialize; oftentimes, gender-based violence that are normal and pervasive even in times of peace are pushed to the side (Ní Aoláin, 2009, p. 1061). This omnipresent nature of patriarchy is damaging to women. Despite differences in culture and language, "frequently overlooked are fundamentally similar patriarchal views that internal and external elites share, which operate in tandem to exclude, silence, or nullify women's needs from the transitional space" (Ní Aoláin, 2009, p. 1062-1063). Thus, it is questionable whether institutional reform will be able to adequately incorporate a feminist and gender-sensitive perspective without producing new obstacles (Bell and O'Rourke, 2007, p. 33). Therefore, there is a need to look beyond pre-existing institutions and start to apply a gendered lens to agency that illuminates ways that women have already been active in seeking justice.

### III. Conceptualizing a Gendered Lens to Agency

The concept of a gendered lens to agency comes into play when the focus is shifted from what women are allowed to do to what women do for themselves. Agency, in the most basic sense, “is about creating something” (Park-Kang, 2012, p. 122). Despite the essentialized identification of women as victims or the constricted space in which to share their stories or the failure of the international institutions and communities to create a system in which women are not left out, women still speak. Women still act. Women still share. Women still build. Regardless of the external factors at play, “women are able to create space for themselves as females... the capacity of women to strategically employ each identity facet becomes a source of female power and agency in contexts where formal power is denied to women who attempt to engage in ‘official dialogue’” (Pollock, 2007, p. 6). They create power when they are handed none, and they exercise their agency in spaces outside of what is normally expected of them when discussing transitional justice and peacebuilding. Björkdahl and Selimovic highlight this agentive nature of women’s actions in seeking justice. Instead of providing a single formalized definition, Björkdahl and Selimovic choose to demonstrate and map out their conceptions of what this critical gender agency is, providing a broader model that can be applied towards a multitude of cases.

Prior to delving deeper into the facets, it is important to note a limitation that this model does not encompass. Gender itself is a very complex concept that is constantly evolving and being redefined in a multitude of fields. Björkdahl and Selimovic highlight the intricacy of the concept of gender and employs it as one that “more broadly informs an understanding of power, exclusion, and marginalization. Gender analysis, then, is a way of exploring the various forms subordination takes in any particular space” (Björkdahl and Selimovic, 2015, p. 168). While

Björkdahl and Selimovic (2015) use the framework of gender agency to bring focus to women's agency, this concept will allow researchers to broadly understand agency and "its interlinkages to micropolitics of power and to social transformations towards durable and just peace" (p. 168) even if the subjects are not women.

There are three facets of a gendered lens to agency that are interrelated. First, a gendered lens is a critical lens that is a form of resistance against the status quo. Björkdahl and Selimovic (2015) claim that being critical means to "challenge power relations, question existing norms and practices, confront inequitable distribution of resources, and claim and extend their rights" (p. 170). As a critical lens, a gendered lens to agency reveals subordination and patriarchy that exists in transitional justice space. As noted above, traditional methods of transitional justice such as legal proceedings and TRCs have not been sufficient to fully capture the extent to which women suffer in times of conflict. Various mechanisms silence women and render them invisible once more behind the frameworks of law and the need for reconciliation. A gendered lens to agency first critiques the flaws of transitional justice instruments then finally uncovers the experiences of women that is told in their own voice. Oliver Richmond and Audra Mitchell (2011) claim that the selectiveness and exclusivity of peacebuilding interventions and the top-down approach to transitional justice leave space for women's critical agency to fill (p. 328). Recognizing that the political space and the realm of transitional justice are not amenable to women, women challenge the historical narrative that has been set in place and question whether or not the justice that has been served or settled adequately addresses their wants and needs. They start to form a narrative of their own that is more truthful and relevant to what women seek in justice, rendering themselves visible despite forces that have worked to suppress women and their stories.

## **Examining the Agency of the Korean “Comfort Women”**

### **I. Using the Phrase Correctly**

When discussing the history of the “comfort women,” it is important to ensure that the terminology and the usage of the identifying phrase is adequately understood. The formal phrase to refer to the women who suffered under the institution of sexual slavery by the Japanese military is “jugun ianfu” in Japanese and “chonggun wianbu” in Korean. Directly translated, the terms mean “military comfort women,” with the word “comfort” coming from the Japanese military’s perspective of its soldiers’ being sexually comforted by these women when the troops were out on battle fronts. The entire term is a euphemism in and of itself; instead of saying “military sexual slaves,” the terms “military comfort women” or “comfort women” are less explicit. They gloss over the fact that the “comfort women” were actually sexual slaves and oftentimes make it easy to forget the horrendous reality that the women had to live through and endure. Thus, when referring to these women, academia has, in most cases, used quotation marks around the phrase “comfort women” to highlight the euphemistic nature of the term and to clarify that there is a greater and more terrifying meaning of sexual slavery that underlies its usage. This paper will also follow the trend.

### **II. Brief History of the “Comfort Women” and Their Silence**

The case of the “comfort women” system is unique as “it was one of the largest systems of state-sponsored rape and sexual enslavement in history” (Schmidt 2000). Interestingly, the “comfort women” system was created in order to prevent the Japanese military from committing another international human rights violation. When Japan invaded China in 1937, specifically Nanjing, the Japanese military wanted to prohibit its soldiers from gang-raping women in occupied territories of Manchuria. Although Japanese prostitutes were available, the risk of

spreading venereal diseases and other sexually transmitted diseases to soldiers made the Japanese military seek alternatives. The solution was to procure young Korean women as the dominant patriarchal and Confucian societal values acted as an insurance that these women would be chaste virgins (Chai, 1993, p. 69). Thus, young girls from rural, poverty-stricken regions of Korea were lured by promises of well-paying jobs; others were abducted.

The treatment of these young women were horrendous beyond imagination. The average ratio of soldiers to a “comfort woman” was twenty-nine to one; in other words, twenty-nine soldiers would rape a single woman each day. However, the actual number may have been greater, and it is believed that “the number was more likely to be 40 or even 100 men a day. In one story, one woman is said to have had sex with as many as 300 soldiers a day” (Chai, 1993, p. 71). Abhorrent treatment of the “comfort women” continued beyond practices of rape on an everyday basis. If a woman were to get pregnant, she was taken to nearby medical clinics to undergo cesarean sections and abortions or get killed alongside other women who contracted sexually transmitted diseases or tried to escape. To eliminate evidence of what happened, the Japanese soldiers massacred many of the women as they retreated or simply abandoned the women where they were stationed. Alice Yun Chai (1993) estimates that about 75 to 90 percent of the “comfort women” could possibly be counted as casualties of war (p. 71). A myriad of women, ranging from young girls to nursing mothers, who were seduced by the possibility of earning money or were abducted against their will never returned home.

Although South Korea was liberated from Japan in 1945, it took almost exactly forty six years for the first surviving “comfort woman” to come forth and give a testimony about her experiences. In his analysis of the cause of this prolonged silence, Pyung Gap Min suggests that Japanese colonial power is not the only cause of the sufferings of the surviving “comfort

women.” Even if the Japanese Imperial Army was the entity to construct the “comfort women system,” the patriarchal society and conservative Confucius standards of Korea silenced the women from speaking out (Min, 2003, p. 948). While sexual freedom was condoned, and perhaps even encouraged, for men, “women’s sexuality was rigidly controlled by standards of virginity/chastity” (Soh, 1996, p. 1229). As virginity was highly valued, “comfort women” returning home were a source of shame for her family. Many “comfort women” stayed single or got a divorce due to health issues that resulted from being violated countless times. Some even committed suicide and most were resigned to keep their “han” (a Korean word for deep sorrow and grief) to themselves (Soh, 1996, p. 1230).

Additionally, the Korean government has never made a concerted effort to advocate on behalf of these survivors. The government cited “the lack of documentary evidence on which to press charges against Japan” as the ostensible reason for keeping silent (Soh, 1996, p. 1230). Moreover, the treaty that was established in 1965 to normalize diplomatic relations between South Korea and Japan did not mention any sort of redress regarding the “comfort women.” Understandably, the treaty was desperately needed from an economic perspective. By the mid-1960s, Korea was facing “rampant inflation, high unemployment, peasant unrest, and slow growth” that plagued the nation economically and socially; furthermore, economic assistance from the U.S. started to decline in 1960 and reached a low in 1965 (Cha, 1996, p. 129). This normalization treaty ultimately provided South Korea with a much needed foreign capital injection, which amounted to \$845 million via government and commercial loans, aid grants, and property claims (Cha, 1996, p. 127). Nevertheless, the exclusion of the need to address the history of the “comfort women” essentially foreclosed any possibility of the Korean government’s demanding reparations on the part of its citizens (Soh, 1996, p. 1230). Thus, the

advocacy on behalf of the victims occurred mainly through individuals and private organizations. When there was even the slightest amount of assistance, the “South Korean government merely supported the claims of the individuals and urged for a quick resolution... In fact, initially the South Korean government did more to actually quell the issue than to support it” (Schmidt 2000). Putting the onus on Japan to do the right thing, the South Korean government never directly sought monetary compensations for the victimized women.

As no one, neither the surviving “comfort women,” their families, nor the Korean society at large sought to even raise the problem of redress on a national level, Japan largely evaded any sort of blame until the first public testimony that was given in 1991. Even upon hearing the testimony of Kim Hak-sun, Japan denied any involvement of the Japanese military in upholding the comfort women system. However, in 1992, Japanese historian Yoshimi Yoshiaki discovered documents of the Japanese Defense Agency that proved the military’s involvement in establishing and controlling the comfort stations (Hayashi, 2008, p. 127). In the face of undeniable evidence, Chief Cabinet Secretary Yohei Kono released a statement that admitted some contribution of the Japanese Imperial Army in servicing the brothels. However, the statement was very “guarded” and largely “evaded legal responsibility toward the comfort women” (Chang, 2009, p. 34). Thus, the surviving “comfort women” had no official, state-sponsored channels through which they could seek redress of their sufferings and grievances. Both the South Korean and Japanese states worked to silence the “comfort women,” the former through its prevailing patriarchal values and the latter through its denials of responsibility.

### III. Critical Agency: Movement to Redress the “Comfort Women” Narrative

The movement to redress the history of the “comfort women” started in 1988 with Korean and some Japanese women inserting their voices, actions, and demands into political

spaces. This is where the gendered lens of agency is rendered important. Even though women were not allowed formal spaces in which they could seek justice, they started to create spaces for themselves and make their presence known. Whether it be the actual surviving “comfort women” or other women-based organizations that assisted the “comfort women,” women started to share the narrative surrounding the experiences of the “comfort women,” ultimately creating a critical discourse against the imposed and determined historical narrative.

The “comfort women” issue came to the forefront of discussion for women’s groups at an April 1988 conference that occurred on Jeju Island, South Korea. At the International Conference on Women and Tourism, Professor Yun Chung-ok from Ewha Woman’s University presented her research regarding the connection between the history of the “comfort women” and the rampant sex tourism industry in South Korea (Soh, 1996, p. 1232). Women in both Korea and Japan had been protesting Japanese sex tours to South Korea since the 1970s, but it was this research presentation that enabled both Korean and Japanese women’s groups to turn their eyes towards a largely forgotten and unresolved issue of the “comfort women” (Chai, 1993, p. 78).

One of the largest events that sparked the entire redress movement and the campaign for justice occurred on January 7, 1989:

Upon hearing of the Korean government’s plan to send an emissary to Emperor Hirohito’s funeral, over 200 members of women’s groups – Korean Church Women United, the Korean Association of Women Theologians, the Women’s Studies Research Committee of Ewha Woman’s University, the Advocacy and Research Committee on the Chongshindae [another term denoting the “comfort women”] Issue, the Federation of University Women Students, the YWCA of Korea, and the Federation of Korean

Women's Associations – drafted a protest letter that included a statement on the issue of Chongshindae/Jugunianfu (Chai, 1993, p. 78).

As can be seen from the list of participating women's groups, the backgrounds and affiliations of women asserting themselves are diverse. From young students to professors to women of both Christian and non-Christian backgrounds, various groups gathered together and aligned themselves towards the goal of having the Korean government raise the “comfort women” issue with its Japanese counterpart. This assertive action progressed into demonstrations and protests. This coalition of women's organizations staged a protest at Topkol Park, a symbolic location due to its being the origin of demonstrations that started the decades of resistance against the Japanese colonial rule (Chai, 1993, p. 78). These groups went even further to formally draft and send a letter to the then Japanese Prime Minister Toshiki Kaifu that demanded “an admission, an apology, and compensation by his government for the sexual slavery of Korean women” (Soh, 1996, p. 1232).

Other important events and developments followed. On November 16, 1990, Professors Yun Chung-ok and Lee Hyo-chae of Ewha Woman's University formed the Korean Council for Women Drafted by Japan for Sexual Slavery (hereafter, the “Korean Council”), a coalition of thirty-six women's associations with a dedicated mission to expose the truth behind the “comfort women” and restore the dignity of the surviving victims. The Korean Council has been the central figure in leading the redress movement, and it has acted domestically and internationally to demand justice for the surviving “comfort women.”

However, until this point in time and even with the establishment of the Korean Council, the feminist activists were working on behalf of an unidentified group of surviving “comfort women.” They did not know whom they were representing; their cause did not have a face to the

name until August 14, 1991. A surviving “comfort woman” Kim Hak-sun, a 67-year-old childless widow, called the Korean Council stating that she was a survivor. She visited the Korean Council and gave a public testimony about her experiences:

“My name is Kim Hak-soon, and I was forcibly taken to the Japanese military comfort stations. I saw all of the stories that were coming out of the news and became determined. Now is the time to set the records straight. Everyone is lying and I don’t know why. Nobody told me to come forth; I wanted to do so on my own. I am almost seventy, and I will probably die soon. I was scared in coming forth to tell my story. But now I can die with a peace of mind. I will say what I want to say whenever I want to say it” (Asia Kyeongjae).

This testimony instilled bravery and courage in the hearts of other “comfort women” that had been hiding. Other “comfort women” came forward to also share their stories (see Appendix). Although it took another couple of years, 153 women formally registered themselves with the Korean government as surviving “comfort women” in 1993, and the number of registered “comfort women” reached 236 as of 2014. Utilizing this momentum, the Korean Council organized a protest on Wednesday, January 15, 1992 alongside 400 people from other women’s organizations. This demonstration was the first of a series of weekly protests that convened every Wednesday in front of the Japanese embassy in Seoul to demand a specific set of goals, which include the acknowledgement by the Japanese military of its crimes, establishment of a truth and fact-finding mission, formal government apology, and legal reparations (Joo, 2015, p. 172). The protests are ongoing even to this day.

The Korean Council and surviving “comfort women” turned their eyes to the international stage as the place to also share their stories. In March 1992, the Korean Council

formally submitted a petition to the UN Human Rights Commission for an investigation into the “comfort women” issue. The UNHRC placed the item on its August 1992 meeting agenda, which allowed a few members of the Korean Council and one surviving “comfort woman” to travel to Geneva to share the tragic history of the “comfort women” (Soh, 1996, p. 1234-1235). Other international organizations that were targets of the Korean Council’s advocacy efforts include the UN Sub-Commission on the Promotion and Protection of Human Rights, the Working Group on Contemporary Forms of Slavery, and the International Labor Organization (Joo, 2015, p. 170). In essence, turning to the international community expanded the scope and audience to which the “comfort women” mattered; by internationalizing the issue, the Korean Council and the surviving “comfort women” were able to frame their history into a larger and more relevant discourse of global human rights and humanitarian law.

One way in which such a concerted and global lobbying and advocacy efforts bore fruit was the organization of the symbolic Women’s International War Crimes Tribunal on Japan’s Military Sexual Slavery which was held in Tokyo for four days in December 2000. Although there was neither official connection to the United Nations nor legal authority attached, this tribunal was significant both in terms of how women created spaces for themselves even in a legal court setting and how the international community came together to address the issue. The people that were in attendance and had helped to prepare this tribunal for the previous two and a half years were a diverse mix of “international lawyers, feminists, NGO workers, and former ‘comfort women’ from Korea, China, Taiwan, the Philippines, Indonesia, East Timor, Malaysia, and Holland” (Sakamoto, 2001, p. 50). Such a diverse group of people, especially with regards to the surviving “comfort women” that attended the proceedings, showcased that the history of institutionalized sexual slavery by the Japanese military transcended race, ethnicity, nationality,

age, and socioeconomic status. Sakamoto (2001) notes the limits of the legal space in how the “comfort women’s” testimonies were not fully heard; since the tribunal “took the form of a formal court case, what it needed was only what was legally necessary to prove the responsibility of the Japanese state... The victims were primarily there as the ‘witness.’ They were fashioned into a legal subject” (p. 58). Nonetheless, the tribunal was an important space for women to exercise agency with something as basic as their presence. Sakamoto (2001) remembers how the “elderly survivors frequently came and went from their seats at the front through the body of the hall to the rear exit” (p. 50). On the final day of the proceedings, the survivors all came up on stage holding signs that said “End Impunity of Wartime Sexual Slavery” or “No Peace without Justice” (Sakamoto, 2001, p. 50). At the end of the tribunal, the Japanese government and Emperor Hirohito were found guilty of war crimes and crimes against humanity. This tribunal was entirely a symbolic effort and held no legal authority to enforce its judgments. Nevertheless, the hosting of such a trial was a significant testament to the ten years of activism on the part of the surviving “comfort women” and their advocates (Sakamoto, 2001, p. 50). While it was now formally understood and recognized that the “comfort women” from various countries were victims of organized sexual violence, this tribunal also markedly demonstrated that these women were a force to be reckoned with. While the women were primarily present within the tribunal as victims with grievances, they also manifested themselves as activists and agents that have power to speak for themselves when and how they see fit. Their presence, movements, and protests even outside of formal testimonies were a visual reminder of the reason the tribunal was held and the significance of its proceedings. Behind each testimony and facts, there was a woman that suffered the horrors. The object of discussion was not abstract but was really a living human being that had many stories to tell.

In addition to this tribunal, the surviving “comfort women” have been able to bring about legislative and memorial achievements around the world. Just in the United States, there have been significant recognition of the “comfort women” as an issue that needed to be properly dealt with. For instance, a handful of U.S. Representatives have been advocating for a “comfort women”-related legislation, starting in 1997 by Congressman William Lipinski (D-Illinois). Efforts by Congressman Lane Evans (D-Illinois) followed suit, but the landmark resolution was introduced by Congressman Mike Honda (D-California) in January 2007 (Kim, 2014, p. 90). Agreed to by a voice vote on June 30, 2007, House Resolution 121 demands that (1) Japan “formally acknowledge, apologize, and accept historical responsibility” of its state-sponsored institution of sexual slavery, (2) the Japanese Prime Minister “make such an apology as a public statement in his official capacity” as to resolve recurring questions about sincerity, (3) Japan not deny that such “comfort systems” never existed, and (4) “educate current and future generations about this horrible crime” in specific reference to the “comfort women.” Such strong and forceful language indisputably places blame on Japan and criticizes how the Japanese government have treated the issue thus far. Similar legislative efforts have waved through other countries around the world. *Yonhap News Agency* claims that there are about a total of 55 legislations passed in the United States, Australia, the Netherlands, Canada, Philippines, Taiwan, Japan, and the EU (“55 Resolutions Concerning ‘Comfort Women’,” 2013). Although the content differed with each legislation, collectively, the legislations recommended or demanded Japan to take responsibility for their violation of human rights, apologize to the surviving victims, and properly educate its citizens about the colonial history (“55 Resolutions Concerning ‘Comfort Women’,” 2013). In addition to the legislation, various state and local governments have set up monuments and statues that commemorate the victims and their history. Since 2010,

there have been a steady stream of establishing monuments in New York, New Jersey, Texas, Michigan, California, and Texas with the support of local governments and funding from the Korean American community (Ward and Lay, 2016, p. 260). The most recent statue was revealed in San Francisco in November 2017.

The most recent and perhaps the most definitive development occurred on December 28, 2015 when former President Park Geun-hye and Prime Minister Abe Shinzo signed an agreement to settle the “comfort women” issue. Pursuant to the agreement, Japan will provide approximately \$8.3 million to a South Korean foundation that will be established to financially and medically support the 46 surviving “comfort women” (Choe). The agreement will be the “final and irreversible” settlement of this controversy; neither South Korea nor Japan will ever raise or criticize the issue internationally, including at the United Nations. While the agreement was praised abroad – especially by the United States – as a diplomatic success, public opinion of South Koreans was divided and critical. In January 2016, Gallup Korea released poll results that showed 54 per cent of those surveyed opposed the settlement while 26 per cent favored it. Of those that were dissatisfied with the agreement, 12 per cent cited “insufficient apology/unclear apology” as their reasoning (Gallup Korea). The significance and application of this agreement is contentious and open for further study and interpretation. On July 31, 2017, the newly established South Korean government under President Moon Jae-in set up a task force within the Ministry of Foreign Affairs that is charged with assessing and vetting the terms of the agreement and its negotiation processes with the perspectives of the “comfort women” in mind. Once the results are published, President Moon is expected to make a decision regarding whether or not to retain or opt out of the deal (“S. Korea Launches Team,” 2017). While the future of this agreement is uncertain, the motivations behind its negotiation suspect, and the satisfaction of the

Korean public scandal, this agreement indicates that the movement that the “comfort women” and their advocates have started was and is a force that neither the South Korean nor Japanese government could continue to ignore.

These political, legislative, memorial milestones are important to consider because they are physical manifestations that embody the campaign for justice that the surviving “comfort women” have been leading for the past quarter of a century. While these formal and international expressions of recognition is significant, the matter of greater importance is that these legislative and memorial victories were brought forth by the courage of the surviving “comfort women” to speak up and the consistent support of related women’s groups. Although there may not be a way to prove causation, it can be inferred that establishing legislations and building monuments worldwide would not have occurred if various women’s associations decided not to bring this issue to be a central part of their agenda. These events would not have occurred if surviving “comfort women” decided to stay submissive to the patriarchal society and politics that have silenced them for decades after they returned home. Thus, this is a case where the means is more powerful and remarkable than the end; the steps that “comfort women” have taken to make their stories heard are noteworthy in and of themselves.

This history of activism, both on the part of the associated women’s organizations and actual surviving “comfort women,” provides a critical and gendered lens through which agency can be observed. The Korean Council and other women’s groups started to assert themselves and their cause to the political space. They started to create a narrative that was critical of both the Japanese and Korean governments and brought the “comfort women” issue to the forefront of relevant local, domestic, and even international spaces. Moreover, despite common reliance on governments to resolve grievances of their citizens, “it was not the men nor the governments but

the women survivor themselves, in their advanced age as septuagenarians, who have ruptured the silence around this issue” (Kim, 1997, p. 99). In coming forth and identifying themselves as surviving “comfort women,” these women have rendered themselves as active subjects and agents that can critically comment on the conventional and socially prevalent historical narrative concerning South Korea’s colonial history (Kimura, 2008, p. 18, 19). Thus, this feminist activism and the participation of the South Korean “comfort women” is “challenging us to question the received ‘truths’ about imperialism, colonialism, nationalism, and gender oppression and patriarchy,” having far-reaching, critical consequences beyond the immediate colonial history they were trying to redress (Kim, 1997, p. 102).

Thus, although examining the effectiveness of the “comfort women’s” campaign for justice is important, the contentious achievement of a state policy change does not and should not diminish the strides that the surviving “comfort women” and their advocates made. Together, they created a narrative where none existed, made visible an injustice that had been hidden, and deepened the official discussion about imperialism and colonialism. In fighting for justice, they made themselves visible and rendered themselves a force to be reckoned with. Through writing letters, collecting testimonies, and hosting public demonstrations, these civil organizations have uncovered a deeply troubling issue and have taken up space for themselves even when no one realized there indeed was a void that had to be filled. Throughout the past three decades, the surviving “comfort women” and associated women’s organizations developed a critical perspective of the South Korean and Japanese governments and the historical narrative that they chose to adhere to. They challenged the status quo of silence and invisibility and have created a different and now a fairly dominant societal sentiment that is sympathetic to the cause of the

surviving “comfort women” and the sufferings that they had to endure. Prescribing a gendered lens to agency makes this exercise of critical agency visible.

### **Conclusion**

In times of war and conflict, women are disproportionately affected. In addition to adverse conditions that distress that the entire population, women suffer from gender-based violence that has lasting psychological, emotional, physical, and societal effects. In addition to rape, which now seems to be a commonplace weapon of war, other types of violence such as abduction, gang or mass rape, sexual slavery, forced prostitution, pregnancy, and abortion are used to terrorize communities and violate women simply because it is possible. The gruesome details of violence perpetrated against women are beyond imagination and certainly are not fully captured by the words that represent them.

However, women still face uncertainty and unfortunate circumstances even when the conflict is over. Mechanisms that are put in place to deliver justice to affected demographics frequently overlook the needs of women and their specific sufferings. The realm of international humanitarian law and legal proceedings, the most commonly accepted and recognized spaces to deliver justice, fail women in the sense that women are not seen or treated as agents or subjects that demand for justice in their own capacities. Testimonies are subject to cutthroat litigation techniques; the only identity women are conferred in court settings is that of a helpless victim; women’s voices and stories are not fully heard. Truth and reconciliation commissions, which showed promise of listening to and understanding women’s specific needs and sufferings, fell short as it began to sacrifice women’s testimonies for the greater and overarching historical narrative that they were trying to develop. Greater priority is placed on the peacebuilding

narrative that the country in transition is trying to achieve and memorialize; women's stories and their experiences with violence are pushed to the side.

Therefore, when looking for what women do in the space of transitional justice, it may seem like women are not doing much at first glance. Women's voices are constantly silenced or suppressed; it is very hard to see or hear women. Consequently, the focus of the academic and media discourse becomes the justice and agency that has been denied to them; the dominant discussion centers around what is missing and lacking. Thus, there needs to be a shift in perspective and understanding when examining women's place in transitional justice and peacebuilding. This is how a gendered lens to agency will be informative and valuable. Applying a gendered lens reveals the power, hierarchy, and patriarchy at play in traditional transitional justice mechanisms. It divulges the flaws and limitations of the traditional instruments that bring about justice in post-conflict transitional societies in how there is a continuation of silence and invisibility with regards to women's experiences. Most importantly, a gendered lens clarifies and uncovers the experiences of women in their own words. It illustrates how women demand and seek justice on their own terms even when the formal institution and politics may have overlooked them. Women are not passive; they are not silent even when they are subdued. They assert themselves in spaces that may or may not have been allotted to them, and they pose a critical stance towards the dominant structures of society. They construct a narrative of their own or, in the very least, reveal stories that have been hidden.

The case of the surviving South Korean "comfort women" and their campaign for justice provides example after example of how the "comfort women" and their advocates worked hard to demand justice that was sensitive and cognizant of the "comfort women's" sufferings. While their demands for a change in policy – sincere and historically consistent state apology and

reparations – may not have been met fully, the collective group of women rendered themselves visible. The lack of support from the South Korean government and the inconsistent apologies from the Japanese government did not stop them from holding protests and other political activities. Such actions challenged the silence that society and government placed on the surviving “comfort women” and have even extended their voices globally under the framework of women’s and human rights.

Applying a gendered lens to agency allows us to see the various ways that women act as agents in demanding justice. The actions may not fit neatly into the traditional transitional justice mechanisms, yet they exist. We just need to recognize it. This recognition of women’s attempts at becoming visible enables us proactively look for and examine ways in which women are exercising agency today. Civil wars, rise of terrorist groups, unstable governments, and the refugee crisis all produce scores of women that have been affected by gender-based violence. When delivery of justice is slow and when women are seemingly not at the forefront of peacebuilding activities, a gendered lens on agency notice and observe how women are acting on their own in trying to insert themselves into the dialogue. Making a gendered lens and analysis of agency prevalent is the first step in changing the paradigm of transitional justice. By noticing ways that women exercise agency, the international community can meaningfully take heed of their words and actions. Women have been speaking and acting on their behalf for a long time; all we need to do is recognize their strength and power as forces that affect change.

## Appendix

All of the testimonies here were translated from the Korean versions that were posted on the website of the Korean Council for Women Drafted by Japan for Sexual Slavery (retrieved from [http://www.womenandwar.net/contents/general/general.asp?page\\_str\\_menu=130](http://www.womenandwar.net/contents/general/general.asp?page_str_menu=130).)

Kang, Duk-kyung: “I was seated next to the soldier driving. Then the other soldier stopped the car and told me to get off. He then took me to an isolated hill; it was so dark that I didn’t know where I was going. There he raped me. I had no idea what it meant to deal with men. I was so scared that I couldn’t even resist... Ever since I was there, my body aches. When I was younger, I would be in pain for a couple days when my period started. It was so painful that I needed to take shots. I kept discharging blood from below.”

Kim, Hak-sun: “The soldiers decided which room they would want to enter, so the people that you would face tended to be consistent. Some would just make me utterly exhausted for thirty minutes, but others would be rather mild. Some would grab my head, force my face against his groin, and order me to suck his penis. Others would ask that we wash their penises after it was done. If I ever resisted, I’d be beaten without mercy... We’d deal with the soldiers even when we were on our periods. We couldn’t help it because they came whenever they wanted. During those times, we would force bunch up cotton and insert it in our vaginas to stop the blood from coming out. Sometimes, the cotton balls got stuck and wouldn’t come out easily.”

Hwang, Geum-joo: “The comfort stations were temporary buildings made of wood. The walls would be divided by a board or plank and there were about 5-6 rooms in each station. A ripped up blanket served as the door. There were about 3-4 of these buildings lined up... There was no designated time that soldiers would come. Soldiers and officers would come together, although the officers stayed away for fear of contracting diseases. We would usually deal with 30-40 soldiers a day, but on days off, we would face so much more as the soldiers would line up outside in their underwear. Some would take off their underwear and come in the room even when another soldier was already in there. If someone took too long, they would shout ‘Hayaku! Hayaku! (Faster! Faster!)’... During my time as a “comfort woman,” I have never received money for what I went through. I didn’t receive, money, tickets, or anything.”

Gong, Jum-yeop: “There were a lot of girls and women caught and beaten if they tried to escape over the fences. We tried to stop each other from escaping due to the consequences, but people would still try. I’ve also eaten rat poison and tried to hang myself... When I took the poison, everything was spinning. I thought I would really die. Hearing the noises, other women in the comfort station came and found me unconscious in the bathroom... The master of the station took me to the hospital, had me throw up all of the poison, and gave me a shot. When he brought me back, he told me to continue working. I wish the people didn’t hear me and come save me. I probably would’ve died if no one found me. It pains me that I lived.”

Gil, Won-ok: “Even when I stand still now, I am surprised of the pain I feel. It throbs as if a bee stung me. My legs hurt as well as my feet. Sometimes, my head feels numb and thumps... According to the doctor, I have all of the bad conditions. I have high cholesterol and blood sugar. I also have osteoporosis because my womb was removed when I was at the comfort station. I removed my womb before I was thirty and had three large surgeries in my stomach... I don’t have much to live, and I hope that by the time I die, my han will be resolved. I just want to hear one sincere apology. Although many of us have died already and we don’t have long to live, as they say that a good word can relieve heavy debt, I just want them to say that they’re sorry, that they’re responsible.”

Yoon, Doo-ri: “When I was young, people would tell me that I was fit to be wedded into a rich family because I had good skin. But now, what has my life come to? When I wake up at night, I wonder, ‘Why am I living by myself? Who made me be like this? Why did we lose our country?’, and I can’t fall back asleep again. Japan has ruined my life, so how can they possibly try to evade the issue? Japan made me unfit for marriage, but all they are offering me is an apology just to appease me? I will never forget what I went through before I die. No, I will not forget even after death.”

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