

## **Japanese Military 'Comfort Women' as an Exception of the system**

: Nature of Japanese Military 'Comfort Women' Presented in Official Documents of Japanese  
Military and Japanese Government

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### **1. Introduction**

As well known to the world, the issue of Japanese Military 'Comfort Women' was known to the world by testimonies of the victims through public media in 1990s. Because victims are now here, and because they are making their own voice, we think this as an issue of 'human being'. The research related to 'Comfort Women' has focused on the victims and their damage. Since there seems to be similarities among 'sexual damages', some of the researchers have shown the tendencies to argue this issue related to old 'licensed prostitution,' regardless of special circumstance of 'comfort women'. In fact, in 1937, when Japanese government and Japanese Military planned so-called comfort station system, it was a military facility in the rear field of the war, and in that system, any of 'comfort women' is not a human being, but a piece of military supplies. As seen from the legal and systematic aspect made by Japanese government and military, 'comfort women' mobilized after 1937 have very different nature compared to 'comfort women' at the time of Manchurian war in 1931. In other words, 'comfort women' before 1937 could be said that they connected with old system of licensed prostitution. Otherwise, since 1937, 'comfort women' were subjected to the different system and were very differently treated within that system even though they were seemingly connected to the licensed prostitution system at the respect of damage.

The purpose of this study is to diagnose the nature of (so called) comfort station system planned and operated by Japanese government and Japanese military, with close examination on the 'official documents' issued by Japanese government and Japanese military since 1937. The targets are, at first, laws and regulations concerning establishment of comfort station, and, secondly, laws and regulations concerning qualification of 'comfort women' mobilized to 'comfort station' and their 'travel'. And lastly, regulations and laws concerning management 'comfort women' within 'comfort station' and their death are also reviewed together. With close inspection on how the Japanese total mobilization system was involved in the general administration system during the war regime, and how much the nature of the system changed, I would like to identify how 'comfort women' existed within those changed systems.

## 2. Comfort Station as Military Facility : built 'comfort facility' through revising the regulations on field canteen

According to the survey in the past, the purposes of establishing comfort station are prevention of venereal disease among Japanese soldiers, prevention of sexual violence in war area, and control soldiers with providing women as morale booster. These are the superficial reasons, but the more fundamental purpose is to reduce the cost of war. Due to expending Chinese-Japan war, Japan had to mobilize not only the regular army force but also the first reserve force, and the second reserve as well. In addition, because of shortage of army force, Japanese military forced soldiers to station longer even after the battles, not giving them chance to return home, in order to save war expense. As soldiers' complaints and violence arose within the army units, Japanese military decided to amend the whole regulations on field canteen in order to appease soldiers. Of course, after Manchurian war, Japanese army was well ready for the possibility of war between Russia planning to have total power system toward the war, though once it was inferior to the western army at the aspect of physics and technology, logistical service as well. In 1937, when China-Japan war seemed to last longer, Japanese army extensively reorganized the military system, and also recognized the need to prepare alternatives for soldiers' morale at the war field, expecting the situation that a lot of reserve forces were mobilized.<sup>1</sup> In order to prepare the probable problems of soldiers' morale, especially on sexual aspect, Japanese Military chose to build 'comfort facility' in the army post because it costed the least of money, instead of giving reward and benefit such as returning home to the soldiers. In 1937, amending the regulations on field canteen made the establishment of 'comfort facility' in a canteen possible.<sup>2</sup> According to revised article 1, the reason to make 'comfort facility' with canteen is that "soldiers need consolation while they faced battle against enemy." Every army unit could have 'comfort facility' so that field canteen became not only a simple place to supply the daily necessities but also the designated place to take care of soldiers' mentality such as stress or fear resulted from the situation in which they were facing fight against enemy. 'Comfort facility' could be established at **incident field** as well as at war field, and military commanders, divisional commanders, military personnel officers or equivalent military commanders was entitled as the master-in-chief commanders for comfort facility. As for the matters that were not decided were granted by the regulations of each army unit.

Field canteen was once directly operated by the military, but after revision of the regulations, it was operated by self-employed businessman 'based on licensing act to prevent from possible harm.' The

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<sup>1</sup> 長野耕治、植松孝司、石丸安蔵, 【研究ノート】日本軍の人的戦力整備についてー昭和初期の予備役制度を中心としてー, [http://www.nids.mod.go.jp/publication/kiyo/pdf/bulletin\\_j17\\_2\\_6.pdf](http://www.nids.mod.go.jp/publication/kiyo/pdf/bulletin_j17_2_6.pdf)

<sup>2</sup> 1937. 9.21. [野戦酒保規程改正ニ関スル件]

self-employed were carefully selected by the military, and the management and supervision of the operators were charged to the accountant officer in the army unit. His duties were 1. Open canteen, 2. Establish comfort station, invite comfort group, and hold parties 3. Supply and distribution of the spread items(恤兵品), 4. Supervise the operator, with which it is clear that establishing comfort station as well as canteen was the official business of the strategy supply.<sup>3</sup> Regarding the mobilization of comfort women, *Shikauchi*(鹿内信隆), once served as an accountant officer, testified that after establishing comfort station, he decided the regulations in the army unit for military related civilians considering "durability and expendability of procured women."

This means that the comfort facilities stipulated by the regulations were built up as the task of an accountant officer of each army unit, and with the calculation on how long the mobilized women could bear, how much they were consumed, and how much more they could be used, the rule(rule of comfort station) for soldiers and military related civilians to use the station. So, it can be said that in the process of establishing and operating comfort station system, Japanese military had no consideration on employment and safety of comfort women. <sup>4</sup>

On April 16, 1938, at the Japanese Consulate General in Nanjing, 'the issue of comfort station in canteen available to non-militaries' was discussed at the meeting of army, air force, and navy force commanders and Ministry of Foreign Affairs on order to divide the duties. As for canteen and comfort station that are generally used, the consulate manages general affairs, and the military police regulates soldiers and military related civilians, but the military police are allowed to inspect comfort stations at all times, and some of those stations are combined into the special comfort station, which means that various types of stations gradually changed into special comfort station directly operated by the military.<sup>5</sup> While this process of duty division was made for the consulate, military police, and other related organizations, there were regulations to supervise soldiers and military related civilians (safety, venereal disease test) based on commercial value of 'comfort women' such as level of durability or expendability, but there was absolutely no consideration toward comfort women as human being not to mention of policy for employment and safety of comfort women.

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<sup>3</sup> 櫻田武・鹿内信隆『いま明かす戦後秘史』上巻(サンケイ出版、一九八三年)四〇～四一頁, 재인용

<sup>4</sup> 櫻田武・鹿内信隆, 위의 글

<sup>5</sup> 「군이외에도 이용할 수 있는 주보위안소의 문제」, 외무성 경찰사, 일본군'위안부'관련번역자료집 정책편,

### 3. Mobilization of "Comfort Women" : treated as 'main items of supplies' having no relationship with excited system

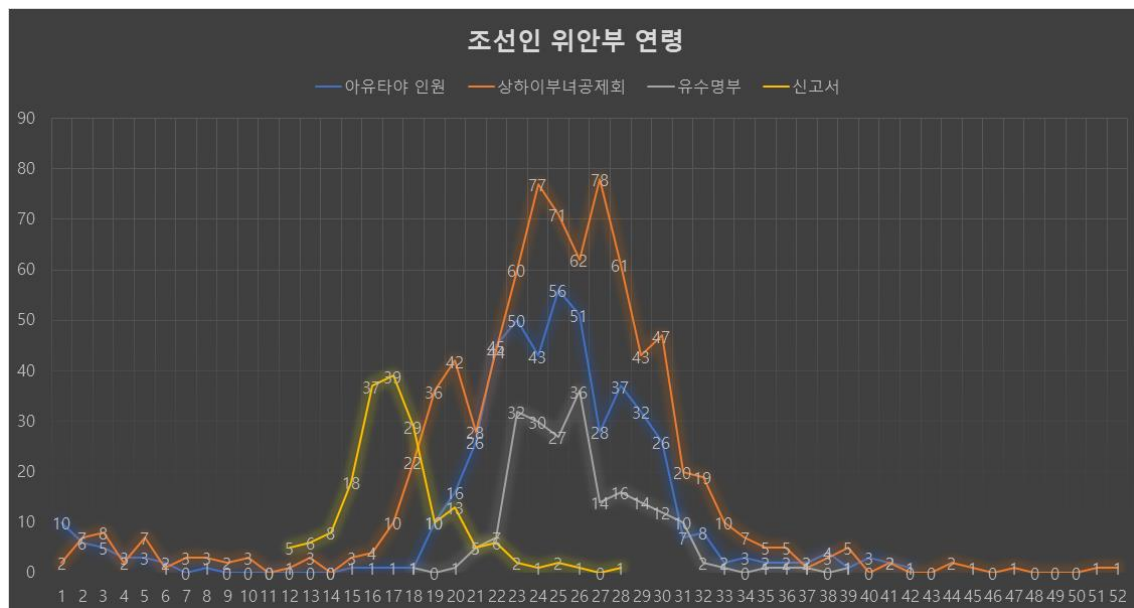
According to the revised regulations on field canteen, comfort stations are established as the field



canteen and then the qualifications of 'comfort women' were regulated. On January 19, 1938, Japanese military confined the details of recruitment as "16 to 30 of age, dept in advance from 500won to 1000won, 2 years of employment, and the military pays commission of 10% among debt in advance" which shown

in the document of 'case of recruiting helping women who are going to work at comfort station of the expeditionary army in Shanghai.' When agent recruited Chosun and inland of Japan based on this regulation, the local police asked questions and reported the situation to the military, concerning that recruiting itself is a violation (kidnapping of under aged girl, licensed prostitute should be older than 18) of criminal law of inland (Japan) and a violation (prohibition of traveling for employment for women) of international law (Wakayama case). In order to avoid being in the illegal statues in inland as well as abroad, Japanese military decided the qualification for comfort women as "older than 21, and already engaged in prostitution, and confirmed acceptance in person" through a notice from chief police officer of Ministry of Home. This regulation, however, applied only to inland Japan. In 1944, there were job advertisements on the Mainichi and Gyungsungllbo in Chosun, and each says 17 to 21 of age, and 18-30 of age. Regarding the fact that advertising in the newspaper doesn't comply with the regulations by the Ministry of Home Affairs on women who should be aged 21 or older, it can be said that the above notice by the Ministry of Home Affairs

did not apply in colonial Chosun.<sup>6</sup> Furthermore, the testimonies of the victims<sup>7</sup>, comfort women in *Ayutthaya* concentration camp in 1946<sup>8</sup>, age of comfort women (listed as employees) in *Rusu meibo*(留守名簿)<sup>9</sup>, all these evidences prove that women at the age of 16, 17, and 18 were mobilized most.



Thus, it can be said that, in Chosun, the notice by the Ministry of Home Affairs banning employment of underaged women was not issued, and mobilization was conducted for women aged 16 to 31 just like Japanese military's original plan. In addition, the regulation on the age of 16 to 31 made by Japanese military does not correspond with the age regulation on licensed prostitution, either. In colonial Chosun even so called legally operated licensed prostitution had an age regulation like older than 18. With these facts, we can say that, in Chosun, younger women were mobilized just according to Japanese military's options (to put priority on durability and expendability). Taiwan was

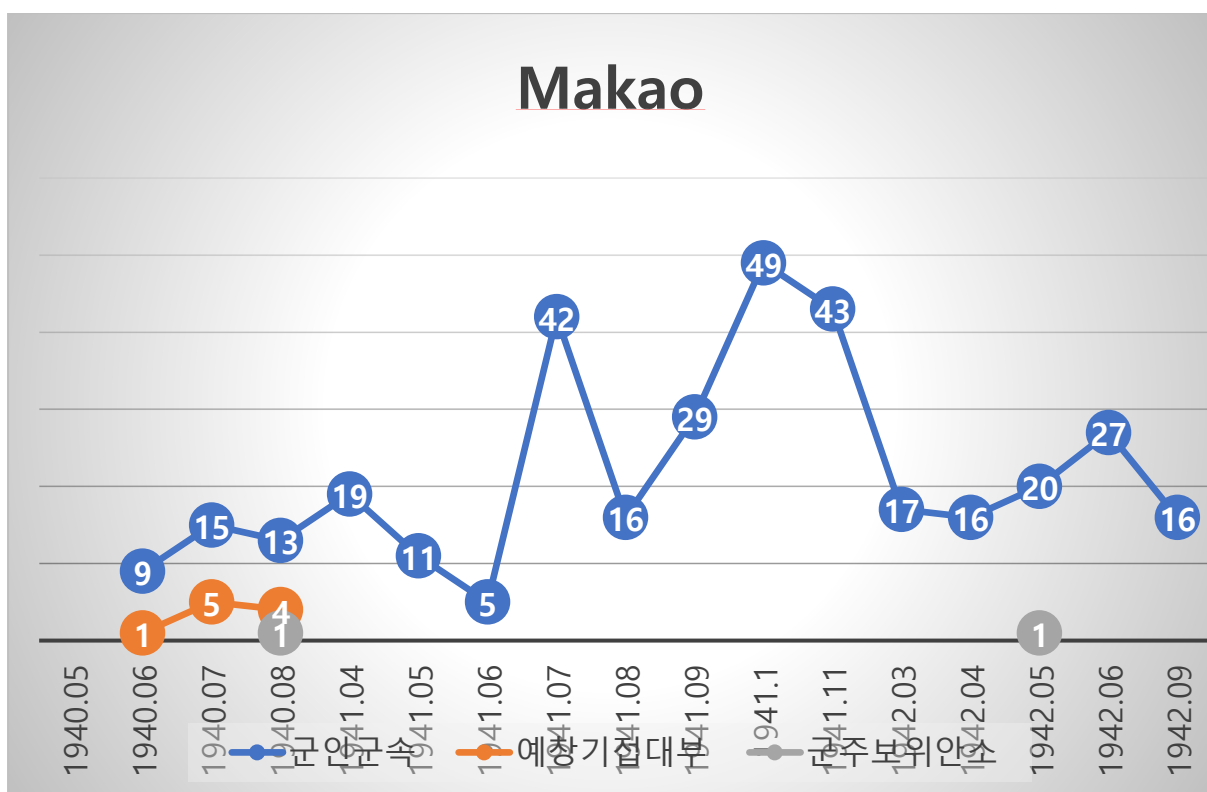
<sup>6</sup> 1938. 2.24., 内務省発警第五号 支那渡航婦女の取扱に関する件

<sup>7</sup> (사) 한국 정신대문제대책협의회 부설 전쟁과 여성 인권 센터, 2001년 일본군 '위안부' 연구 보고서 일본군 '위안부' 증언. 통계 자료집,(여성부)와 신고서를 바탕으로 작성,

<sup>8</sup> (1945년) 10월 22일부터 (1946년) 1월 29일까지 아유타야 수용소에 입소한 한국인 및 타이완인 1319명의 명단, 타이공문서관 소장

<sup>9</sup> 유수명부, 남방제5육군병원, 제9,10육군병원

not an exception. A 14 year-old-girl became a comfort woman, according to the official documents.<sup>10</sup> The reason Japanese mobilize young women appears clearly on the graphics. Let's compare the number of 'comfort women' mobilized for 2 years from Makao, HongKong, to the number of soldiers stationed there, and the result is that 10 comfort women had to serve 347 soldiers all the two years from 1940 to 1942. As for Japanese military, mobilization (of 'comfort women') itself generates expenses. So, when it comes to mobilize comfort women, Japanese military had to have a certain standard on durability, how long they can use, so they concluded that the younger as well as un-consumed is the best for reducing the cost of operating comfort women system. Therefore, it is very clear that Japanese military preferred Chosunin and Taiwanese rather than Japanese licensed prostitutes who were 21 years old or more.



#### 4. Movement of 'comfort women' : presented as 'mark' beyond Japanese legal territory

'Comfort Women' who were mobilized by Japan during the war had experienced being away from the existed legal territory where they can be protected when they left the scope of the Japan Empire. Japan Empire divided its territory into inland and outland and then, except the imperial order, the

10 주더란 편(朱德蘭 編), 『대만 '위안부' 조사와 연구 자료집(臺灣慰安婦調査と研究資料集)』, 타이페이 중앙 연구원 종산 인문사회과학연구원(臺北中央研究院中山人文社會科學研究所)

law of Empire was not applied to outland, that is, colony, for which Japanese government made various regulations as legal system. And Japanese government did not give the same 'nationality' to people from the colony but ruled them by 'family registration act'. In addition, '*Kyoutsuho*(共通法, common law(1918)' concerning the laws like civil law was made in order to have unity between lands having different laws. This common law covered the inland such as main Irelands of Japan, Sakhalin, Taiwan, Chosun and the Gwandong district. Moving between these lands was possible without passport, only with 'certificate for travel' and when one was in another land according to the common law, he or she was able to be protected by the law of one's birthplace. In 1943, the South Sea Irelands/Polynesia was included as the area of common law, however, if traveling to outside of the South Sea Irelands, the common law was disaffected so passport was necessary.

While the war, Japanese military mobilize comfort women when they moved to one war field to another, establishing and regulating 'policy of travel'. Even in the area of common law, something concerned to civil law happened, death, for example, the law of birthplace was applied to that case, law of Chosun for Chosunin, wherever they were at the moment. So, someone mobilized to where the common law was not applied, having a passport 'meant protection by the law. However, in case of 'comfort women,' Japanese government didn't issue 'passport' for them even they were sent to the area where the passports are necessary to move or travel. The following document is about 'case of comfort women's travel to the occupied area in South Sea Ireland' issued by the office of America in charge of policy of travel in the Japanese Ministry of Foreign Affairs under the name of Minister of Foreign Affairs to the secretary of Foreign Affairs Bureau of Taiwanese Government General and it says, "it is not fun (unnecessary) to issue passports for the travel like that (travel of comfort women), so with the certificate issued by the military, they travel by military ships."<sup>11</sup> It is said that not giving anyone a passport meant that he/she was not granted as nation of a country. And it also meant that, at that area, he/she could not only be protected as a Japanese (or a Chosunin, or a Taiwanese) but also be protected by the law for foreigners of that area. In other words, in the situation of not taking even a step out of the category of comfort stations determined by the military, in the situation of not having a valid protection by the law, and in the situation alienated without law, comfort women were forced to be a sign, not a human.

## **5. Death of 'Comfort Women' : abandoned existence**

As I confirmed earlier, Japanese government and Japanese military had made a variety of regulations on establishment of comfort station, management of comfort station, supervision on soldiers. etc.

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<sup>11</sup> 南方方面占領地ニ對シ慰安婦渡航方ノ件[外務大臣] , 1941.1.13

However, there was no regulation on comfort women. Even the examination of venereal disease against comfort women was for the Japanese soldiers' health management based on the regulation of the Japanese military, not for the health care for comfort women. There was no regulation on the case of accidents like death in an area out of birthplace. Next is an autobiographical novel written by *Park, Yonggyu*, a Chosunin soldier.<sup>12</sup> He was mobilized to **Prom** area and took in charge of death from the war. He said when a soldier died, the military police ordered him to make 'death certificate' even the dead was a Chosunin and bury the remains. "But, for the case of missing a comfort woman, Japanese military police didn't feel any need to make a complex document just like one for the military engineer because a comfort woman is not a human being but one of the listed items on the military supply and support..." he described. As he mentioned, 'comfort women' are not legally existed, not protected by the law, but they are in 'the situation of exception,' out of the law and system, just as a sign.

## Conclusion

Japanese Military 'Comfort Station' was established by the regulations on field canteen decided by the Japanese Ministry of Army, and operated by the regulations of each army unit. Agent or self-employed businessperson was also supervised by the regulation on field canteen decided by the Ministry of Army. Depend on situation, each army unit can decide the establishment of comfort station and its management system. Therefore, comfort station was formed following the regulation on field canteen by the Ministry of Army, though *Yosimi Yoshiaki* once explained that there were several different forms of comfort station such as the one that directly operated by the military, one that managed by the military, and the one that used by the military depending on the level of intervention of the military. Even the use of comfort station by soldiers or military related civilians' also controlled and supervised by 'the regulations of army unit' so it is necessary to make it clear that 'comfort station' is one of the military facilities. Therefore, it is not appropriate to associate 'comfort station' with existed systems such as licensed prostitution system.

Japanese Military 'Comfort Women' who mobilized to comfort station, one of the military's main support and supply facilities, were the beings beyond legal territory while Japanese military were taking part in the war. While they were coming and going beyond the legal territory, Japanese Military 'comfort women' was not entitled to be an existence to be protected by the law. Japanese military purposely designed the status of 'comfort women' in order to let them in non-legal situation, so that Japanese military managed to avoid 'responsibility' or blame. 'Comfort women'

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<sup>12</sup> 박영구, *안개는 아직도*, 수도문화사, 1953



are definitely human being as an existence, but in the system, they were regarded as only 'items', non-human resources.

Damage of comfort women seems to somewhat beyond sexual abuse or exploitation toward women. Japanese military established comfort station not for the comfort women but for the Japanese government using its system to avoid the responsibility, which has made comfort women 'an exception' of the system and of the history. Because of this comfort station system, comfort women completely left behind as non-human existence, in other words, the thing, which is the more serious damage of human right resulted from the wrong system made by Japanese military and government.