

**JAPANESE “COMFORT WOMEN” IN THE POST-SURRENDER PERIOD**

**by**

**Tran Tuyet Phuong**

**A master’s thesis submitted to Osaka Jogakuin University Graduate School  
of International Collaboration and Coexistence in the 21<sup>st</sup> Century, Master’s Course,  
in fulfillment for degree requirements.**

**Advisor: Professor Omi Hatashin**

**Date Submitted**

**February 15, 2022**



### Abstract

This study aims to explore the work of the so-called “comfort women” after the Japanese surrender in 1945. The “comfort women” issue has always been controversial for years after Kim Hak Sun, a former Korean “comfort woman,” decided to bring the matter to light and attracted worldwide attention. However, there has been little research on Japanese “comfort women” after 1945. This study, first, seeks to answer whether post-surrender “comfort women” were enslaved or not. And secondly, whether was the “comfort women” system a form of slavery. The goal, first, is to assist with a value judgment as to the condition of “comfort women” based on law and facts, to make people aware of what had happened in the past to post-surrender “comfort women” during the most challenging time in Japanese history. So far, little study related to post-Japanese surrender “comfort women” has been done because they were predominantly recruited from among civilian women in the Japanese homeland. People may think that there have been fewer chances of fraud in Japanese home islands after surrender than in the occupied territories before surrender. The second goal is to contribute to the debate concerning the nature of “comfort women” that has not been solved for years, as to who organized this system; its purposes while comparing and contrasting pre-surrender and post-surrender practices. Finally, this study applies the four tests of involuntary servitude which Nathan B. Oman have identified among the pre-thirteenth amendment U.S. common law to findings from reliable secondary sources on the post-surrender “comfort women” to ascertain (1) whether or not they were enslaved, (2) what light the findings in the post-surrender period would cast on the broader debate concerning the “comfort women.”

Keywords: “comfort women”, Second World War, involuntary servitude, slavery  
Recreation and Amusement Association.

### Acknowledgment

Throughout the writing of this dissertation, I have received a great deal of support and assistance.

I would like to sincerely express my gratitude to Professor Omi Hatashin for guiding me throughout my research. What he taught me has helped me expand my knowledge in my research field. Thank you for allowing me to become a graduate school student and continue my Japanese history research.

Furthermore, I would like to thank my thesis committee: Professor Takahashi Saul and Professor Okumoto Kyoko, for their encouragement and helpful comments. Professor Okumoto had given me helpful advice on starting my research, and Professor Takahashi had provided me with good sources of books on my field of research. I feel so grateful to Professor Shimamoto, who had given me many exciting lessons on religion and Japanese people in general. Moreover, I'd like to thank Mr. Suzuki Hidekazu for introducing me to this wonderful university and caring greatly for my well-being as an Osaka Jogakuin University international student. Additionally, I am indebted to Osaka Jogakuin University for supporting my research with scholarships which left me no worry about my living expenses in Japan. Many thanks need to be sent to the graduate school staff office and library staff, too. Without your support, I would not complete my research smoothly.

Finally, I want to show my gratitude toward my family and friends, for staying by my side through thick and thin. Con xin cảm ơn mẹ và gia đình đã luôn ở bên con và cho con cơ hội được đi xa để phát triển bản thân. And Mr. Murakami Haruki, thank you for changing my life, me and my loneliness love you.

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**List of abbreviations**

VD	Venereal Diseases
GHQ	General Headquarters
SCAP	Supreme Commander of the Allied Powers
PHW	Public Health and Welfare
RAA	Recreation and Amusement Association
MP	Military Police

## Introduction

World War II ended more than 75 years ago, and Japan lost the battle. After the Japanese surrender, the United States led the Allies in the occupation and rehabilitation of the Japanese islands from 1945 to 1952, when the Treaty of San Francisco came into force on April 28. In September 1945, General Douglas A. McArthur took charge of the Supreme Command of Allied Powers (SCAP) and began rebuilding Japan with the arrival of hundreds of thousands of troops, first landing in Atsugi airport in Kanagawa Prefecture. Meanwhile, before the arrival of the occupation troops in Japan, with much fear in mind for their respectable women and to prevent rape and sexual assault, the Japanese government created many leisure facilities for the occupying troops, including restaurants, dance halls, etc. These new facilities were called “comfort stations” (慰安所) staffed with so-called “comfort women” where only Allied soldiers were exclusively admitted (Yamada, 1992). To the Japanese government, the so-called “comfort women” were soldiers to fight off the sexual appetite of the Allied troops and protect the female civilians. The government expected the “comfort women” to act as "human breakwaters"(女の防波堤) to hold back the waves of rape and sexual assault on Japanese women (Yamada, 1992). At the same time, to the occupation force, such government-controlled comfort facilities acted like a method to prevent the venereal disease from spreading among their soldiers.

There is a good amount of research on “comfort women” in the pre-surrender period. They primarily focused on the Korean and Taiwanese “comfort women” who were either tricked or forced to work as “comfort women” rather than following their own will, at least at first, and had no freedom of choice at any stage of their work. Instead, they have evoked much research interest since they are victims of both sexism and racism in the hostilities period in the comfort



stations. As it has turned out, more victims are willing to come out and testify their experience as “comfort women” than their Japanese counterparts.

Still, not many people are aware of the existence of “comfort women” after the Japanese surrender, let alone understand the nature of their work. Japanese people tend to mistreat the relevant women as a national shame. So far, their experience remains relatively understudied, overlooked, and marginalized compared to the “comfort women” during the hostilities who received much attention from the international community. The post-surrender “comfort women” are not recognized as victims of Japan's “comfort women” policy, but they, too, are victims of sexism within the Japanese patriarchy system.

This study is significant for understanding “comfort women” generally, especially the attitudes of the Imperial Japanese armed forces, the Japanese civil government, and citizens toward the “comfort women” generally, whether ethnic Japanese or not. The “comfort women” were not the problems of the Imperial Japanese armed forces only. The civil government in the post-surrender period adopted the armed forces’ policy in the pre-surrender period, and the ordinary Japanese people looked on the relevant women as they did on prostitutes. At the root of the problem, there was nationwide sexism. This study sheds more detailed light on the Japanese institution of “comfort women.” For example, how far their policy differed to any extent between the ethnic Japanese and non-ethnic Japanese. Moreover, this study aims to do justice for the native Japanese “comfort women,” especially in the post-surrender period.

## Review of Literature

### 1. On “comfort women” generally

Nagai Kazu (2005) unearths a volume of Japanese government sources on aspects of their policies concerning the so-called “comfort women” during the hostility period. For example, his sources include the Army regulations establishing the comfort stations in 1938, Japanese police reports about their arrests of some recruiters of “comfort women,” and the Ministry of War’s confirmation of their commission of the recruitment, as well as the police’s involvement in the transportation of “comfort women” to the war zones. As stated by the Ministry of War, the military “comfort women” scheme was a method to maintain discipline within the army and prevent venereal diseases from spreading. In particular, they wanted to avoid rapes committed by Japanese troops to local women. Tanaka Yuki (2001) published a book named *Japanese “comfort women,”* whom he regarded were sexually enslaved prostitutes not only in the pre-surrender period but also the post-surrender Allied occupation period. He traces the reasons for establishing “comfort stations” in war zones through official Japanese documents related to Japanese military brothels for troops and officers. In addition, he examines memoirs and diaries of many military officers and military doctors as his primary research sources. Unfortunately, there are no exact statistics about “comfort women” during the hostilities. These pre-surrender “comfort women” came from Japan, Korea, Taiwan, China, Dutch East Indies, the Philippines, and Burma; in short, they came from the Japanese Empire and its occupied territories. The ethnic Japanese “comfort women” were usually recruited within the Japanese homeland; as in Tanaka’s findings, geisha girls and karayuki-san worked in the military “comfort stations.” The Ministries of War and Interior Affairs took part in this recruitment scheme. Yoshimi Yoshiaki (2000, p.19)

also mentions this part where both of these Ministries of War and Interior Affairs entrusted brokers to do their jobs of recruitment, buy off the debts of geisha girls, and signed contracts with the relevant women to bring them to the Imperial Army and Navy. In his collection of materials about “comfort women,” Yoshimi Yoshiaki found “a brothel keeper's terms and conditions he used for hiring a “barmaid” (shakufu) in the northern Kanto and the southern Tohoku regions in January 1938.

1. The term of the hire shall be up to two years.
2. At the beginning of the term, the amount of original debt which the hiree may borrow from the hirer shall be from 500 YEN up to 1,000 YEN, provided that 20 percent of such debt shall be deducted to cover the hiree’s allowances and travel expenses.
3. The hiree's age shall be from 16 to 30 years old.
4. The hiree shall be in good health, and the consent of the holder of parental authority over her shall be obtained for her to provide the services. If she is an adopted daughter, no consent from her natural parents may be required.
5. Once the hiree has completed her hire term, she shall have paid off all her original debt. Even if she has taken sick leave during the term of her service, her original debt shall be deemed to have been paid off once she has completed her term of service.
6. There shall be no interest on her original debt during the term of her hire. However, where she has discontinued her contract before the end of the term, she shall be liable to pay monthly interest up to one percent of the remaining amount of her original debt.
7. Where the hiree has discontinued her contract within a year, she shall be liable for a penalty of up to 10% of her original debt.
8. Where the hiree has discontinued her contract before the end of the term, the parties shall

make accounts of their respective dues at a daily rate.

9. Where the hiree has completed her term and returns home, the hirer shall bear the cost of the return journey.
10. 10% of the amount a customer has paid for the hiree’s services into the hirer’s account shall be the hiree’s income and paid to her every month.
11. Where the hiree has completed her term, the hirer shall pay her a bonus amount commensurate with her earnings levels. The hirer shall bear the hiree’s clothing, bedding, food, bathing, and medical expenses (Yoshimi, 1992, pp.19- 21)

Shirota Suzuko (1971), a former “comfort woman,” shares her previous experiences in her autobiography named *Mariya no Sanka* (literally, “Hymn of Mary”). After signing the contract, she writes about becoming a military “comfort woman” because of poverty and debt. Her mother died when she was 14 years old, her family business fell apart, and her father sold her to a brothel to pay off his debt for gambling. During her years in the brothel, her father kept on gambling and borrowed more money from the brothel. Then a broker approached her about a job in Taiwan. Shirota Suzuko signed a 2-year contract with a broker to work in a comfort station and later worked there for an extended time. In particular, Shirota Suzuko gives good material for understanding why she started to work as a “comfort woman.”

With her book named *The “comfort women”: Sexual Violence and Postcolonial Memory in Korea and Japan*, Sarah Soh (2020) shed a different light on the issue of “comfort women.” She presents a “person-centered” comparative anthropological perspective on the experience of “comfort women”. Sarah Soh judges other related work of existing English-language literature as dwelling too much on the human rights implications, for example, branding the Japanese comfort system as a form of sexual slavery, amounting to war crimes against women. She shows that the

health conditions of “comfort women” varied greatly from place to place by contrasting the photographs of “comfort women” in Burma and those in Yunnan, China. Health conditions could not be conclusive evidence of these women being either free or enslaved. All seem to depend on the definition of slavery. However, being controversial and partisan does not necessarily make the human rights perspective better avoided. Human rights are universal concerns for the international community, and building on Soh’s contributions, a better judgment can be made, although more focused factual analysis is needed. She focuses mainly on Korean “comfort women” more than any other ethnicity. Sarah Soh does not seem to have examined the details of why the others became “comfort women” in the first place, whether or not they were deceived or coerced, and were free to walk out throughout the whole process. However, these details are rather important in making a legal judgment regarding whether they were enslaved or not. There are more victims of Japan’s “comfort women” policy among the other nationalities than just the two mentioned nationalities. Sarah Soh’s ethnic Japanese examples do not include those who became “comfort women” after 1945 in Japan. Nevertheless, she does explore similar policies and practices in South Korea in the post-surrender period, including those in the Republic of Korea.

## **2. On “comfort women” post-surrender period**

Yoshimi Yoshiaki (1995) is probably the most prolific academic author on “comfort women.” He researches “comfort women” in both the hostility and post-hostility periods. He regards those women who were hired by the Recreation and Amusement Association (RAA) to provide the Allied soldiers with sexual services in the post-hostility period as a sort of “comfort women,” even after the closing of the RAA. His sources are interviews with the “comfort

women” themselves, excavated documents inside and outside Japan, surveys of personal war experience of the informed people. Finally, he discusses the idea of "coercion" as a critical concept to classify the institution of “comfort women” as sexual slavery. He explains why this happened to women in the pre-and post-surrender period and who was at fault. On August 23, 1945, the “Special Comfort Facilities" (特別慰安施設協会) was officially established and soon was renamed the “Recreation and Amusement Association” (known as RAA). On August 28, 1945, the RAA held a ceremony in front of the Imperial Palace Square to declare that the Association was established, with a group of special guests, government officials, and top-ranking police officers. The Ministry of Finance of the Japanese government, through a government bank (Nippon Kangyo Ginko), funded the RAA. The RAA executive was ordered by the Minister of Finance to see the Director of the Tax Bureau in the Ministry of Finance, Ikeda Hayato, who later became the Prime Minister of Japan from 1960 to 1964. Ikeda promised to give the RAA 100 million yen so that the Japanese women would be safe when the occupation forces landed. The first 30 million yen was paid out to the RAA on September 6, 1945, but the Nippon Kangyo Ginko never made the rest of the promised loan available to the RAA. However, with only 30 million yen, the RAA managed to run the whole organization and buy necessary facilities. On September 3, 1945, the RAA began to put up an advertisement offering “special jobs for women” on high street newspapers including the Asahi Shimbun (Yoshimi, 1995). The Tokyo Metropolitan Government supplied the RAA with good rations of food, and the RAA offered free meals to attract women to apply for the job. Food was a particularly attractive commodity with which to lure people to work for them since Japan had gone through a horrible

food shortage right after the war. The RAA’s giant billboard on the top of the Imperial Theater at Ginza read:

Announcement to New Japanese Women! We require the cooperation of new Japanese women who participate in a great project to comfort the occupation forces, which is part of the national emergency establishment of postwar management. Female workers, between 18 and 25 years old, are wanted. Accommodation, clothes, and meals are all free.

Yamada Meiko (1992), in her book about “comfort women” for the occupation forces, also published her precious collection of research. Her sources include the diaries of former “comfort women,” existing literature, and many prefectures' official documents. Like other works related to this topic, her details about the RAA and “comfort women” are indispensable. Moreover, she sheds light on the life of the women, place, system and condition of their work, before and after the closure of the RAA in March 1947 across Japan. She highlighted the harsh consequences of the neglect of these women after their discharge from the RAA.

Tanaka Yuki has done good research on RAA “comfort women,” too. He brings to light some pieces of information about RAA activities, how they recruited women and what they offered. Tanaka Yuki has discovered, for example, a report of the Police and Security Department of the Ministry of Home Affairs from among the “Materials Related to Prostitution” (賣春に関する資料) which were filed and published by the Department of Women and Children of the Ministry of Labor (労働省婦人少年局) in 1955. On August 18, 1946, the police and security department telegraphed relevant instructions to all prefectural governors and police

chiefs about establishing comfort stations where members of the occupation forces might visit while in Japan.

1. It is still beyond speculation where the foreign troops will be stationed and when they will arrive. Therefore, do not cause public unrest by forming a hasty conclusion that it is inevitable for those troops to advance to your prefecture.
2. Make preparation for establishing such facilities now confidentially because their prompt establishment is required in the case of the troops' stationing in your prefecture, but ensure that no information leak to outside.
3. In carrying out this plan, avoid arousing misunderstanding among local people and explain to them that this scheme will be implemented for the purpose of protecting Japanese citizens.

[Separate Notation]

The outline of the preparation for the establishment of comfort facilities for the foreign troops:

1. Allow the business for the foreign troops within limited quarters, regardless of existing regulations of control.
2. The above-mentioned limited quarters should be determined by the [prefectural] police chief and prohibit Japanese subjects from using the facilities.
3. The police chief should actively give guidance in the management of the following facilities and promote their rapid expansion:

Sexual comfort facilities



Eating and drinking facilities

Recreation centers

4. Recruit the women required for the business from geisha, licensed and unlicensed prostitutes, waitresses, barmaids, habitual illicit prostitutes, and the like.

### **Research questions**

From previous research, this study aims to answer these questions.

1. Were the ethnic Japanese “comfort women” in the post-surrender period enslaved?
2. Was the Japanese institution of “comfort women” a form of slavery? Or, how far the answer to the first question helps with the second question?

### **Methodology**

To answer whether or not the institution of “comfort women” amounted to slavery and what facts, events, or state of affairs will amount to slavery in law, there is no doubt that legal criteria of slavery need to be defined. To do so, I find the following four tests of “involuntary servitude,” which Nathan B. Oman (2009, p. 2024) deduced from his analysis of the pre-Thirteenth Amendment U.S. case law: whether the promisor of the provision of personal service had perfect freedom when entering the contract if any; whether there was reciprocity between the promisor and the promisee; how long was the duration of service; and whether there was any physical domination over, or degradation of, the promisor. These tests enable a more nuanced approach to what condition amounts to slavery or involuntary servitude than the currently dominant will/consent theory. Many feminists have been criticizing the inadequacy of the will/consent theory as it was applied to rape trials. Similar difficulties tend to arise in the analysis of the slavery of women, so long as one assumes that the presence or absence of consent exclusively determines the presence or absence of slavery.

After so many decades have passed since the relevant events, access to primary sources is quite limited, and the relevant people nearly no longer exist. Primarily because of the spread of COVID-19, it was hard to get to primary sources. For these reasons, the center of this research is the application of Nathan Oman’s four criteria for involuntary servitude to such facts concerning the “comfort women” as found among the reliable secondary sources. The focal point of the analysis shall be the involvement of the Japanese Government in the institution of “comfort women”. Following the clarification of the legal criteria for involuntary servitude, the second step is finding facts from reliable secondary sources. Yoshimi Yoshiaki and Nagai Kazu's work are the best secondary sources to rely upon. They both rely on trustable primary sources and

conducted interviews with the former “comfort women” and many other related people not too long after the hostilities. Only those with direct experience can give out what happened down to detail. Yoshimi’s and Nagai’s use of the record of events, official archives, documentary evidence, diaries of those directly involved in the relevant activities, provided more reliable facts than other works in English. The reliability of sources is no doubt higher.

Lastly, the comparative method will shed light on the Japanese Government's views on gender roles. For example, a comparison drawn between ethnic Japanese and non-ethnic Japanese “comfort women” and between “comfort women” before and after the Japanese surrender will shed light on the Japanese Government’s thoughts and attitudes toward women.

## Findings

### Involuntary servitude

#### 1.1. Four tests to find Involuntary servitude

The Thirteenth Amendment to the U.S. Constitution (1868) provides that "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." The Thirteenth Amendment does not give any positive definition of "slavery" or "involuntary servitude." In his article named "Specific Performance and the Thirteenth Amendment" (2009), Nathan B. Oman has identified the following four criteria for the court to find "involuntary servitude" in the pre-Thirteenth Amendment U.S. Common Law: (i) the lack of perfect freedom, (ii) the lack of reciprocity, unrequited toil, (iii) long duration of service, and (iii) physical domination and degradation).

First, did the promisor enter the contract while in a state of “perfect freedom,” or did the promisee have some overarching power over the promisor? Second, was the promisor compensated for her services with a “bona fide consideration,” or did the relationship constitute “unrequited toil?” Third, were there temporal limits on the contract? Agreements extending over highly long periods were suspect, while more limited engagements were not. Finally, did the promisee- the master- physically dominate and

degrade the promisor- the servant- with abuse and claim a right to personally capture her and return her to service if she tried to quit? (Oman, 2009, p. 2024)

1.2. Reason to adopt the pre-thirteenth amendment common law on involuntary servitude

The following reasons would justify this article to rely on the pre-1868 U.S. common law to define “slavery” or “involuntary servitude”.

First, slavery and involuntary servitude are synonymous terms of art in the field of law, as exemplified by Article 4 of the European Convention on Human Rights (1950) and Article 8 of the International Covenant on the Civil and Political Rights (1966), which do not give any positive definition of these, while treating them as if they are similar to “forced or compulsory labour”.

Article 4 of the European Convention on the Human Rights (1950)

1. No one shall be held in slavery or servitude.
2. No one shall be required to perform forced or compulsory labour.
3. For the purpose of this Article, the term “forced or compulsory labour” shall not include:
  - a. any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention;
  - b. any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service;
  - c. any service exacted in case of an emergency or calamity threatening the life or

well-being of the community;

- d. any work or service which forms part of normal civic obligations.

Similarly, Article 8 of the International Covenant on the Civil and Political Rights (1966) reads,

1. No one shall be held in slavery; slavery and the slave trade in all their forms shall be prohibited.
2. No one shall be held in servitude.
3.
  - a. No one shall be required to perform forced or compulsory labour;
  - b. Paragraph 3 (a) shall not be held to preclude, in countries where imprisonment with hard labour may be imposed as a punishment for a crime, the performance of hard labour in pursuance of a sentence to such punishment by a competent court;
  - c. For the purpose of this paragraph the term "forced or compulsory labour" shall not include:
    - i. Any work or service, not referred to in subparagraph (b), normally required of a person who is under detention in consequence of a lawful order of a court, or of a person during conditional release from such detention;
    - ii. Any service of a military character and, in countries where conscientious objection is recognized, any national service required by law of conscientious objectors;
    - iii. Any service exacted in cases of emergency or calamity threatening the life or well-being of the community;

iv. Any work or service which forms part of normal civil obligations.

Second, an inference from the lack of any positive definition of slavery or servitude is that the legislators of the both instruments must have adopted the same definition of these words.

Third, for the following reasons, the term "involuntary servitude" in the Thirteenth Amendment and the term "servitude" in the European Convention and the International Covenant are not different but are synonymous with the word "slavery."

1. The European Convention on Human Rights and the International Covenant on the Civil and Political Rights mention "forced or compulsory labor," presumably to explain the term "servitude." The idea of being forced or compulsory chimes with "involuntariness." The European Convention on Human Rights and the International Covenant on Civil and Political Rights are more elaborative about the term "servitude" than the U.S. Constitution.
2. The structures of the relevant provisions of the U.S. Constitution of the European Convention on Human Rights and the International Covenant on Civil And Political Rights are pretty similar. They give a negative definition of "forced or compulsory labour" by excluding some categories of servitude without providing any positive portrayal of slavery or servitude.

Fourth, the Thirteenth Amendment to the U.S. Constitution (1868) is older than the European Convention on Human Rights (1950) and the International Covenant on Civil and Political Rights (1966). Therefore, in the absence of any positive definition of involuntary servitude in any of these instruments, it would be reasonable to assume that the relevant law-makers employed the relevant words in the sense that they were understood as of 1868, given the



universal notoriety of the emancipation of black slaves in the American Civil War. Therefore, it should make some sense to rely on the pre-1868 U.S. common law definition of involuntary servitude.

### 1.3. Consent and involuntary servitude

For the following feminist reasons, the pre-1868 U.S. common law on involuntary servitude is better than any definition of slavery or involuntary servitude based on the consent/choice theory.

1. Oman’s summary of the pre-1868 US common law on involuntary servitude perfectly answers the feminist objection to the idea of consent and choice. Sharon Cowan has proved why we should move away from the “consent/free choice” theory. Although Sharon Cowan does so while discussing the definition of “rape” rather than “involuntary servitude,” rape and servitude have been frequently defined by the lack of consent or free choice. Cowan illustrates the difficulties of refuting the Defendant’s honest belief in the Complainant’s consent in rape trials. While concepts such as consent, free will, or free choice look like the state of subjective and intangible mind, the judge and jury always prefer to have objective and tangible evidence of the presence or absence of the relevant state of mind. No women want this kind of evidence exposed during trials. In answering whether or not the Japanese institution of “comfort women” amounted to sexual slavery, if one adopts the definition of slavery based on the consent/choice theory, basically the same difficulties in the prosecution of rape as defined by the consent/choice theory arise.
2. Oman’s summary is more nuanced than forced or compulsory labor and fairer with the weaker party.

According to the United States Department of Justice, rape is “the penetration, no matter how slight, of the vagina or anus with any body part or object of another person, without the consent of the victim.” As section 1 (1), the Sexual Offences Act 2003 for England and Wales reads, “a person (A) commits an offense if (a) he intentionally penetrates the vagina, anus, or mouth of another person (B)

with his penis, (b) B does not consent with the penetration, (c) A does not reasonably believe that B consents.” These two definitions of “rape” set the lack of “consent” as the key element of the crime.

Sharon Cowan in her article named "Choosing freely, theoretically reframing the concept of consent" argued that consent, in particular, the Defendant’s honest belief in the presence of the Complainant’s consent, are essentially the problems of the mind, which are hard to scale, whereas evidence of physical violation is easy to find on the body, and therefore, “consent” should not be used widely. Even so, difficulties of rape trial is that evidence of some physical resistance on the part of the woman’s body may not be conclusive evidence of the lack of consent. The lack of any trace of physical resistance on the part of the woman’s body may not be conclusive evidence of consent, either. The complexity is that the mind and the body do not always correspond. Therefore, it is too dangerous and unfair to decide on a single criterion of consent. The court should take into account all the circumstances surrounding the course of events at question.

The trial of enslavement of any woman is no different, if the key criterion were to be her consent. Therefore, it makes sense that U.S. common law at the time of the Thirteenth Amendment, as analyzed by Nathan Oman, required as many as four criteria to find involuntary servitude on balance of probabilities.

## 2. Japanese “comfort women” in the post-surrender period

### 2.1. Reasons for the establishment of the RAA

On August 14, 1945, following the decision of the Japanese emperor, Hirohito, the Japanese government communicated to the Allies its acceptance of their terms for Japanese surrender. The Allied occupation of Japan led by the US forces was implemented in two weeks to “democratize” Japan.

In the meantime, the Japanese government discussed problems in anticipation of the arrival of the occupation forces, including sexual violence against their women. At a meeting on August 21, 1945, Prince Konoe Fumimaro, the Deputy Prime Minister, expressed his concern regarding the possibility of occupation troops raping Japanese women. This fear stemmed from Japanese troops' conduct in occupied China. One of the most notorious of many Japanese looting incidents all across China was the “Rape of Nanking” in 1937 and 1938, where Japanese troops had sexually assaulted thousands of Chinese women. The Japanese government feared there would be the same thing happening to them since they were defeated and occupied. It was a common belief among the Japanese that women would be raped and men would be killed when they lost a war. Mass suicides in the Marianas and Okinawa after the landing of US forces had testified to such an assumption on the part of the Japanese. They would rather prefer to kill themselves to getting killed and raped by the enemy (Molasky, 2005). Because of that, Prince Konoe had suggested setting up “comfort women” facilities for the exclusive use of the occupying troops. Japan was no stranger to “using women to protect women”. They had already established “comfort stations” or military sex facilities to prevent their boys from raping local women because Japanese occupiers were

supposed to bring about their emperor’s merciful rule rather than crimes and disorder. In Japan back then, as Yoshimi Yoshiaki (2000) stated:

The logic of male privilege that declared that a man who had not had sex was not a man and that life was futile supported the licensed prostitution system at home and in the colonies, as well as the military “comfort women” system in the warzone.

To protect women, the Japanese government planned to build “female floodwalls” (女の防波堤) to break the waves of rapes by the occupation troops, to prevent them from laying their hands on wives and daughters by giving the troops more dispensable women. The use of the word “female floodwall” can be seen in government document (Nishino, 2015), RAA records (Yoshimi, 2010), and private diaries of those involved in the establishment of RAA (Yamada, 1992, p.77).

While the government set up meetings to find a way to protect their women among the Japanese citizens, the fear of the Allied force troops was much more visible. Train stations in Tokyo and Kanagawa were crowded with women and children who tried to catch the train to move away from the urban areas in the hope of escaping the fate of being raped since the Allied occupation forces were expected to land first in the ports of Yokohama and Yokosuka in Kanagawa prefecture next to Tokyo. Some associations in Tokyo advised women not to go out at night after the landing of the occupation force (Yamada, 1996, p.9). Sexual violence against women committed by the occupation forces was actually reported at places around the landing ports in Kanagawa (Kanagawaken Keisatsushi Hensan Iinkai, 1974, p.378).

## 2.2. Establishment and work

On August 23, 1945, merely nine days after the Japanese announcement of their surrender, the “Special Comfort Facilities” were officially established and their association was translated into English, the “Recreation and Amusement Association” (known as RAA). On September 3, 1945, the day after the Japanese signing of the Instrument of Surrender on board *USS Missouri* in Tokyo Bay, the RAA began to

put out advertisements for women to work as “special female employees” on prominent newspapers such as the Asahi Shimbun (Kanzaki, 1953, p.134). The RAA used food provisions to attract women to come forward and work for them, especially licensed prostitutes and ordinary civilians such as war widows, war orphans, and those who were made redundant by the sudden termination of the war. Between August to October 1945, more than three million Japanese women lost their jobs (Tsuchiya, 2011). To these people, working for the RAA was a good opportunity to support themselves and their families if they still had dependents to take care of, such as their children or elderly parents. However, in their advertisements, the RAA did not mention the fundamental nature of their work. The RAA had set up fourteen comfort stations and nine cabarets; the rest were restaurants, hotels, inns, and hospitals.

The first comfort facility under the RAA was named “Komachien” somewhere between Tokyo and Yokohama, staffed with 38 “comfort women.” On the day of Komachien’s opening, August 28, 1945, 46 planes of an advance party of the Allied occupation force landed in Japan, and they went on to visit Komachien as soon as they could. Here in Komachien, one comfort woman had to serve no less than 15 men per night, one woman was said to have served up to 60 customers a day (Duus, 1979, p.67). Later, the number of women here also increased rapidly up to 100, but they hardly met the demands of the occupation troops (Tanaka, 2003, p.147).

The “comfort stations” run by the RAA sold tickets to their customers. A soldier who visited an RAA “comfort station” had to buy a ticket and a condom, and was guided to a room, giving the ticket to a woman in the room who gave him her services there. The woman kept the ticket and later handed it to the accounting office of the comfort station and received her due. It was a 50-50 deal in which the women kept 50 percent of the money the customer paid for her services, and the RAA took the other 50 percent to run their business. As they had promised when recruiting these women, the RAA provided the women with free clothes and free meals on

top of their salary (Dower, 2000, p.129). However, during their services in RAA comfort stations, “comfort women” suffered violence committed by the “customers” (Tanaka, 2003, p.160)

During their employment as RAA “comfort women,” they were able to receive a health check, including venereal disease (VD) examination, under the existing Japanese law at that time once a week. These women were treated as Japanese licensed sex industry workers, generally controlled by the police. The Ministry of Health and Public Welfare took charge of medical supplies such as condoms and penicillins (Tanaka, 2003, p.156).

### 2.3. The effect of the discharge from the RAA on “comfort women.”

The Japanese government set up “comfort stations” to protect their women from sexual abuse at the hands of foreign troops. The occupation authorities did not deny their men’s access to the “comfort stations”, in the hope of preventing VD from spreading among their ranks. However, this scheme could not stop VD from spreading among the women and the troops and became a nightmare for the occupation forces. In 1946, around 200,000 VD cases, mainly among the women in the sex industries in Japan, were recorded (Tanaka, 2003, p.160); their customers were primarily the occupation troops. At around the same time, the GHQ decided that it was time to abolish Japan’s licensed prostitution system because they regarded the system immoral and undemocratic in the first place (Tanaka, 2003, p.161). The GHQ first advised the brothel owners to repudiate all existing contracts with prostitutes to pay off debts made by themselves or their families. In January 1946, the SCAP issued an order to abolish licensed prostitution in Japan (SACPIN, 642).

On March 25, 1946, the GHQ placed “off-limits” on all brothels, restaurants, bars, and other premises where prostitution had been practiced, including RAA “comfort stations.” This

action by the GHQ marked the end of the RAA. This policy had left more than 150,000 women jobless (Tanaka, 2003, p.163). To replace the RAA and brothels, “special eating and drinking shops” emerged, they offered food and drink downstairs and sex upstairs, the police continued to mark these areas on the map with “red lines” as they used to do the same with respect to districts where licensed prostitution used to be practised (Kobayashi & Murase, 1961, p202-203).

The women could work in such *de facto* “red line” districts so long as the police deliberately and discreetly overlooked their activities. To survive, they took advantage of the fact that the occupation troops could not stop themselves getting sexual services during their stays in Japan. Many women became “panpan” since they could not earn a living without selling their bodies. “Panpan” is a Japanese word for “streetwalkers” at this time, and as Rumiko Sakamoto portrayed in her article about panpan:

“With their red lipstick, cigarettes, nylon stockings, and high-heel shoes, often holding onto the arms of tall, uniformed American GIs, the ‘panpan girls’ became a symbol of the occupation, and have been textually reproduced throughout the postwar period.”

Panpan, nonetheless, was unlicensed prostitutes, which meant that they belonged to no organization and could no longer receive medical checkups or healthcare treatment free of charge. After the abolition of the RAA, the government held no control over the activities of “comfort women” and neglected them. The panpan were thus abandoned and the most vulnerable people in occupied Japan: the police could arrest them at their whim, and the foreign troops who sought their services could rape them. Even pimps could beat and rape them. Furthermore, since they received no health check, panpan also threatened their own and men’s health. No safe sex could be guaranteed by panpan and the buyers. Panpan appeared after the discharge from the RAA and continued to be seen around until the end of the occupation period on 28 April 1952, and even thereafter, because U.S. forces kept on staying in Japan

under a different hat provided by the new security treaty. Most RAA “comfort women” kept on existing in their new identity as “panpan” after the abolition of the RAA itself.

#### 2.4. Application of the Four tests of Involuntary service to post-surrender “comfort women.”

##### 2.4.1. The lack of perfect freedom

The first test Oman identifies among the pre-1868 U.S. common law to help the court find whether a particular condition or state of affairs amounts to “involuntary servitude” is “perfect freedom.” When this is applied to the “comfort women,” it should be asked whether or not the woman concerned was perfectly free when she entered the contract of providing “comfort” services. There must have been no pressure from any party. Her hirers must hold no special power on her. She had to enter the work because she wanted to do so. There must have been no trick or coercion.

First, many women did not know the true nature of their work because the RAA recruitment advertisements did not tell what they had to do. Licensed professional prostitutes, including *geisha* dancers, might have assumed the true nature of the work expected, but the RAA did not tell it explicitly in any case. Publicly, the RAA recruited “barmaids” and “dancers” for its unspecified “entertainment” facilities. The adjective “special” attached to its job might well have deterred some women from applying but nothing was explicit. Fact remains, later, allured by the attractive rewards for the provision of sex services, some women eventually changed their minds. On other occasions, however, some barmaids and dancers were raped by GIs and as a result, became “comfort women,” according to a survey conducted in 1949 by Itsushima Tsutomu (1949, p.238). He surveyed 500 prostitutes specialized in the services for GIs; about 26 percent said they chose this work because they wanted to earn a living, 22 percent said they were dancers and raped by the GIs; this made them change their work status (Itsushima, 1949, p.238).



Many of these rape victims were not “prostitutes” in the beginning and had no intention of practising prostitution but for the rape.

According to Kanzaki (1974, p.134), in the first phase of its operation, the RAA openly recruited women for its unspecified entertainment job quickly without any interference, but two months later, the police intervened to tell the RAA and its brokers not to “recruit women by exaggerated or false representations or by suppressing the name of the employers”(Kobayashi and Murase, 1961, p.27-28). This police document manifestly testifies that many RAA workers were recruited into prostitution by fraud. The absolute state of “perfect freedom” did not exist thoroughly. Many entered the work without knowing its true nature, often after being laid off by the defeated armed forces and their related industries, being allured by free food, clothing and accommodation at a time when food rations were insufficient to sustain life, and nearly all the cities had been reduced to ashes and rubbles by the intense Allied aerial bombardment. Furthermore, there is evidence that some of the high school girls, war orphans in Hiroshima and Kawasaki, below the age of 18 were raped and put into the RAA “comfort” facilities by force (Tanaka, 2003, p.139-140). They may be the tip of an iceberg.

#### 2.4.2. The lack of reciprocity, unrequited toil

The second test Oman identifies among the pre-1868 U.S. common law to find “involuntary servitude” is “the lack of *bona fide* consideration”, or reciprocity in good faith.. The preceding section has already demonstrated that many women were allured into the RAA job by bad faith.

In terms of reciprocity, working for the RAA guaranteed enough free food, clothing, and accommodation, weekly health checkups and good wages. Even so, the lack of good faith defeats the

purpose of the agreed exchange. The service the women had to provide in reality was so different in kind and so personal in nature that no bargain could be said to have been agreed.

#### 2.4.3. Long duration of service

Third, were there temporal limits on their contracts? In principle, agreements extending over a very long period were suspect, while more limited engagements were not. Did the women have to work over a long time, beyond the number of men they could cope with? And how long did they have to work as “comfort women” in the post-surrender period?

RAA existed for only seven months, from 23 August 1945 to 25 March 1946. However, to find involuntary servitude, what matters may not be a simple arithmetic duration of time but the duration relative to the intensity of the work in question. For example, in the RAA, on one account, a woman served no less than fifteen people a night. Even professional prostitutes would find this intensity unbearable. This paper would assert that even a night of such service was far too long.

#### 2.4.4. Physical domination/degradation

Finally, the last test which Oman finds among the pre-1868 U.S. common law on involuntary service is physical domination or degradation. Were the women concerned physically dominated their hirers? Were the women captured by any force and punished if they tried to quit or run away?

Rape is often said to be psychological murder. Some RAA women were raped before engaged in the provision of sex services. The very personal and intimate nature of the service they gave was such that no money seemed to be sufficient, for those who committed suicide, to compensate for it. In RAA comfort station, only a few days after the opening of Komachien, a girl who worked there named Takita Natsue, 19 years old, a war orphan, had never been working as a “comfort woman,” committed suicide by jumping in front of a running train because of the

horrible experience at Komachien (Kaburagi, 1972). She could not take the horrible work in Komachien.

Above all, the shame and social stigma of having fallen into prostitution deprived many women of their future, which could not be “traded” by any amount of money in the ordinary sense of the term for lay people.

By alluring innocent women into prostitution by intentionally suppressing the nature of their work, the RAA and their brokers certainly abused and degraded the women.

Furthermore, some of the occupation troops held no mercy on them; proofs of violence committed by soldiers on comfort women were still in the record of official prefectural reports: they got beaten if they tried to deny their services (Documents on Japanese Police Activity, 1946, p.383122). The RAA women were often dominated physically and degraded by some of their customers.

### **3. Comparison between pre-surrender and post-surrender “comfort women.”**

#### **3.1. The lack of perfect freedom**

There are no exact statistics of “comfort women” in the pre-surrender period. These “comfort women” came from Japan, Korea, Taiwan, China, Dutch East Indies, the Philippines, and Burma; in short, they came from across the occupied territories of Imperial Japan. The greatest number of the “comfort women” in this period came from Korea and Taiwan, as Japan had occupied them for a long time. From the available testimonies, the most common method used in Korea and Taiwan was deception: false promises of good work in Japan and its occupied territories. The brokers approached low-income families’ daughters and offered good work opportunities as kitchen helpers, waitresses at the military canteen, or military nurses (in the case of Taiwanese). The brokers paid an advance payment to women’s

parents, they would sign a work contract, and once the women were moved to the designated comfort stations, they got checkups for VD and started work as “comfort women” without knowing the nature of work. In the Philippines, the method was different; they were either members of guerrilla groups captured by the Japanese and forced to become “comfort women” or were abducted from their home or on their way to work (Henson, 2016). The Japanese were not fond of using the Chinese as “comfort women” after the Rape of Nanking because they feared that Chinese women might be spies or want revenge because of what the Imperial Japanese Army had done (Tanaka, 2003, p.32).

In the case of native Japanese “comfort women,” in the history of Japanese prostitution, they were either accepted the job on their own accord or had no choice but to take the job for personal reasons; they were either *Karayuki-san* or *geisha*, the military bought off their loans and recruited them as “comfort women.” The Russo-Japanese war 1904-1905 marked the first step to military prostitution since military mobilization of Japan's industry and commerce began . A "Karayuki-san" was a well-known type of prostitute during the nineteenth and twentieth century. This used a word to refer to those girls who were trafficked out of Japan to other areas of Asia such as China and South East Asia, where Japanese men were working far from their home country and needed sexual services but were not keen on buying local ones (Tanaka, 2003, p.167).

Nevertheless, later on, not only Japanese but also Chinese, Korean, European men also sought out the service of *Karayuki-san*. *Karayuki-san* were the first few sex workers who served Japanese servicemen outside of Japan, especially at the time of their occupation of Manchuria. The work as *Karayuki-san* tended to be dire but promised the girls a higher salary than working as factory workers (Burns and Brook, 2013). There were two types of *Karayuki-san* recruitment. First, there were girls who were sold or hired out by their family for cash in advance (author, year, page). Second, there were girls who were tricked and kidnapped, and some were lured from

work in cotton mills by fraud (Burns, S. M. et al., 2013). In conclusion, some girls became karayuki-san even though they did not want to or know about the true nature of the work.

Apart from karayuki-san, geisha houses were among the sources from which women were recruited for “comfort” stations. The owner of a geisha house had made contracts with parents to buy and adopt their underage daughters, and the girls received art and cultural apprentice training for years before they physically developed enough to have sex. Once they entered a geisha house, the girls often had to do household chores, run errands while learning geisha arts, before they began to work at restaurants or Japanese "ryoutei" and eventually took customers for sexual services. Their parents sold their underage daughters to pay off their debts, while the girls were told to believe that they were paying off their parents' spiraling debts (Burns, 2013). This was a form of child labor and debt-bondage. Later, the Japanese armed forces asked brokers to fetch some geisha women for their “comfort” stations. Brokers bought women from geisha houses and sold them to the armed forces. Accordingly, it seems to be rather doubtful whether any of the individual geisha women hired to work at the so-called “comfort stations” had ever given their consent. Some might have given consent but it seems to be quite possible to argue that they did so by undue influence of their adoptive parents. The following is an interview with a former Miyakojima geisha restaurant owner's daughter called Kugai Yoshiko in Okinawa. A team of researchers interviewed her in 2008 when she shared her thoughts and feeling about a comfort station opened near her house (Molasky, 2005, p.110):

...I got a shock when I realized that women had been brought there by someone who was controlling them having taken advantage of the fact that they had no education, no means of resisting and little ability to insist on their rights...I hate it. Seeing all those men lining

up in front of the station. Even now it makes me feel sick, and I’ve got a phobia about men. I was seventeen at that time. And the girls in the station were around the same age as me. I just couldn’t comprehend why they had to be there, such vulnerable girls.

As the modeling contract discovered by Yoshimi Yoshiaki, the duration of a contract was two years; in Shirota’s memoir (1971), she claimed she had signed a three-year contract, it was considered to be long, and she did continue to work even after the end of the contract to the end of the war. However, the former was just model contractual terms for brokers to recruit women in Japan’s home islands, and as such not applied to the occupied territories. The said contractual terms have a significant problem with the woman’s age: 16 to 30 years old. For a woman to sell her sex, the legal age in Japan at the relevant time was 18 years old, and in Taiwan and Korea, 17 years old. The relevant term violated the “Prostitution Protection Act of Japan.

Furthermore, it is utterly incompatible with the "International Convention on the Prohibition of the Sale of Women and Children" (ratified by Japan in 1925), prohibiting women under 21 years old from selling their sex. The police were aware of this problem when brokers began to recruit women all across Japan (Yoshimi, 1992, p.28). In the end, the “comfort women” in the pre-surrender period had to endure a strict work schedule every day for an extended amount of time, not many day-offs, working from morning to night, sometimes even when they were menstruation. The pre-surrender “comfort women” seem to be capable of passing the third test of “involuntary servitude.”

In his book, Tanaka Yuki (2003, p.158) referred to *Memorandum for the Record by Hugh McDonald, Subject: Venereal Disease Control and Treatment Problems in Tokyo, Document No. 32* by Lieutenant-Colonel Hugh McDonald on December 6, 1945, Chief of the Legal Subsection of PHW, he wrote about the “practice of procuring girls” for brothels in Japan.

The girl is impressed into contracting by the desperate financial straits of her parents and their urging, occasionally supplemented by her own willingness to make such a sacrifice to help her family...that in the urban districts the practice of enslaving girls, while much less prevalent than in the past, still exists...

“Comfort women” in the pre-period seem to have passed the first test of “involuntary servitude.”

The so-called “comfort women” in both the pre- and post-surrender periods were not perfectly free to enter into contract to work at “comfort stations” or RAA facilities, not least because they were not properly informed of the true nature of the work. Even those who were bought from the geisha houses in the both periods can be said to have entered the job by undue influence of the owners of the geisha houses who were their adoptive parents since childhood. It is quite difficult to find any element of “free choice” in the “culture” in which they were brought up.

### 3.2. The lack of reciprocity, unrequited toil

To the non-Japanese “comfort women,” considering they were recruited by fraud, they barely knew the true nature of the work and of the VD checkups that were suddenly conducted on them without any explanation. According to his memo and photo, Dr. Tetsuo Aso, a probationary medical officer at the Army Communication Hospital in Shanghai in 1938, performed medical check-ups on January 2, 1938, on 80 Korean women and 20 Japanese women (Aso, 1993, p.41). His description of the Korean women was “young and pure” (p.41).

Admittedly, the women were paid with Japanese military banknotes which had been paid as soldiers’ salaries but these were not given in return for the service which the women had been

made to believe to provide in the first place. They had never been told the true nature of their job.

They either deposited their savings into a Japanese bank or kept the money close to themselves (Howard, 1995, p.112-113). The Japanese military banknotes had no value after the war, as they were sometimes not lucky enough to take their money back from the Japanese bank, they ended up penniless (Howard, 1995, p.112-113).

Among “comfort women” from the other nationalities, there was a belief that the ethnic Japanese comfort women were treated better and reserved only for high-ranking officers. However, their contracts did not state so, and they were treated just as others equally. The reward Japanese and non-Japanese “comfort women” obtained did not match their services. Against this background, they did not know that even ethnic Japanese comfort women were treated badly. The following is an interview with a former Miyakojima geisha restaurant owner’s daughter called Kugai Yoshiko in Okinawa. A team of researchers interviewed her in 2008 when she shared her thoughts and feeling about a comfort station opened near her house (Molasky, 2005, p.110):

...I got a shock when I realized that women had been brought there by someone who was controlling them having taken advantage of the fact that they had no education, no means of resisting and little ability to insist on their rights...I hate it. Seeing all those men lining up in front of the station. Even now it makes me feel sick, and I’ve got a phobia about men. I was seventeen at that time. And the girls in the station were around the same age as me. I just couldn’t comprehend why they had to be there, such vulnerable girls.

In Okinawa, many prostitutes tried to escape from “comfort stations” when they were notified that there was a plan of trafficking women from the licensed prostitution districts to the



“comfort stations” between Japan’s 32nd regiment and the geisha house owners in the Naha’s Tsuki district. The women there had been made to believe that they had to pay off their parents’ debts owed to the geisha house owners under Japanese law. However, they tried to prove that they were married or ill so that they could exit from this industry and prevent themselves from being bought by the brokers and sold to “comfort stations” (Shinozaki, 2000, p.3). This episode shows that even prostitutes regarded a comfort woman’s life unbearable (Shinozaki, 2000, p.3).

The pre-surrender “comfort women” seem to be quite capable of passing the second test of “involuntary servitude.” The women’s experiences varied depending on their nationalities and periods in which they worked as “comfort women”. However, in both of the periods, there was clearly no *bona fide* consideration because they had never been told the true nature of the job in the first place.

### 3.3. Long duration of service

The pre-surrender “comfort women” served many soldiers every day; the number can reach up to 25 men a day (Yamada, 1992, p.250). Japanese troops lined up outside of comfort stations on their day off, from morning to night, morning is for soldiers and non-commissioned, and night is for the high-ranking officers (Tanaka, 2003, p.51). It took ten to twenty minutes for each customer, and the “comfort women” were given only a short amount of time to clean up themselves and continued to work right away (Tanaka, 2003, p.51).

As the modeling contract discovered by Yoshimi Yoshiaki, the duration of a contract was two years; in Shirota’s memoir (1971), she claimed she had signed a three-year contract, it was considered to be long, and she did continue to work even after the end of the contract to the end of the war. However, the former was just model contractual terms for brokers to recruit women in Japan’s home islands, and as such not applied to the occupied territories. The said contractual

terms have a significant problem with the woman’s age: 16 to 30 years old. For a woman to sell her sex, the legal age in Japan at the relevant time was 18 years old, and in Taiwan and Korea, 17 years old. The relevant term violated the “Prostitution Protection Act of Japan.

Furthermore, it is utterly incompatible with the "International Convention on the Prohibition of the Sale of Women and Children" (ratified by Japan in 1925), prohibiting women under 21 years old from selling their sex. The police were aware of this problem when brokers began to recruit women all across Japan (Yoshimi, 1992, p.28). In the end, the “comfort women” in the pre-surrender period had to endure a strict work schedule every day for an extended amount of time, not many day-offs, working from morning to night, sometimes even when they were menstruation. The pre-surrender “comfort women” seem to be capable of passing the third test of “involuntary servitude.”

The “comfort women” of the post-surrender periods worked with a strict schedule of a minimum of 15 customers a day. They could not choose who to serve or the right to deny a customer. However, serving this number of customers was simply too harsh for any woman, and therefore, some tried to run away, and some even committed suicide. There seems to have been no qualitative difference between the pre- and post-surrender periods with respect to the unbearable intensity of the work, even if not it is not literally the duration.

#### 3.4. Physical domination/degradation

The “comfort women” in the post-surrender period got dominated on their stays in comfort stations and were severely punished when they tried to run away, especially those non-Japanese “comfort women” who entered comfort stations through trickery and coercion (Howard, 1995, p.23). But they never made it successfully (Howard, 2005, p.62). The pre-surrender “comfort women” had no say on the provision of service and had no right to deny itserving (author, year, page). Secondly, from testimonies,

most women only received a day or two off when menstruating and were forced to work in such a fragile state; it was not good for their health (Tanaka, 2003, p.51).

In his book about the Japanese’s Unit 731, Hal Gold conducted an interview with a former Japanese troop (1996, p.163). He testified that many comfort women at Unit 731 were forced to have sexual intercourse with people who were suffering from venereal diseases to contract their diseases and became samples of the Unit’s experiment to develop a way in which to treat the diseases. Eventually, many of the women died after these experiments (p.165).

In Okinawa, many prostitutes tried to escape from “comfort stations” when they were notified that there was a plan of trafficking women from the licensed prostitution districts to the “comfort stations” between Japan’s 32nd regiment and the geisha house owners in the Naha’s Tsuki district. The women there had been made to believe that they had to pay off their parents’ debts owed to the geisha house owners under Japanese law. However, they tried to prove that they were married or ill so that they could exit from this industry and prevent themselves from being bought by the brokers and sold to “comfort stations” (Shinozaki, 2000, page). This episode shows that even prostitutes regarded a comfort woman’s life unbearable (Shinozaki, 2000, page).

In Japan, professional prostitutes like geisha, and karayuki-san were the main target of recruitments because they were the easiest to buy; they usually had loans and families to take care of. Invariably, these “comfort women” suffered degradation because their life in comfort stations was described as a living hell where they had no freedom to quit; the women had to serve more men than their physical and mental strength allowed; they were essentially treated as “military supplies”. . Both Japanese and non-Japanese “comfort women” were degraded severely. The pre-surrender “comfort women” seem to be capable of passing the fourth test of

involuntary servitude. If the pre-surrender “comfort women” were treated as military supplies, the post-surrender “comfort women” were human breakwaters; they were treated as dispensable property of the Japanese government. There are many similarities between the “comfort women” in both of the periods.

### **Conclusion**

There was the continuation of the comfort women system before and after 1945, only several days after its surrender, Japan had already set up a new “comfort women” system for a different set of user.

The “comfort women” in the pre-surrender period qualified the four tests of “involuntary servitude” by Oman. The “comfort women” in the post-surrender period did not have enough qualities to pass the tests. However, the similarities in the “comfort women” of both periods were clear.

### **Limitations**

This study about post-surrender Japanese “comfort women” has the following limitations.

Firstly, most of the trustable sources of information were in Japanese; as a Vietnamese, I had a hard time understanding them and had to look for help in translating essential documents. Kanji and old Japanese were a big obstacle, the way I understand a word may be different from the original meaning to Japanese people.

Secondly, I relied solely on secondary sources and previous research.

Thirdly, the spread of Covid 19 made the process harder.

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