

Proposal: The Hwang Geum Joo v. Japan Case Illustrates the Importance of Accountability & Acknowledgement of Wrongdoings During Times of War

Throughout history, especially during times of war, abhorrent acts have been committed upon the vulnerable and innocent. Events such as the Holocaust and the Rape of Nanking, both taking place during World War II, are examples of these acts. When horrible events such as these take place during times of war, it is in the countries' best interest to acknowledge, and, most importantly, hold accountability for what happened so that reconciliation can occur more smoothly. The history of Japan's disregarding their forced sex slavery upon South Koreans during World War II is an example of how avoiding accountability and acknowledgement of a difficult past can strain future foreign relationships.

The proposed project will use the *Hwang Geum Joo v. Japan case* to illustrate the importance of accountability and acknowledgement of wrongdoings after times of war. This case was filed against the Japanese government in the U.S. by fifteen former comfort women who blamed the Japanese government for being forced into sex slavery before and during World War II. In this case, the plaintiffs argued that the Japanese government owed the survivors of the comfort women event compensation and an official apology as they played a major role in orchestrating the international abuse and torture of these women.

This case is evidence of why it is important for countries to fully acknowledge and apologize for their past wrongdoings as not doing so results in future troubles, such as lawsuits and strained foreign relationships. The existence of this case, years after the end World War II, shows the pain that still exists today as the disregard of the comfort women events resulted in the

continuous physical and financial suffering of these women from the abuse and torture they endured. It was not until 1992 that Japan's government officially acknowledged their involvement and in 2015 that Japan and South Korea finally came to a resolution over the comfort women issue.

Multitude of primary sources on comfort women and this case exists, however, there are currently few scholarly works or monographs on the Hwang Geum Joo v. Japan case or its relationship with the comfort women issue between Japan and South Korea. What the proposed project will accomplish is expand the few existing studies of the Hwang Geum Joo v. Japan case and its relationship to the history of reconciliation between Japan and South Korea. The proposed project will also add to existing scholarly works and monographs on the effectiveness of international apologies since it will examine this case was a result of Japan's previous disregard of their wrongdoings during World War II.

A key secondary source is a 2008 book written by Alexis Dudden titled *Troubled Apologies Among Japan, Korea, and the United States*. Written two years after the Hwang Geum Joo v. Japan case was closed, the book goes over the issues Japan was having with acknowledging and apologizing to Korea for the atrocities committed by their imperial army and America's growing involvement in Asia. This book serves as a key source because of the cultural and political background it provides over the issues the Japanese were having over their country's dark history during their imperialism. This is true in chapter two especially since this chapter touches base on the struggle to acknowledge the comfort women issue in Japan.

Another key secondary source is a book also written in 2008 by Jennifer Lind called *Sorry States Apologies in International Politics*. This book compares how the reconciliation progress between France and Germany and Japan and South Korea, respectively, has been post-

World War II in relation to international apologies. The book is another key secondary source as its argument that apologies and acknowledgment are beneficial in reconciliation between countries aids in the argument of the proposed project. The other secondary sources gathered for the proposed project reviews both the Hwang Geum Joo v. Japan case and of Japanese and South Korean's mending relationship, providing historiographical information.

As for the primary sources, legal documents found in the *Columbia Law School: Center of Korean Legal Studies* website, such as the Hwang Geum Joo v. Japan case file and Japanese Government and Ministry of Foreign Affairs Statements, are major sources for the proposed project. They both provide not only in-depth information about the case, but these documents also provide a timeline of how the Japanese government was responding to the comfort women issue and the victim's reactions. Other primary sources gathered, such as United States military documents of Korean comfort women interrogations, a House of Representative amended bill that expresses support for the comfort women, and a newspaper article of the case all provide historical background information for both the comfort women and the case.

Problems that could arise in the proposed project are, as Mr. Catlin mentioned in a previous meeting, an overflow of information surrounding this topic. The interdisciplinary aspects of this topic, such as the legal and philosophical, are also factors to take into consideration as they can make keeping a focus on the historical aspect for the proposed project difficult. Regular meetings with Professor Ferrell, Mr. Catlin, and others in the history department will help in managing these issues.

I hereby declare upon my word of honor that I have neither given nor received unauthorized help on this work. – Lesley Morales-Sanchez

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