

“Comfort Women” and the Political Economy of Erasure in the Philippines

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Abstract: *In this paper, I look into the lesser-known history of “comfort women” in the Philippines. I engage with the following questions: how did the trafficking and sexual exploitation of Filipino women emerge as part of state policy in the Japanese Empire? How was it dealt with in the aftermath of the war, especially in the face of shifting post-war alliances and the changing place of Japan in the geo-politics of the Cold War? How did events in the international arena, in turn, affect diplomatic relations between the Philippines and Japan, specifically with respect to aid and trade? Finally, how did the market forces at play affect state policy in the Philippines?*

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We began the day with breakfast, after which we swept and cleaned our rooms... At two, the soldiers came. My work began, and I lay down as one by one the soldiers raped me. Every day, anywhere from twelve to over twenty soldiers assaulted me. There were times when there were as many as thirty, they came to the garrison in truckloads.... I lay on the bed with my knees up and my feet on the mat, as if I was giving birth. Whenever the soldiers did not feel

satisfied, they vented their anger on me. Every day, there were incidents of violence and humiliation.

– Maria Rosa Henson, *Comfort Woman: Slave of Destiny*

First published in 1996, Maria Rosa Henson’s account of her experiences as a “comfort woman” (i.e., girls and women who had been abducted and forced to provide sexual services to the Japanese Imperial Forces during the Second World War) during the Japanese Occupation of the Philippines remains a touchstone in the comparative history of state-sanctioned violence against women. The work served as an important milestone in the emergence of the comfort women issue during this period in the Philippines and elsewhere. In this essay, I address the political economy of female sexual exploitation by examining how their plight has been framed by the developmental imperatives of the post-war Philippine state. By political economy, I am referring to the confluence of political and economic forces that generate discourses and practices related to “national development,” particularly with respect to projects focused on infrastructural growth. Such forces often work to marginalize the rights and interests of women, especially those deemed to be food- or income-poor. In this context, former comfort women—as survivors of rape and war from lower-class backgrounds—have been particularly stigmatized. The relative absence

of accounts depicting their ordeals during this period in historical narratives authorized by the state (e.g., in textbooks, statues and historical markers) has been matched by a dearth of social protection mechanisms to assist them from the 1950s onwards. This erasure of comfort women from historical consciousness is precisely the effect, I argue, of the political and economic forces that allowed, and continue to perpetuate, the violence they experienced. This chapter will therefore engage with the following questions: how did the trafficking and sexual exploitation of women emerge as part of state policy in the Japanese Empire? How was it dealt with in the aftermath of the war, especially in the face of shifting post-war alliances and the changing place of Japan in the geo-politics of the Cold War? How did events in the international arena, in turn, affect the diplomatic relations between the Philippines and Japan, specifically with respect to aid and trade? Finally, how did the market forces at play affect state policy in the Philippines?

Female Sexual Labour: The Japanese Context

The imperial fanfare heralding the Meiji period (1868-1912) ushered in Western notions of “modernization” that often obscured a darker side of Japan’s rising expansionism: its exploitation of female sexual labour. The unprecedented industrial growth of this era primarily favoured ruling elites at the expense of a large underclass—most of whom were peasants, landless labourers, outcasts, and women. The textile industry was a primary source of income for women, followed by sex work in brothels, legally recognized in the late 19th century by Meiji “reformists” (Hane, 2003; Sekiguchi and Burtscher, 2008, 201–221). Substantial government revenue from the sexual labour of the *karayuki-san* (Japanese prostitutes who worked in China and elsewhere) had already begun to come into the

country at the end of the Tokugawa period. By the Meiji period, the system had become very lucrative, entailing the export of Japanese girls and women from poverty-stricken agricultural prefectures in Japan to destinations all over East Asia, [Southeast Asia](#), [Siberia](#), [Manchuria](#), [British India](#) and Australia. “Purchased” at the price of \$500–\$600 each, the *karayuki-san* were indentured servants required to reimburse about half of all their earnings to their “sponsors” if they hoped to return home (Tanaka, 2002, 170).

While this practice continued through the Taishō period (1912–26), it was eventually supplemented during the succeeding Shōwa period (1926–89) by the dreaded *ianjo* (“comfort station”) system prior to the Second World War. Unlike the *karayuki-san*, who had a fairly broad clientele, the *ianfu* (comfort women) primarily serviced the Japanese Imperial Forces. In 2021, a professor of Japanese law (Ramseyer, 2021) made the controversial claim that comfort women had “voluntarily” signed contracts with the owners and managers of comfort stations. Scholars like Tessa Morris-Suzuki (Morris-Suzuki, 2021, 4), however, have pointed to the glaring lack of testimonies from comfort women themselves, let alone witnesses of (or references to) any signed contracts that might corroborate this claim. Others had argued earlier that the treatment of the *ianfu*, especially those who were not Japanese colonial subjects, was far more brutal than that of the *karayuki-san* (Hicks, 1996, 39). With the Japanese invasion of Manchuria in 1931, followed by full-scale war in China in 1937 and the outbreak of the Pacific War in late 1941, Japanese officials quickly established a system of military brothels (up to 400 by 1942) in almost every corner of the Asia-Pacific region. The rationale for this sprawling network was ostensibly to prevent rape by (and venereal disease among) Japanese troops in these territories. The Congressional Report informing Resolution 121 in the US House of Representatives (2007) estimated that

as many as 200,000 comfort women—from Korea, China, Taiwan, the Philippines, Indonesia, and the Netherlands, among other countries and regions—were forced into sexual slavery during the war (Niksch, 2006).

Those deemed to be from outlying territories were treated differently from the women who were either ethnic Japanese or part of the Japanese Empire before WWII (such as the Koreans and Taiwanese). The latter, who fell under the jurisdiction of the Home Ministry, were generally coaxed or tricked, often by private brokers (both local and Japanese) into providing soldiers with sexual services “for the good of the country.” Unlike them, non-Japanese subjects were deemed to be wards of the Ministry of Defence. Often kidnapped in an ad hoc manner, they tended to be viewed as the expendable spoils of war and, even more demeaning, as “military supplies” (Hicks, 1996, 316). This intersection of racism and sexism within and outside the bureaucracy helps explain why Japanese soldiers rarely resorted to subterfuge and private brokers in the case of women “belonging to the enemy,” often abducting them openly and with great violence, as was the case in the Philippines.

The Japanese Occupation of the Philippines

Ten hours after the attack on Pearl Harbour, Japanese troops bombed the island of Luzon and occupied Manila by early 1942. Comfort stations were quickly established throughout the archipelago, from northern, central and southern Luzon to Masbate, Panay, Negros, Cebu, Samar, Leyte, Bohol, Mindanao, Palawan and other areas (Asian Women’s Fund website). In Manila alone, 17 stations for rank-and-file soldiers were staffed by 1,064 women and another 120 women worked for four officers’ clubs by early 1943 (Tanaka introduction in Henson, 2016). Although the exact number of

Filipino women and children (including some men) incarcerated in these stations remains unknown, it is estimated that there were well over a thousand (personal correspondence with Cabusao-Silva, 2021).

In late November of 1943, a particularly virulent attack by the Japanese forces took place during the Siege of Mapanique in the province of Pampanga (north of Manila). Men and boys from the town were rounded up, tortured and castrated before eventually being burned to death (Roque, 2013). Women and girls were forced to march from Pampanga to the *Bahay na Pula* (Red House) in San Ildefonso, Bulacan (the next province), where they were repeatedly raped and subjected to multiple forms of abuse (personal correspondence with Suarez, 2021). The cruelty and ferocity of Japanese actions were likely a response to the strength of the militant *Hukbalahap* (Huks)—a powerful, pro-Communist peasant and workers’ organization among over a hundred guerrilla organizations in the Filipino resistance movement—in the region (Kerkvliet, 1977, 61-109). It should be noted, however, that the majority of those attacked and killed in Mapanique were civilians who had not been involved in the Huk Rebellion (Suarez, *ibid*, based on oral testimonies by locals from Pampanga). But the savagery of Japanese rule, also evident in events like the Bataan Death March of 1942 and the month-long Battle of Manila in 1945, resulted in massive destruction throughout the archipelago and the tragic loss of life of over half a million Filipinos.

The Shifting Tides of Allied Justice

At the Potsdam Conference, with the leading Allied powers to determine the post-war peace, Japan’s surrender led to the formation of several tribunals. In the case of the Philippines, General Douglas MacArthur, as Supreme Commander of the Allied Powers, established

the Philippine War Crimes Commission later that year to investigate war crimes by the Japanese military. In 1946, the International Military Tribunal for the Far East—popularly known as the Tokyo War Crimes Tribunal—charged twenty-eight Japanese political and military leaders with aggressive war, conventional war crimes, and crimes against humanity. From 1945–51, separate trials held in seven countries—Australia, Taiwan, France, the Netherlands, Britain, the United States and the Philippines—were also convened to charge lower-ranking war personnel. Of the 5,700 Japanese personnel prosecuted for Class B war crimes, about a thousand were sentenced to death, 17 of whom were charged with crimes on Philippine soil (Wilson, 2015).

At the outset, Allied statements about Japanese war criminals were imbued with a palpable sense of moral superiority. But MacArthur's pragmatic decision to permit the transition of Emperor Hirohito from an absolute to 'constitutional' monarch—essentially a pardon—changed the tenor of future proceedings, which sought, by pre-empting Japanese resistance, to protect American interests throughout the region. Indeed, the prosecuting governments, the US and UK in particular, began to consider clemency and reform (as opposed to "justice") in large part because of the imminent threat of the Cold War. In short order, Japan was suddenly seen as a necessary bulwark against Communism. By the end of 1958, virtually all war criminals, including those sentenced to life imprisonment, had been released (Seraphim, 2008). These acts of clemency could not have been possible without the vigorous efforts of the Japanese lobby: countless advocates as well as political and business leaders launched a massive campaign to approach a range of governments and media outlets. Soon enough, war criminals were leveraged as bargaining tools to achieve an assortment of political gains from Japan (Wilson, *ibid*).

Clemency, Reparations and Elite Collusion in the Philippines

In the aftermath of the war, the question of Filipino collaboration, particularly among the elite, became a major political issue. The Philippine government's execution of three Japanese war criminals in 1948 was followed by a mass execution of 14 prisoners in 1951, this time in virtual secrecy so as not to re-ignite public sentiment against Japan. In her book on the Philippine war trials, Sharon W. Chamberlain argues that it was precisely the active role played by Filipino elites that explains the rapid release of many Japanese war criminals in the Philippines. For instance, President Elpidio Quirino, in a calculated move, announced in 1953 that all 105 convicted Japanese war criminals in Manila's Muntinlupa Prison would be pardoned, released and repatriated to Japan. As Chamberlain observes: "The contrast with American notions of justice for crimes committed in the Philippines is striking: of the more than ninety Japanese sentenced to death by US tribunals, sixty-nine were executed." Her argument—that Americans placed a higher market value on the lost lives of their nationals in the Philippines than Filipino leaders themselves did—remains persuasive (Chamberlain, 2019, 93–119). Undeniably, Quirino's much-vaunted magnanimity may have had more to do with a desire to win the Japanese over in the matter of reparations, given the upcoming presidential elections later that year. This turned out to be a strategic miscalculation on his part, however, since no official agreement between the two countries materialized until 1956, by which time he had lost the presidency to the more charismatic Ramon Magsaysay.

A notable consequence of Article 11 of the Tokyo Tribunal was Japanese acceptance of the notion of compensation explicitly laid out in the Treaty of San Francisco. Signed in 1951 by 49

countries, it sought to re-establish peaceful relations between Japan and the Allied powers, thereby terminating the state of war and opening the conversation about redress. Among the countries that would receive money from the Japanese government was the Philippines. By 1957, the reparations process, in the form of over \$550 million (including commercial loans totalling \$250 million from private Japanese firms) in capital goods and services from Japan to the government of President Carlos P. Garcia (1957–61), had begun. This figure, however, was far lower than the \$8 billion in reparations originally demanded by the Philippine government. While official acquiescence (Republic Act or RA 1789, 1957) to this dramatic reduction can certainly be explained by the economic ravages wrought by the war, Chamberlain is quick to point to the heavy hand wielded by the United States in this decision. As she observes, “by the latter half of 1950, the US government continued to urge members of the Far Eastern Commission to agree to release Japan from any obligation to pay reparations to countries like the Philippines that had suffered from Japanese occupation” (Chamberlain, *ibid*, 116). This was in alignment with America’s efforts to bring Japan into its fold in the emerging Cold War against the Soviet Union.

There is also evidence to suggest that the private sector in the Philippines was not averse to these developments. An outline of the government’s sectoral distributions from Japanese payments during this period is telling: salvaging of sunken Japanese ships; credit on reparations; service; consumer goods; mining; electric power; education, health and research; agriculture and fishery; industry; transportation and communication; and public works (Takahashi, 1993, cited in Trinidad, 2007, 95–125). Former comfort women presumably fell under the sub-category of health in “education, health and research,” which accounted for a particularly small category (less than 5%) relative to “public works” (almost 35%). In fact, new provisions in

the amended Philippine Reparation Law, signed in 1961 (RA 3079) included the adoption of a bidding system to facilitate direct contracting between Japanese suppliers and Filipino businesses, in addition to increased allocations for the government. The reparations scheme overwhelmingly favored the private sector, to which 60% of the fund was allocated. Furthermore, well-connected politicians and businessmen began to interfere with the aid process, deploying it as a tool for dispensing patronage. The Garcia administration, for example, designated maritime vessels as a procurement priority because of pressure from the shipping industry. Because of this type of elite capture, the reparations scheme’s contribution to infrastructure development and production, let alone social welfare, was negligible (Yoshikawa in Ikehata and Yu-Jose, eds., 2003, 377–442).

This trend intensified during the Marcos regime. While President Ferdinand E. Marcos (1965–86) had made spurious claims about receiving US medals for his anti-Japanese activities during the war, his actual engagements with Japan are more revealing. Upon his rise to the presidency in 1965, he appointed Roberto Benedicto, a close associate, as Philippine ambassador to Japan. It has been suggested that Benedicto, in turn, helped Marcos personally acquire \$550 million from the WWII reparations fund and further developed lucrative joint venture operations between Japanese and Filipino corporations. This allowed Marcos and his associates to receive commissions of 10–15% from loans by Japanese contractors (Martial Law Museum website, Ateneo de Manila University). By 1972, Marcos would abolish the legislature and establish Martial Law. He and Benedicto were then able to fast-track the ratification of the Treaty of Amity, Commerce and Navigation, which the legislature had refused to ratify for 13 years. Article 1 of the treaty stated that “nationals of either Party (would) be accorded treatment no less favorable than that accorded

to nationals of any third country" (Japan and Philippines – Treaty of Amity, Commerce and Navigation, 1960). This no doubt contributed to the US' eventual displacement by 1975 as the country's primary source of investment in favor of Japan (Trinidad, 2021).

By the mid-1970s, however, confidence in the Marcos regime had deteriorated, made all-the-more pronounced by the assassination of Benigno "Ninoy" Aquino (a vociferous Marcos critic) in 1983. In fact, even after the fall of the Marcos dictatorship in 1986, foreign lenders continued to be reluctant to lend to the country, just as Philippine companies (and veteran bankers) avoided borrowing foreign currencies until the economy had stabilized. Thus, the 1997 Asian financial crisis that would wreak havoc throughout the region was less damaging to the Philippines because the country was less integrated into the global economic community than other Asian nations. The large Filipino overseas workforce remitting foreign currency to the Philippines was also critical in helping to cover interest payments on public debt (Balisacan and Hill, 2003).

The Emergence of Comfort Women Narratives

Marcos' imposition of Martial Law for much of the 1970s and 80s stifled almost all forms of civilian protest in the Philippines. State control of the public sphere helps explain why the continuous trickle of revelations about comfort women that began emerging in Japan during the post-war period—originally in the form of reports, diaries, and memoirs written during and after the war, followed by Matsui Yayori's exposés in the *Asahi Shimbun* in the 1960s, Senda Kako's sympathetic book entitled *Military Comfort Women* in 1973 (Senda, 1973) or Yamatani Tetsuo's film *An Old Lady in Okinawa: Testimony of a Military Comfort Woman* in 1979—did not have a discernible impact on the Filipino public. In this, however,

the Philippines was far from unusual. It was only with Kim Hak-Sun's explosive revelations in a 1991 church gathering in South Korea, where she openly described life as a comfort woman for the first time, that the comfort women's issue began to attain international prominence.

The revelations were ground-breaking on several levels. In Japan, the scholar Yoshimi Yoshiaki announced in 1992 that documents establishing the involvement of Japanese forces in the *ianjo* system had been uncovered, leading to a full-scale inquiry by the Japanese government. Chief Cabinet Secretary Kōichi Katō's acceptance of its findings that same year led to the issue being raised at the United Nations. The following year, Chief Cabinet Secretary Yōhei Kōno presented an even more powerful official statement (now referred to as the 'Kōno Statement') acknowledging that women had indeed been coerced into comfort stations—a fact that had been routinely denied by the government until that moment (Kōno, 1993).

By 1994, the Asian Women's Fund (AWF), set up by the Japanese government with the help of private donors, sought to provide monetary compensation to former comfort women. Each survivor was to receive approximately \$19,000 as a form of "atonement," including a signed, personal apology from the Prime Minister and the head of the AWF. However, Dr. Radhika Coomaraswamy, UN Special Rapporteur on Violence Against Women, continued in 1996 to decry the "military sexual slavery" that many comfort women had endured, urging the Japanese government to accept *legal* responsibility for violating international law. While the AWF was seen as a "welcome development," she emphasized that moral concern did not exempt Japan from accepting legal responsibility, issuing a public apology, compensating survivors, punishing perpetrators, disclosing the contents of archival materials on the subject, and revising school

textbooks in ways that made the experiences of comfort women and others an integral part of Japanese history (Coomaraswamy, 1996).

It was only at this point that the issue of comfort women, not to mention the question of responsibility for the ordeals they had been put through, began to gain traction in Philippine society. The ousting of the Marcos dictatorship in the bloodless People Power 'EDSA' revolution of 1986, which received widespread international support, ushered in the presidential administration of Corazon C. Aquino. While full of hope, it was also beset with problems of maintaining stability, dealing with coup attempts, the Muslim separatist movement and a Communist insurgency.

It was also at this time that the number of overseas contract workers rose dramatically. One in ten Filipinos sought employment abroad and the country itself became dependent upon workers' remittances. Many Filipinos overseas were living under precarious conditions. Reports of abuse, rape and occasional death were widespread and had a profound impact on the national psyche. Filipinos at home identified with the sense of vulnerability suffered by those abroad, criticizing the government for its inability to protect workers, most of whom were women working as domestics. As Vicente Rafael has shown, the sense of national crisis around the fate of overseas workers came to a head when Flor Contemplacion, a Filipino domestic worker accused of murder in Singapore, was executed in 1995. This fuelled strong criticisms against the administration of President Fidel V. Ramos (1992-98) because it had failed to obtain clemency from the Singaporean government on her behalf (Rafael, 2000, 204-228).

The Contemplacion case helped ignite public interest in Filipino comfort women, whose plight came to be seen as analogous to that of domestic workers who were being abused overseas. The *Philippine Daily Inquirer* ran a

story about comfort women in March 1992, and the wide-ranging discussions it sparked among members of civil society led to the establishment in July of the Task Force on Filipino Comfort Women, which was composed of several left-leaning women's organizations. The NGO launched a radio appeal to former comfort women all over the country, asking them to speak out in a telephone hotline and reminding them that the issue was already being taken up at the United Nations. No doubt encouraged by this sea-change, Maria Rosa Henson contacted the task force directly and finally broke her silence. Her account was followed by revelations by 44 other Filipino women.

Two months later, Ramos established the Inter-Agency Task Force on Former Comfort Women, directing the Departments of Foreign Affairs and Justice, as well as the National Commission on the Role of Filipino Women, to investigate the matter (DSWD and AWF, 1992). This initiative may have been spurred by the administration's desire to contain the public's dissatisfaction over its handling of the Contemplacion case.

In 1994, the International Commission of Jurists in Geneva published a voluminous report on the comfort women issue, drafts of which were sent to the governments of Japan, the Philippines, North Korea and South Korea (Dolgopol and Paranjape, 1994, 152-54). The disturbing accounts in the report provided international corroboration of the claims made by numerous comfort women. But the challenging lack of archival material about them was further compounded by the fact that most of the accounts were oral and had to be compiled by researchers, some of whom were foreign and not fluent in Filipino languages. Philippine government and academic resources for such endeavours were also limited, underscoring the problems of political economy I have raised elsewhere.

Nevertheless, ongoing revelations from Japan were crucial in making these narratives more widely accepted in the Philippines. For instance, the initial doubts raised by Ricardo Jose, a respected Filipino scholar of the Japanese Occupation who had based his findings on interviews with survivors and former guerrillas from the Philippines (Asian Women's Human Rights Council-Philippines and BAYAN Women's Desk, 1992, 5), were eventually overcome, given the overwhelming evidence from Japanese sources (Philippine Daily Inquirer, December 2018). In turn, these debates spurred the Ramos administration to direct the Inter-Agency Task Force to further study the matter and propose welfare assistance for the women. The project, approved by the AWF in 1997 and implemented by the Department of Social Welfare and Development (DSWD), was dubbed "Assistance to Lolas (grandmothers) in Crisis Situation" (ALCS). According to the department, it provided 109 former comfort women with approximately \$8,000 (not the agreed \$19,000, for reasons that remain unknown) each in the form of food, medical care, clothing, shelter, utilities, transportation and counselling over a five-year period (DSWD and AWF, *ibid*).

There were other back-channel efforts as well: for example, Senator Leticia Ramos Shahani met with several members of the Japanese Diet, requesting that they provide greater and more direct compensation to the former comfort women in the Philippines. While sympathetic, the response was that it was unlikely that Japanese leaders would willingly lose face on the issue once more. Instead, Shahani was offered \$23.82 million in 1996 by Japanese counterparts—then-Speaker Takako Doi (of the Japan Socialist Party/Social Democratic Party) and other female legislators—to establish a Women's Centre under the Philippine government's Technical Education and Skills Development Authority (TESDA), which was completed in 1998 (TESDA website). Since the goal of the TESDA Women's Centre was to

train women in industrial and technical skills traditionally dominated by men, the senator accepted, despite the concerns raised by this author that the funding would be targeting a different demographic altogether—that of young, unskilled women—and not the aging population of former comfort women in dire need of psycho-social assistance. The Senator was keenly aware that the fund would ultimately be insufficient. However, given the defensive nature of official Japanese pronouncements during the post-war period, the absence of US support on the issue, which would come only a decade later (see US House Resolution 121 (2007), and the looming financial crisis in the region, she argued that the TESDA Women's Centre would at least provide badly-needed support for the next generation.

The ALCS project was terminated in 2002, having spanned the tail-end of President Ramos' administration, President Joseph Estrada's brief tenure, and the early years of President Gloria Macapagal-Arroyo. The number of Philippine government initiatives to assist the survivors during the latter's term—particularly from 2001–2007, when the AWF was eventually terminated—remained woefully scant. An accounting of the money disbursed to the women during this five-year period does not appear to be available. Despite various efforts to compensate Filipino comfort women, most ultimately fell short in addressing their complex needs, and the interest in their plight eventually waned.

The Lolas



Figure 1. A gallery of Filipino comfort women in the Lila Pilipina headquarters in Manila. Photo credit: Lila Pilipina.

In the Philippines, former comfort women and female survivors of rape during WWII are called *Lolas* (a term of endearment meaning grandmother). Broadly speaking, the survivors and advocates fall under two categories: the first, Lila Pilipina, is composed of those deemed to be “legitimate” comfort women (i.e., those who had been held in official comfort stations for considerable periods of time and who publicly recounted their experiences in the 1990s) by the AWF and their partners in the Philippine government like the Departments of Justice and Social Welfare and Development. An offshoot of Lila Pilipina, the *Lolas Kampanyera* (Crusading Grandmothers) Survivors Organization is composed of survivors who broke their silence in the 2000s. In contrast, the second category consists of the “Malaya Lolas” (Free Grandmothers), who have not been recognized by the AWF (and only recently by the Philippine government because of pressure from the UN) on the grounds that their experiences during the Mapanique siege and their forced march to the Red House in Bulacan were routine (and therefore unactionable) matters of war. In other words, as mere rape victims who had not been formally housed in comfort stations (the Red House, an old hacienda, was not deemed official), they were not recognized as legitimate

comfort women.

In 1993, members of both groups made several appeals to the Japanese government for state recognition and official compensation. While the Yamaguchi District Court had originally acknowledged in 1998 that the government had failed to enact laws enabling the payment of compensation to former sex slaves, this view was overturned by the Tokyo District Court later that same year. The Kōno Statement notwithstanding, Japanese officials continued to downplay the country’s culpability in war crimes throughout this and later periods. This may well have influenced the court’s dismissal of the claims made by the 46 former comfort women from the Philippines (*Japanese Annual of International Law*, 1999, 170); see also Japan Times, October, 1998). But the Malaya Lolas were particularly disturbed by this rejection because they had never been deemed eligible for AWF funding. Rejected by the Japanese government and “lacking a legal personality” (Suarez, *ibid*), the women turned to their own government for support. In 2004, they filed a petition to the Philippine Supreme Court, requesting compensation for the suffering they had endured from Pampanga to Bulacan at the hands of the Japanese. This was rejected by the Supreme Court in 2010 (“Vinuya vs. Executive Secretary,” Supreme Court Ruling, 2010) and once again in 2014 (“Isabelita Vinuya et al. v. Executive Secretary Alberto G. Romulo et al.,” Supreme Court Ruling, 2014) when the Lolas asked the court to compel the president or the executive branch to represent them in their fight against Japan. In 2010, the Court observed that:

The Philippines is not under any international obligation to espouse petitioners’ claims... (Vinuya, *ibid*, paragraph 31 under “Our Ruling”)

It has been argued, as petitioners argue now, that the State has a duty to protect

its nationals and act on (their) behalf when rights are injured. However, at present, there is (in)sufficient evidence to establish a general international obligation for States to exercise diplomatic protection of their own nationals abroad... If it is a duty internationally, it is only a moral and not a legal duty, and there is no means of enforcing its fulfilment.

We fully agree that rape, sexual slavery, torture, and sexual violence are morally reprehensible, as well as legally prohibited under contemporary international law... However, ...these proscriptions (do not) automatically imply that the Philippines is under a non-derogable obligation to prosecute international crimes... (Vinuya, *ibid*, paragraphs 5 and 6 under “Barcelona Traction”)

The court further cited the Executive branch’s opinion that taking up the petitioners’ cause would be “inimical to (the) country’s foreign policy interests, and could disrupt... relations with Japan, thereby creating serious implications for stability in this region” (Vinuya, *ibid*, paragraph 13 under “Our Ruling”)...

This reasoning is odd, given the usual separation of state powers between the legislative, judiciary and executive branches, where the latter (as enforcers, and not creators or interpreters, of the law), tend to occupy the bottom of the hierarchy. The Supreme Court’s ruling makes it amply clear that it was bowing to the executive, specifically to the Department of Foreign Affairs during the term of President Benigno “Noy” Aquino, III (2010–16), a staunch proponent of a reform agenda for the poor. Indeed, the findings of the Women’s International War Crimes Tribunal in 2000 and other UN Special Rapporteurs—all of whom agreed that the San Francisco Peace Treaty did not have the power to invalidate individual

claims, and that private funds are unacceptable forms of compensation for harm deliberately inflicted by states upon civilians—could have been deployed by the 2nd Aquino administration had they wished to take up the legal cudgels on behalf of the Lolos. In the end, they chose not to for short-sighted political and economic reasons. Not for the first time, the Lolos were sacrificed for developmental ends.

Despite dogged efforts by some in the Legislative branch (e.g., Congressional Resolution No. 124 and Senate Resolution No. 314, both in 2008) and numerous advocacy groups, the Lolos’ appeals have been consistently rebuffed by both Philippine and Japanese courts. These legal developments can be best understood in terms of the political economy informing (and impeding) their requests for just compensation.

The Economics of Atonement

Among the 200 women who belonged to Lila Pilipina, approximately half received “atonement” money and apology letters from both Prime Minister Hashimoto Ryūtarō in 1996 and Prime Minister Obuchi Keizō in 1998, as well as the AWF. However, some women refused the offer, demanding an official apology from the Japanese government rather than a personal expression of “remorse” by one political leader, which could easily be overturned by succeeding administrations. In other words, what they consistently asked for was legal compensation and not charity.

For its part, Japan has continued to justify its refusal to accede to these appeals by invoking the San Francisco Treaty of 1951, the terms of which they argue have already been fulfilled, thereby terminating all legal claims to war reparations. But since the plight of comfort women did not actually surface until the 1990s, one must ask: to what extent can the terms of the treaty be seen as applicable? Certainly, the

profound psycho-social impact of prolonged trauma—as well as the underlying structures of chastity and shame that accompany it throughout much of the Asia-Pacific region, particularly in a predominantly Catholic country like the Philippines—help explain the lengthy silence they would break only half a century later. In that sense, while the treaty may have been legal, it can hardly be described as just. As mentioned earlier, several international bodies had already observed that the treaty should not have had the power to invalidate individual claims.

Still, it should be noted that several Filipino comfort women chose to accept atonement money from the AWF, leading to a division among the survivors and their respective advocacy organizations. Those who accepted funds may have felt compelled to do so given the general lack of support they received from the Philippine government and private sector, both of whom have rarely considered impoverished women to be a significant demographic, particularly when their history is associated with sexual stigma.

Indeed, the Philippine government's treatment of comfort women from the 1950s to the present is best understood in the context of the country's diplomatic relations with Japan. Today, Japan remains the country's top source of Official Development Assistance (ODA), which comes in the form of low-interest loans and grants. As a major partner in infrastructure development, much of its recent financial support went to the "Build, Build, Build" program of the Duterte administration, raising questions about the actual resonance of its economic gains to poorer sectors. Of the \$11.2 billion the Philippines received in ODA in 2020, \$9.9 billion (or 89.1%) went to infrastructure projects, according to the government's Investor Relations Office (Philippine Daily Inquirer, May 2021; see also the government's Investor Relation's Office website). Japanese firms continue to push for investments in

agribusiness, information and communications technology, infrastructure, manufacturing, power, renewable energy, shipbuilding and transportation, among other sectors. This growth-oriented approach, which generally earmarks infrastructure projects focusing on trade and investment, tends to pay scant attention to social welfare (Trinidad, *ibid*). Unlike their Western counterparts, Japan's commercial orientation has rarely attached human rights conditionalities to trade and aid programs in the Philippines.

This political economy has been matched by a "cultural offensive" on the part of Japan in the form of foundations, scholarships and heritage sites in the Philippines. In turn, this helps explain the proliferation of Japanese cemeteries and gardens celebrating Filipino-Japanese friendship throughout the archipelago (see Ang-See in Tulay Foundation website), as well as the lack of official or public outcries about statues and the Dizon Kamikaze Museum honoring Kamikaze pilots in Pampanga (north of Manila). Of the three comfort women statues erected in the country, two have been dismantled by the Philippine government and their partners in efforts to curry favour with Japan. The first, erected in Manila by private funders in 2017, was quietly dismantled by the Department of Public Works and Highways a few months later. The following year, another statue depicting a Korean comfort woman in a Catholic women's shelter in Laguna (southeast of Manila) was taken down just two days after its unveiling. The last monument, erected in 2019 and depicting two female figures (one comfort woman and another rape survivor representing the Malaya Lolas) is on private property and can therefore not be dismantled by the government.

The Red House in Bulacan, where the Malaya Lolas experienced abusive incarceration, was once a hacienda owned by a wealthy landowner. Today, the municipal council with jurisdiction over it is considering its re-

classification from a residential property to one fit for commercial use. Accordingly, the heirs are selling the property (over 120 square feet) for over \$1.4 million. Requests (including one by this author) that it be donated to the national or local government as a heritage site have remained unheeded, just as the National Historical Commission of the Philippines (NHCP) has expressed little interest in approving a historical marker for the site. And while the AWF had specifically tasked receiving countries with incorporating the experiences of comfort women in history textbooks, the Department of Education can only point to a handful of textbook lines in which their experiences are mentioned (personal correspondence with Undersecretary Diosdado San Antonio, August 2021). In a standard ten-volume encyclopaedia of Philippine history, the experiences of the Lolas have tragically merit a mere two pages (Doyo in Jose, ed., 1998, 110–11). Although a few scholars and artists have produced important work on the issue, the dent on mainstream historical writing and public culture has been minimal. These examples underscore my central argument: that the political economy of development in the Philippines has led to the continued erasure and public forgetting of comfort women narratives in historical discourses on the Filipino ‘nation.’

History that is not Heritage

In 2014, China submitted its “Comfort Women” and “Nanjing Massacre” documents for consideration in UNESCO’s Memory of the World (MOW) Register. The following year, UNESCO accepted and inscribed the latter, leading to widespread protests in Japan and the threat that it would withhold its membership payments from the international body. At the same time, UNESCO rejected the “Comfort Women” documents with the recommendation that other nations be invited as well to work on

a transnational nomination. By 2016, the International Committee for Joint Nominations—with the help of groups from China, Taiwan, South Korea, Holland, the Philippines, East Timor, Indonesia and Japan, along with the British Imperial War Museum in London—had resubmitted a massive dossier to UNESCO. Entitled “Voices of the ‘Comfort Women,’” it consisted of almost 3,000 documents, most of which were records and testimonies. But since China and South Korea were at the forefront of this transnational effort and both were seen as staunch critics of the Japanese Imperial Forces, Japan threatened to withdraw from UNESCO altogether. By 2017, UNESCO had postponed its decision on the “Comfort Women” documents to 2019. A major roadblock in the dossier submission had been the 2015 deal between Japan and South Korea, in which they agreed that Japan would fund a foundation in South Korea to assist former comfort women provided that both countries refrained from “mutual reprobation and criticism regarding this issue in international forums” (Foreign Minister Kishida, cited in Shin, 2021). The pressure to reach an agreement, in fact, had come from the US Department of State under then-Secretary John Kerry (*ibid.*), who no doubt was also tasked, like American officials before him, to bring Japan into the fold in an effort to contain China. Since then, the dossier has seen little movement, demonstrating the enormous power (both financial and political) wielded by Japan in the international body (Shin, *ibid.*). It has also placed the integrity of the UNESCO MOW programme itself into question.

In 2017, four days after a comfort woman statue had been erected along Manila’s Roxas Boulevard, a Department of Foreign Affairs (DFA) Assistant Secretary dashed an “urgent” letter to the chair of the NHCP and the mayor of Manila asking them to clarify the purpose of erecting such a statue (ABS-CBN News, December 2017). As mentioned above, the statue was summarily dismantled in the dead of

night a mere four months later and hauled by the Department of Public Works and Highways to the artist's studio. By the end of that year, the Philippines had become a member of UNESCO's Executive Board, and its ambassador to Paris strongly encouraged the UNESCO action plan for a "comprehensive review of MOW" in a determined effort to placate Japan.

That the historical commission allowed this to happen speaks volumes about how borders of memory are constituted in the Philippines, particularly when humble realities are pitted against the national agency's focus on what it deems to be "legitimate" heritage. Its obvious predilection for, and manufacture of, a kind of anti-colonial triumphalism, for example, has meant that budget allocations for histories of protracted subjugation have remained limited. For example, female figures thought to have engaged in sexual activity (whether actual, imaginary, voluntary or otherwise) are seen in traditional Catholic light as having been "sullied," requiring containment, if not erasure altogether. As victims stripped of historical agency, comfort women have often been blamed for their disempowerment because it gives rise to a sense of national helplessness and shame. The brazen erasure of comfort women narratives since the 1950s exposes an unspoken but strictly observed caveat: while they may be footnoted in social history, under no circumstances can they ever be allowed to rise to the level of 'national heritage.'

The rationale for the DFA's involvement, in turn, is particularly problematic, since the National Cultural Heritage Act of 2009 makes it clear that it has no legal jurisdiction over such matters. Moreover, the marker accompanying the statue had been drafted by the NHCP itself, the national body with the official authority to endorse or disapprove such initiatives. The law, in fact, explicitly protects the statue and marker from destruction, demolition or damage. Finally, not only were the statue and

marker taken down; the artist, who initially claimed that the statue had been "stolen" from his studio by two officials (one Filipino and one Japanese) and that he "feared for his life," can no longer be reached for comment.

This extra-legal form of state erasure was timed so it would happen immediately before the 51st Annual Meeting of the Asian Development Bank (ADB)'s Board of Governors in early May, 2018. It was widely rumoured that then-ADB President Takehiko Nakao had categorically demanded that the memorial be dismantled as a pre-condition for Japanese loans. Shortly thereafter, key Philippine officials began to strongly condemn the beleaguered statue for harming ties with Japan, a key diplomatic ally, trading partner, and source of funds. Like others before them, President Rodrigo Duterte chose to bow to Japanese demands—burying, in so doing, the violent history both nations share.

Concluding Remarks

This leads to several observations. First: in 2014, the Philippines was embroiled in a dispute with China, a rising global hegemon, with respect to its encroachments on disputed maritime territories (claimed by the Philippines and other nations in the region) in the South China Sea. Not unlike General MacArthur, who had concluded that the bigger fight during the post-war period was the Cold War and therefore making peace with Emperor Hirohito was in America's best interests, DFA Secretary del Rosario was more preoccupied with gaining international support for the arbitration case the Philippines had brought against China in the Permanent Court of Arbitration at the Hague. President Noynoy Aquino (2010-16) himself was behind this fight, and no doubt felt that remaining on Japan's good side would be strategic for the Philippines. Which explains why, as former head of Lila Pilipina Rechilde Extremadura once observed, his support of the Lolos during his early years as a junior

congressman and in media pronouncements quickly changed once he became president (Philippine Star, January 2016). This in turn provides the rationale for the Supreme Court's two dismissals (2010 and 2014) of the Malaya Lolas' petitions during Aquino's term.

Second (and possibly more troubling): throughout history, Filipino elites have accepted funds from foreign nations (in the form of reparations, aid, or trade) on behalf of the poor, while only allocating small percentages to them in actual terms. All-too-often, the calibration has been made to use these funds for matters of "greater consequence," such as infrastructure development and management, much of which has led to political patronage. Certainly, women often remain invisible in state-led models of economic development. And while it cannot be denied that specific presidential administrations have enacted several poverty alleviation measures, few have been sustained by succeeding administrations. To be sure, the problem of income inequality in the Philippines does not only concern government programs for the poor; it also entails a willingness on the part of the elite to participate in (and not obstruct) such government efforts as land reform and sin/wealth taxation schemes. But collusion between certain members of the economic elite and government, leading to numerous conflicts of interest, has led to the type of elite capture that characterizes the Philippine economy today.

Third: to this already glaring class divide must be added the small number of women leaders who have fought for the rights of former comfort women in the Philippines. Apart from a smattering of female legislators, and some efforts by such agencies as DSWD and the Commission on Human Rights—all of which have had limited impact—the Lolas have primarily been sustained by advocates, activists, lawyers, a smattering of government personnel, movie personalities and, above all,

others facing similar conditions. Certainly, Filipino feminists have long argued that the country's two female presidents (Corazon C. Aquino and Gloria Macapagal-Arroyo), both of whom hail from landed or political elites, did little to improve the lives of poor women, many of whom live in abject poverty, are unremunerated for their work, and remain saddled with much higher fertility rates than the rest of the country.

As Attorney Virginia Suarez once put it: "It is frustrating that the petition (of the Malaya Lolas) was dismissed, leaving the Lolas to fight on their own. But it is (even more) frustrating that our women justices did not take up the cudgels for them by making a dissenting opinion. This merely exposes the class divide that permeates the very core of our institutions. History is replete with stories (about) how elites, even when they were women, (did not serve) the interests of the working class, not even those of the poor Lolas" (Suarez, *ibid*).

The Philippine government and its partners clearly bear varying degrees of responsibility for their overall lack of support of Filipino comfort women, many of whom have recently passed away because of the Covid pandemic. One would hope that human rights—especially those of women belonging to the urban and rural poor—are no less important than strategic and economic gains in the diplomatic fray. Throughout, the Lolas have consistently asked the Japanese state for official acknowledgement of its legal responsibility for the conditions they had been subjected to during the war, an apology for the ordeals they had to endure, financial compensation from the government and not private donors, and the revision of school textbooks to integrate their experiences in both Philippine and Japanese history textbooks. The Kōno Statement notwithstanding, Japan's continued disavowal of its treatment of comfort women, especially under Conservative governments, has been galling not only for Filipino comfort women, but

also the many who continue to support them. Which is why the wilful attempts, with one or two exceptions, by a succession of Philippine presidencies to quietly sweep the horrific violence they endured under the rug so as to placate (and profit from) Japan has been a source of deep dismay. In the end, if the crafting of heritage continues to eclipse seemingly unimportant local histories, then we are left with the hollow exercise of national branding. I would suggest, instead, that we bear the responsibility to look at the past with unflinching eyes, even when it casts us in an unflattering light. One's sense of identity, then, even when empowering, is always necessarily fraught. Accepting the 'human, all-too-human' in each of us makes it possible to recognize the histories we share with others, even as we identify the patterns of thought and behavior we ourselves hold, but ultimately hope to change.

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