

**Toward Continuous Dialogue on the Comfort Women Issue: A Legal and Ethical
Perspective**

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Abstract

This paper examines the comfort women issue between Japan and South Korea from both legal and ethical perspectives, focusing on the role of acknowledgment and continuous dialogue in achieving meaningful reconciliation. Drawing on international human rights law, including frameworks related to crimes against humanity, the right to truth, and the right to reparation, the analysis highlights the limitations of existing political agreements that have sought to resolve the issue without fully addressing survivors' perspectives.

In addition to legal considerations, the paper engages with key philosophical perspectives on responsibility, recognition, and forgiveness to explore the ethical dimensions of reconciliation. It argues that while legal accountability remains essential, ethical processes such as acknowledgment, memory preservation, and constructive dialogue are equally important in fostering long-term mutual understanding. At the same time, the study recognizes the potential challenges of continuous dialogue, including the risks of politicization, moral fatigue, and contested historical narratives.

To address these complexities, the paper proposes two practical approaches: the development of joint educational initiatives and the establishment of coordinated support systems for surviving victims. These measures aim to bridge divergent narratives and promote dignity, recognition, and shared responsibility. Ultimately, the paper suggests that sustained, ethically grounded engagement with the past may contribute to more stable and cooperative international relations in East Asia.

Keywords: Comfort women; historical reconciliation; human rights law; transitional justice; collective memory; Japan–South Korea relations; ethical responsibility

Introduction

The Japanese Imperial Army coercively used thousands of women, most from Korea and other parts of Asia, as sex slaves during World War II. According to the United Nations (1996), the victims of this group, referred to as “comfort women,” had to deal with organized violations that denied them dignity, self-determination, and human rights. The disputes over postwar responses to the comfort women issue have led Japan and South Korea into ongoing social and political conflict. However, it is more than a matter of historical and diplomatic debates; it raises universal ethical questions about how societies should confront past injustices to achieve genuine reconciliation. This paper argues that meaningful reconciliation is unlikely without genuine acknowledgment and continuous dialogue between the two countries, for both legal and moral reasons. It further argues that the comfort women issue should be continually brought to light and discussed, rather than addressed through political closure or silence. This study does not attempt to assign unilateral blame but rather seeks to foster an understanding of how both nations can further a common reflection on human rights and historical responsibility. The succeeding sections shall discuss the rationale for choosing this human rights issue, the factual background, and relevant legal and ethical frameworks to deepen understanding of the concept of reconciliation and finally propose possible solutions.

Justification for the Chosen Human Rights Issue

The issue of comfort women is particularly addressed in this study because it epitomizes one of the most serious human rights violations of modern times, a fact that still defies notions of justice, dignity, and moral responsibility, as expressed by Amnesty International (2005). It strongly relates to several human rights that the postwar world defined as goals to strive for (United Nations, 1996). It also raises an ethical question about whether political agreements can

ever replace moral responsibility (Lederach, 1997). While discussing this topic, it offers an opportunity to reflect on universal values of humanness that cut across borders. This paper reflects a collaborative perspective between South Korean and Japanese authors to establish a mutual understanding and compassion that transcends mere historical accusations. This dialogue can be understood as a shared space for reflection across perspectives, without being constrained by political interests. This paper does not aim to blame anyone, but rather to understand how acknowledgement can lead to actual reconciliation. In this matter, the process of acknowledgement is not about dwelling on guilt but preventing future violations through remembrance and education (Ricoeur, 2004). This paper argues that reconsideration of this issue does not re-ignite the conflict but is instead an ethical duty to uphold human dignity. This, therefore, makes the topic historically weighty, hugely educative, and ethically relevant. Also, it calls for mutual striving for truth and dignity on both parties' part.

Factual Description of the Issue

The United Nations (1996) reports that the Japanese Imperial Army instituted a system of "comfort stations" throughout occupied territories between the 1930s and 1945. There, they forced tens of thousands of women, most from Korea, China, and the Philippines, into sexual slavery. Most survivors had been silenced by the social stigma and the lack of legal protection after the war, but the international community came to recognize the comfort women issue as a severe human rights violation in the early 1990s, because some victims finally spoke up in public (Human Rights Dialogue, 1996). Their testimonies illustrated the depth of suffering and the continued lack of acknowledgement by the perpetrators (United Nations, 1996; Amnesty International, 2005). Subsequently, the Japanese government issued statements of regret in the 1993 Kono Statement and, in the 2015 Japan-Korea Agreement, a one-billion-yen donation to

South Korea; the latter includes a statement that they had resolved the comfort women issue ‘finally and irreversibly’ (Ministry of Foreign Affairs of Japan, 2015; United Nations, 1996; Cho, 2020). Nowadays, the two governments generally share a common position on maintaining the 2015 announcement that the issue is 'resolved and effectively closed,' though their interpretations do not fully align (Reuters, 2025; Kim, 2025). Critiques of these diplomatic movements, however, point out the absence of acknowledgement of legal responsibility and survivors in the negotiation process (Amnesty International, 2005). These initiatives are also difficult attempts to address a painful past, reflecting ongoing struggles and questions within Japanese society over how to remember and take responsibility (Yamaguchi, 2020). Meanwhile, South Korea and international organizations have called for more than mere financial compensation and diplomatic closure to realize reconciliation (Amnesty International USA, 2015; Kang, 2018); as the last six comfort women survivors in Korea have steadily appealed for truth, moral recognition, and education (Yonhap News Agency, 2025), this issue is not merely economic or political in nature, but rather grounded in basic ethical responsibility: to remember and safeguard human dignity and historical memory.

Relevant Legal Framework and Articles

International legal standards demonstrate that it is necessary to continuously discuss and reflect on the issue of comfort women. Firstly, Japan’s past commitment to the comfort women system violated international laws of human rights on sexual slavery, torture, and various forms of discrimination against women. The United Nations (1996) concluded that the Japanese Imperial Army-run "comfort stations" were an instance of military sexual slavery, which is a contravention of international humanitarian law. This is corroborated in the Rome Statute, defined in 1998 by the International Criminal Court (2024), in which Article 7 defines sexual

slavery and forced prostitution as crimes against humanity. In that respect, the issue of comfort women is not only one of controversy from a local historical viewpoint but also a globally documented case of grave human rights abuses.

Secondly, postwar responses to wartime crimes have been insufficient to guarantee human rights; survivors have the right to truth, the right to remedy and reparation, and the right to memory and education. The right to truth is reiterated by the United Nations Commission on Human Rights (Orentlicher, 2005), which holds that every person, especially the victims of gross human rights abuses, should be allowed to receive an official public acknowledgment of the truth. The right to remedy and reparation is defined by the United Nations General Assembly (2005); restitution, compensation, rehabilitation, and symbolic measures such as apologies or memorials must be provided by states until the victims are satisfied. Therefore, the comfort women survivors' demands for acknowledgment and an apology are based on legally accepted standards. Lastly, the rights to memory and education need to be protected through the preservation of historical records, the provision of public education, and the prevention of the denial or erasure of past atrocities, according to several international post-conflict human rights mechanisms (Orentlicher, 2005; United Nations General Assembly, 2005). In contradiction to these international legal principles, the Japanese public sector repeatedly attempted to wipe memories of comfort women from education. For example, the Japanese ministry demanded that a US publisher remove a paragraph from a world history textbook used in American high schools, while a Japanese publisher deleted references to comfort women from its social studies and politics textbooks, a revision approved by the Japanese education ministry (McCurry, 2015). Japan's persistent reluctance to ensure accurate history education has been the subject of

criticism from several international bodies, including the Committee on the Elimination of Discrimination against Women (2024) and the United Nations Human Rights Council (2017).

The Japanese government included words of regret in the 1993 Kono Statement and the 2015 agreement with South Korea, which was supposed to be the final and irreversible resolution. Unfortunately, however, it lacks a clear acknowledgment of legal responsibility and excludes survivors from the negotiation process (Amnesty International, 2005). International law emphasizes that victims must be parties to reconciliation and that wrongdoing must be acknowledged; any political settlement that excludes survivors does not meet this threshold. Given these points, further acknowledgement, public education, and the preservation of historical memory are not optional political choices but rather obligations grounded in international human rights law. Thus, the comfort women issue can be understood as a matter of continuing legal responsibility that warrants ongoing attention.

Ethical Perspective

Besides the legal responsibility of the Japanese government for violations of human rights among the comfort women in South Korea, ethical responsibilities are applicable to both nations in different ways to realize fruitful reconciliation beyond mere diplomatic statements. The following sections explore three moral insights surrounding the issue: active recognition of guilt, the shift toward constructive forgiveness, and the reframing of the dispute as a process to social and ethical maturity.

Reflecting on Germany's acts during World War II, Karl Jaspers (2000) argued that "each one of us is guilty insofar as he remained inactive" (p. 63). It can be said that, at both the individual and national levels, passivity, and indifference in protecting the vulnerable and

advancing greater justice constitute a moral failing, because an agency should always be able to determine its response to any order or situation. It implies that blindly following compensation or treaties is insufficient for Japan to take responsibility for the comfort women issue. True moral responsibility includes a willingness to confront the uncomfortable past and to continue playing an active role in every possible way.

According to Hannah Arendt (1998), “forgiveness is the exact opposite of vengeance [...] and] forgiving is the only reaction which does not merely re-act [automatically to transgression] but acts anew and unexpectedly [...,] therefore freeing from its consequences both the one who forgives and the one who is forgiven” (pp. 240-241). In the comfort women issue, South Korea’s approach is relevant to forgiveness. It does not erase or punish the past but rather creates a new beginning in the relationship between the perpetrator and the victim. Demonstrating forgiveness from Korea may help release both nations from historical constraints and contribute to a more constructive partnership.

In addition to the act of forgiving, Arendt (1998) emphasized the miracle of promising, which “can bestow upon human affairs faith and hope” (p. 247) by establishing shared values in the uncertain world. Japan and South Korea can politically promise a different future through educational reform, memorialization, and open acknowledgment of historical suffering. Avishai Margalit defined such a decent society as one whose institutions do not humiliate people (1996, as cited in Iser, 2019). If governments do not properly address historical suffering, they continue the humiliation of victims long after the events, as Charles Taylor (1992) also argues that “nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being” (p. 25). Instead, public recognition of the lives and the pain of the victims can restore respect and dignity, affirming that they are vital

within history and the future of broader communities. Thus, continuous conversations about comfort women across and within the societies of Japan and South Korea are key to their development as ethically decent societies.

Overall, these philosophical perspectives suggest that self- and mutual reflection on past misdeeds at the national level should be promoted as an ethical practice for becoming a morally mature nation, rather than merely a political or legal necessity. The analysis suggests that Japan should actively confront its historical responsibility, rather than rely solely on diplomatic agreements. Similarly, a forward-looking approach from South Korea that incorporates elements of forgiveness may support the development of a more constructive bilateral relationship. The two countries should constructively and continuously promote open conversations and public acknowledgement of the issue to promise a better future as a pair of ethical nations.

Applicable Ethical Dilemmas

Continuous dialogue and memory between nations about past wrongdoing, however, may prevent healing and reconciliation due to the limits of dialogue, the politicization of memory, and the inapplicability of guilt. The pursuit of endless dialogue may risk what Ricoeur terms a “repetition memory” (2000, as cited in Rigney, 2012). When public remembrance becomes its own purpose and a mere diplomatic gesture, it may reinforce the repetition of rootless resentment or a sense of guilt rather than promote understanding. To make it worse, collective memory is vulnerable to politicization. The ambivalence and complexity of reconciliation emerge when some parties use “public performances of memory to foreclose an awareness of past crimes, while others seek to use the same procedures to bring them to the light of day” (Rigney, 2012, p. 253). Indeed, the comfort women issue often appears in Japan and Korea as a patriotic, conservative, or diplomatic discussion among politicians, media, and consumers. Politically

intended use of public recognition may lead people to overlook the core universal moral issue of how societies protect human dignity and prevent future violence. In addition, Jaspers (2000) appears to disagree with the notion of moral responsibility being passed down across individuals and generations, as “the categorical judgement of a people is always unjust” (p. 35). Although the present generation needs to acknowledge history and prevent future injustices, it should not be blamed for past ones. Thus, continuous national conversations about historical misdeeds may, in some cases, contribute to moral fatigue, perceptions of unfairness, or challenges in sustaining constructive international relationships.

These critiques do not deny the moral necessity of dialogue; instead, they highlight the importance of establishing the same recognition between countries regarding the purpose and limits of dialogue. Continuous cultivation of mutual acknowledgement and ethical reflection of the comfort women issue is just a process within the broader context of universal human rights. With this shared standpoint, Japan and South Korea can overcome a self-defensive stance and develop a future-oriented relationship grounded in mature moral responsibility. Reconciliation, in this sense, is not the endless repetition of guilt, but a collaborative commitment to ensure that historical injustice never occurs again.

Potential Solutions and Recommendations

Examining the legal and ethical aspects of the comfort women issue between South Korea and Japan, the authors propose two possible solutions to mark their ongoing conversations and foster a new relationship: joint historical and human rights education, and a government-based support system for survivors.

One practical step forward is the co-development of educational materials and programs that illustrate the importance of relevant human rights through the history of the comfort women issue. Because the two countries teach the comfort women issue differently, children grow up with contrasting narratives, which makes long-term understanding difficult. If Japanese and Korean students, and eventually wider generations, could discuss the issue with the same knowledge base, the same purpose, and an objective framing of history as a process for creating a better future, the comfort women issue would truly be reconciled and become a compelling lesson for humanity. To put this idea into practice, an independent committee of historians, educators, and human rights experts from both countries could design a shared class structure that presents verified evidence and international norms in a neutral yet thorough manner, rather than either a blaming or neglectful approach. The governments could fund this cooperative work and then introduce these resources to schools initially as a campaign, with the final goal of incorporating them as a common material within the curriculum, along with preparatory teacher training. This educational measure addresses the rights to truth, memory, and education declared in the UN framework. In addition, education is a clear way to express the promise of a better future, with its lasting and widespread impact. If such a constructive solution were implemented, it could support both countries in demonstrating a commitment to ethical maturity and shared responsibility.

The second proposal is an administratively coordinated support system for the comfort women survivors. As legal and historical debates continue long after the war, the reality facing the remaining survivors requires more immediate and practical attention, since most survivors are now elderly and live with health issues and persisting trauma from their wartime experiences. Although most support for the everyday needs of survivors has so far been driven by civil

activists rather than the authorities, the South Korean and Japanese governments should still be able to ensure public recognition and the dignity of survivors. They could jointly and consistently fund a program that provides caregiving, psychological support, and legal assistance to the survivors, under supervision by an independent international administration to avoid political influence. The time left is short, but the implementation of this measure is essential, as it would signify the moral capacity of the two countries to confront the past rather than letting time forget and dismiss victims, and as the UN also defines the right to remedy and reparation.

Critical Evaluation

In conclusion, this paper underscores the necessity for ongoing dialogue between Japan and South Korea on the comfort women issue from both legal and ethical perspectives. The two governments diplomatically declared an irreversible resolution and closure of the issue in 2015. However, the sexual slavery committed by the Japanese Imperial Army in South Korea during World War II is an obvious violation of human rights defined by the United Nations, and both nations can be understood as having an ongoing moral responsibility to support the restoration of victims' dignity and promote public education to preserve historical lessons. Active, yet forgiving recognition of past wrongdoing can be seen as an important component of a moral framework that fosters progress toward societal ethical maturity. Although continuous remembrance risks the escalation of skewed public discourse about the issue, firmly shared understandings of the ultimate purpose of advocating universal human rights should overcome these challenges and lead to meaningful reconciliation. Potential practical solutions include joint educational programs and government-funded support for the survivors. This paper reflects a collaborative effort between Japanese and Korean authors, illustrating the potential for constructive dialogue and significance of open discussion in achieving mutual understanding and

reconciliation regarding the comfort women issue. Instead of avoiding this sensitive topic, a constructive agreement was reached by the authors through active, critical dialogue informed by law and ethics. This paper suggests that such constructive engagement may extend from the individual level to the national level, contributing to more stable and cooperative international relations in East Asia.

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