

## Political Apology 2.0: Japan says Sorry to 'Comfort Women' (Again)

Written by Paul Muldoon

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PAUL MULDOON, JAN 28 2016

The once exceptional practice of state apology would seem to have acquired another convert. On December 18, 2015, the Japanese Foreign Minister, Fumio Kashida, offered a formal apology to his South Korean counterpart, Yun Byung-se, for the so-called “comfort women” who had been forced to work in Japanese brothels during the wartime occupation of the Korean peninsula. Later on that same day, the Prime Minister of Japan, Shinzo Abe, reiterated the apology in a telephone call to the South Korean president Park Geun-hye. Taken at face value, this latest apology (buttressed by an \$8.3 million compensation package) marks a return to the spirit of the mid-1990s when Japan, after a long period of equivocation and denial, began to atone in earnest for its wartime actions (Lind 2009: 135). Despite his own conservative inclinations, Prime Minister Abe looks to have finally taken a conscious stand against the historical revisionism that has grown like a cancer within Japan during the early years of the 21<sup>st</sup> century, telling reporters that this marks a new beginning in relations between Japan and South Korea. Like so many scenes of atonement before it, however, this latest act of contrition raises thorny questions, not just about the merit of apology as a political institution, but about the value of trying to come (ever more perfectly) to terms with the past.

### Human Rights, the Recognition of Historical Wrongs and Insincerity

Japan and Korea have a past that is all their own. If nothing else, however, the wave of apologies that has swept the globe in recent decades ought to alert us to the fact that broader historical developments are also in play. Along with humanitarian intervention, the practice of political atonement is perhaps best seen as an expression of the increasing importance states attach to adhering to (or at least being seen to adhere to) international human rights norms. Though it is unlikely that defense of reputation will ever override defense of territory as the primary motivation for state action, the two have now become sufficiently bound up together to make conforming to international norms in the national interest much of the time. States that want to maintain their standing as legitimate actors within the international system, must, as a bare minimum, pay lip service to the principle of “equal respect” that underpins human rights law and making amends for past injustices is part of that general trend. As has become increasingly clear, the age of human rights is manifest, not simply in the democratization of the present, but in the “democratization of the past” (Cairns 2003: 83). Despite the distinctions that are often made between various kinds of political apologies, therefore, even those internal to the state and commonly designated as “civic” can be traced back to changing international norms. The fact that the victim group being addressed in these cases lies “within” ought not blind us to the way states are always playing to the audience behind the audience; namely, that much invoked, if often ineffectual, “international community” which wields power in the form of moral sanction.

As encouraging as this new accountability for past actions sometimes appears, however, the practice of state apology is hardly without its critics. The ever-present possibility that states are merely playing to the international community, saying sorry only in order to accumulate “soft power” in the form of international reputation and diplomatic advantage, invites cynicism. Indeed, while it can be difficult to predict how any given political apology will be critically received, we have seen enough of them now to know that three responses are more or less guaranteed: firstly, that doubts will be expressed about the efficacy of “mere symbolism” in redressing past wrongs; secondly, that questions will be raised about the sincerity of the gesture and its hidden instrumental objectives; and, finally, that another victim group, whose circumstances are roughly analogous (or are perceived to be), will ask why their

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grievances have been overlooked. And so it has proved in the current case. Hardly had Foreign Minister Kashida finished signing the agreement than hundreds of South Korean women gathered to protest outside the Japanese Embassy in Seoul, deriding the apology as a hollow and humiliating gesture. Critics were also quick to speculate that Abe had been pressured into apologizing (and Park into accepting) by the United States in the hope that healing the rift between its two major allies in East Asia would bolster its own geopolitical position *vis a vis* China. And, not to be outdone by their South Korean counterparts, activists in China asked why Japan had not offered a similar apology to the Chinese women forced into sex work during the Japanese occupation of the 1930s and 1940s (McCurry 2015b; Connor 2016; Khoo 2016).

### The Promise of Apology

Cynicism in politics is necessary and, in many cases, entirely justifiable, but it can also lack subtlety. Admittedly in this case the signs are not all that great. But to treat all state apologies as either empty or manipulative (or both) is to make light of the fact that it is generally the victims who demand them and the agents of the offending state who have to be dragged, kicking and screaming, into acceding to them. If this is “cheap grace”, as some critics have suggested, then it is clearly not cheap enough for many. Such reticence about atoning for the past is entirely understandable. While states do stand to benefit from fulfilling their obligations under international human rights law, there is always a price to pay. To the extent that a political apology serves as an “official seal” upon the history of wrongdoing, it can just as easily damage as enhance a state’s reputation abroad, not to mention incite a nationalist backlash back home. His conservatism notwithstanding, Prime Minister Abe would hardly be the first head of state to worry about the corrosive effects admitting to a shameful past can have on national allegiance and civic pride. Political apologies are also “costly” in the sense that they commit a state to renounce the use of violence in its dealings with its citizens or neighbors thereafter. Since one cannot apologise for past aggression without undertaking not to engage in such aggression in the future, apologies always have a promissory dimension. Every apology marks a new beginning in a relationship and with that comes new obligations.

The potential political apologies have to radically change the way two peoples or two nations stand in relation to one another has been enthusiastically championed by normative political theorists. Successful apologies, they suggest, can help to rebuild that most precious, if most intangible, of political commodities: trust. Looked at from their perspective, therefore, the critical task is not to dismiss the institution of political apology *tout court*, but to establish the criteria any such apology would need to satisfy in order to be regarded as efficacious. Though the tendency to develop ever more precise (and ever more stringent) criteria for such gestures is everywhere on display, a number of basic conditions, apparently sufficiently uncontroversial as to be beyond dispute, have now been widely endorsed. Firstly, that a political apology must be framed as an exceptional event – that it must meet the ceremonial demands (right location, right time, right tone) by which watershed moments in the life of the polity are distinguished from the day to day business of the state. Secondly, that it must be offered by the right person – by someone who not only has the requisite moral authority, but who is duly authorized to act as a representative of the people. Thirdly, that it must name and explain the injustice to which it is responding – that it must be quite specific in describing the injustice in question and in accounting for its occurrence. And, finally, that it include a solemn undertaking not to commit similar acts in the future – that it promise “never again” (Gibney and Roxstrom 2001: 926-937; Thompson 2008: 40-44; Celermajer 2009: 250-258; Verdeja 2010: 570-572).

While it is safe to assume that strategic motivations will never be entirely absent from state apologies, therefore, normative theory provides a way of disciplining those motivations and ensuring that historical injustices get taken seriously – even when (perhaps especially when) the interests of the state in question are far from pure. The more widely these normative criteria are disseminated, and the more deeply they are entrenched within international law, the less likely it will be that states will be able to pass off their “pseudo-” or “non-” apologies as genuine ones. Even so, “success” or, as the doyen of speech act theory, J.L. Austin, famously put it, “felicity” in apology is far from being an exact science. A state apology that met all of the above criteria might still be found wanting by the victims and therein lays the real dilemma of all our attempts to come to terms with the past. One does not need to concede that some offences are beyond reparation, to recognise that the “righting old wrongs” project has its limits. Grievously wounded subjects are not easily healed and it would be naïve to assume that victims of state aggression will be able to put the past behind them just because the injustice done to them has now been recognised. As Holocaust survivor,

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Jean Amery, famously remarked: “whoever was tortured, stays tortured” (Amery 1980: 34). Even a genuinely apologetic state can thus find itself being perpetually called back to the past and asked to apologise anew.

### Doing Justice to the Past

Evidence that Japan has grown tired of being called to heal the wounds of the past abounds. In his speech of August last year marking the anniversary of the end of World War Two, Prime Minister Abe once again promised that Japan would “never again resort to any form of threat or use of force as a means of settling international disputes” (McCurry 2015a). Yet he drew the ire of victims of his country’s 20<sup>th</sup> century imperial adventure by failing to offer a fresh apology for the many innocent lives it had destroyed. Japan had, he insisted, “repeatedly expressed feelings of deep remorse and heartfelt apology for its actions during the war” and added that those who had nothing to do with the events of that period should not be “pre-destined to apologise” (McCurry 2015a). Four months later he was singing a different tune – though not, perhaps, without the aid of singing lessons from Washington. Signs of frustration at the ever-renewed, and seemingly ever-renewable, demand to apologise were, however, still clearly on display. Speaking after this latest apology to the Korean “comfort women” – a euphemism if ever there was one – Abe claimed that Japan and South Korea were now “entering a new era”. “We should not”, he added, “drag this problem into the next generation” (Calamur 2015). The message could hardly have been clearer: this is done now, time to move on.

How many times should a state apologise? Obviously there is no formula. Once ought to be enough, but it rarely is. Despite much-publicized apologies from Chief Cabinet Secretary Yohei Kono in 1993 and Prime Minister Tomiichi Murayama in 1995, the issue of “comfort women” never went away. Abe’s hope that this latest apology will resolve the matter once and for all also seems destined to be disappointed. Victims will argue that the official apologies they have received so far have been half-hearted or insincere – and they are often right. The experience of oppression seems to give one a nose for these things. In the face of lingering and justifiable distrust, a state would seem to have a moral obligation to keep on apologizing, if only as a means of reassuring its former victims that it remains committed to the principle of equal respect and has no intention of lapsing back into its bad old ways. That, one would think, is the very least that it could do. However, it is doubtful whether apology can survive as a political institution unless it develops some criteria of “felicity” that are unrelated to the recovery or satisfaction of the victims. To ask politics for “healing” is not only to ask too much of it, but to run the risk of turning healing into a demand that the victims must fulfill. Given the very real, and entirely understandable, possibility that victims will never be fully satisfied, states should at least have some idea of what is required of a political apology to mark a line in the sand. Perhaps the best contribution that normative political theory can make in this context, then, is not to model the perfect apology that heals all, but to set out the criteria for the one that is good enough.

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### About the author:

Paul Muldoon is a Senior Lecturer in the School of Social Sciences, Monash University, where he teaches political theory. One of his primary research concerns is the way in which societies come to terms with the past and the emotional dimensions of reconciliation processes.