

## Names, Bones and Unpaid Wages (2): Seeking Redress for Korean Forced Labor

William Underwood

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(Part 2 of 2)

By William Underwood

#### LAWSUITS AND REDRESS GROUNDWORK

March 4, 1994, marked a rare moment in the annals of Japanese postwar responsibility when the Japanese state engaged reparations activists in direct dialogue. Parliamentary supporters of Korean forced labor redress efforts, mainly from the then-Japanese Socialist Party, arranged for a room at the Diet and officials from five government agencies took turns negotiating and responding to questions for several hours.

In an unprecedented pledge extracted from the Justice Ministry, former workers or their official proxies were to be allowed to view data about their individual financial deposits. The Welfare Ministry similarly reversed decades of

withholding virtually all information, promising that individual pension records would be made available to former workers or proxies. Calls for actual refunds of monetary deposits were firmly rejected, but the state's momentary openness regarding access to records it has always possessed has helped clarify historical events. The Labor Ministry, having located and furnished name rosters for 90,000 workers to the Seoul government around 1990, heard requests to continue searching for records. The Foreign Ministry mostly reiterated its position that the 1965 treaty had foreclosed all redress possibilities. The Postal Ministry declined to provide any information about postal savings accounts it may possess for Korean conscripts; postal savings related to forced labor by Allied POWs are also believed to exist.[58]

The previous day, three redress groups for Korean forced labor and one for Chinese forced labor (representing survivors of Kajima Corp.'s notorious Hanaoka worksite) had agreed to coordinate efforts in the burgeoning wave of compensations lawsuits, for which some

companies were then adopting relatively conciliatory postures. It even looked as if the Japanese labor movement, usually known for its close cooperation with corporate management and lack of international solidarity, might climb aboard the redress bandwagon.

Professor Kosho's recent discovery of the Nippon Steel records had produced some sense of momentum by revealing details about the wage deposit system, and an exceedingly rare non-LDP prime minister was in office. Hosokawa Morihiro had publicly acknowledged Japan's "war of aggression" upon his inauguration in August 1993, the same month that Japan's foreign minister apologized for state involvement in the comfort women system and the NHK public broadcaster aired separate TV documentaries on Korean and Chinese forced labor.[59] In the event, however, by 1995 a state-industry united front against reparations had become entrenched. Japanese labor has for the most part stayed on the sidelines.

Besides the slew of compensation lawsuits against private companies and the state for civilian and military conscription, related litigation in Japan has involved Koreans who were forced into military sexual slavery, exposed to the atomic bombings, killed in the Ukishimamaru accident, convicted of Class B and C war crimes, abandoned on Sakhalin and interned in Siberia. The failure of virtually all of these legal

efforts is the main reason for the Seoul government's increasingly direct participation in the reparations process. South Koreans began suing Japanese companies for labor conscription beginning in 1991, and corporate defense strategies have on occasion included telling courts that plaintiffs' wages were duly deposited with the state in the late 1940s. But because the correlation between work performed and monies deposited is typically tenuous, and companies usually claim they lack documentation concerning the transactions, more common defenses involve the treaty-based claims waiver and time bars for filing lawsuits. Mitsubishi has also argued in court that it is a distinct company from the Mitsubishi that used tens of thousands of Korean forced laborers during the war.

Following Nippon Steel's 1997 example, the construction firm NKK Corp. agreed to an out-of-court settlement with a single plaintiff in 1999. The agreement was made possible by a generational transition in company management and the desire to avoid bad publicity; NKK had South Korean contracts for tunneling equipment and major plans for Asian expansion. But the monetary payment was not accompanied by any apology or admission that conscription had been involuntary.[60] In a 2000 settlement in a case before the Japan Supreme Court, the machinery maker Nachi-Fujikoshi Corp. compensated—but did not apologize to—women who had been tricked into grueling factory work, without ever

being allowed to attend school and learn sewing and typing as promised. Announcement of the plaintiffs' intention to sue in California courts gave the corporation an added incentive for compromise.

Illustrating the negotiated nature of the court-mediated settlements, Nachi-Fujikoshi agreed to erect a memorial on factory grounds but refused the plaintiffs' desired wording of the inscription in Japanese and Hangul, leaving neither side wholly satisfied. In the most recent—and quite possibly final—settlement, textile maker Teijin Ltd. in 2004 voluntarily paid out the symbolic sum of 200,000 yen (less than two thousand dollars) to each of ten South Korean women without even being sued, having previously absorbed the spinning factory that actually conscripted the women. None of the four corporate settlements, however, have benefited more than a handful of Korean forced labor victims. The remainder of cases has ended in the rejection of claims, nearly always at the district court level. Unlike in litigation involving Chinese forced labor and other injustices in which courtroom defeats have produced an invaluable historical record, judges in Korean conscription cases have tended to withhold all comment on the veracity of plaintiffs' assertions.



Group-imported Korean workers upon moving into quarters at Mitsubishi Kamiyamada coal mine, March 1942 (Hayashi Eidai photo)

Yet the string of legal defeats has served an important function in terms of historical memory and led to partial reconciliation, while galvanizing the joint Japanese-South Korean citizens' networks whose work is today coming to fruition. An unsuccessful lawsuit in Nagoya against Mitsubishi Heavy Industries grew out of the discovery by Japanese researchers that the name plaque on a 1960s-era company memorial for workers who died during wartime air raids and an earthquake omitted the names of six Korean girls killed in the quake. Researchers found the girls' names on a roster in the prefectural office and located their families in 1987 with the help of South Korean newspaper articles. Mitsubishi yielded to citizen pressure from both countries by erecting a new memorial in 1988 and inviting Korean families to the unveiling ceremony. But Mitsubishi prevailed in the subsequent Nagoya lawsuit, refusing to

confirm or deny historical events. Also a defendant in Nagoya and numerous other cases, the Japanese government has relied mainly on the state immunity defense.[61]

The bulk of conscription-related lawsuits in South Korean courts began after 2000, first against Japanese corporations like Mitsubishi and Nippon Steel and later against the South Korean government. While failing to deliver legal victories, the litigation there has triggered information disclosure about Seoul's approach to state reparations and helped fill in many historical blanks. It was recently revealed in a suit against the South Korean government, for example, that soon after the war Japan prepared individual mortuary tablets for military conscripts whose remains were never recovered from overseas sites. In February 1948, American Occupation authorities directed Japan to give the tablets to South Korea. Japan handed over the small wooden tablets in 1950, but in the confusion of the Korean War they were lost. The lawsuit clarified that mortuary tablets, rather than actual remains as some families believed, were involved in the previously unknown episode.[62]

Lawsuits in U.S. courts brought by Korean Americans once conscripted by Japanese companies have failed too, mainly because the American federal government opposed letting the cases be heard. Yet the American nexus

remains one key to reparations work. On August 11, one of the South Korean truth commissions announced the discovery in the U.S. National Archives of a 3,800-page document including name rosters and detailed information about 10,996 Korean military conscripts repatriated from South Pacific islands in 1945 by the U.S. Pacific Fleet, which compiled the records. Well over half of the Koreans were farmers, typically having toiled on the region's sugar plantations, and a mere 190 were soldiers. When treaty negotiations with Seoul were entering the home stretch in 1963, though, the Japanese government reported that only 7,727 Koreans had been returned home by American forces.[63]

Researchers believe that Japanese as well as American records now held in U.S. archives could do much to illuminate the conscription system and its aftermath. However, the categorization and declassification by Washington of records relating to Imperial Japan has lagged far behind that of records relating to Nazi Germany. The situation is improving thanks to the information disclosure efforts of the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group (<http://www.archives.gov/iwg/>), a public body created by the Clinton administration in 1999 as various redress campaigns were on the upswing.

In August 2006, Taiwanese and South Koreans began directly suing Yasukuni Shrine for

enshrining deceased military conscripts without their families' permission—or even their knowledge in many cases. “Annyong Sayonara,” a documentary movie jointly produced by South Koreans and Japanese in 2005, focuses on one of these plaintiffs, Lee Hee-ja, who lost a previous lawsuit against the Japanese government seeking the disenshrinement of her father (which would basically involve removal of his mortuary tablet, since there are no human remains at Yasukuni). Lee’s father was conscripted into civilian work for the Imperial Japanese Army in February 1944, when she was one year old.

Lee confirmed his death in 1992 after several years of research, and learned from Welfare Ministry records in 1997 that her father had been enshrined in Yasukuni in 1959. Lee’s family was never notified of his death and, unlike Japanese families whose relatives died on the same battlefield, never compensated in any way. More than 20,000 Koreans, the vast majority of them having died as unwilling conscripts, are currently enshrined in Yasukuni in a system that perpetuates their colonial subjugation even in death. Lee has set up a hillside grave marker for her father in South Korea, but says she will not engrave it until he is disenshrined from Yasukuni.[64]

### THE VIEW FROM CHIKUHO

“Burnable rocks” were first discovered in the

Chikuho region of northern Kyushu in the late fifteenth century. Feudal rulers gradually developed the coal resource in the eighteenth century, and with privatization during the Meiji era Chikuho came to supply fully half of national production, largely in the form of high-grade coking coal produced by small- and medium-sized firms. Most mines closed during the 1960s following Japan’s shift to a petroleum-based national energy policy, with the last mine shutting down in 1976. Vegetation now covers the remaining conical slagheaps, some of them up to 100 meters high. Known as the “Mt. Fuji of Chikuho,” the Sumitomo Mining slagheap that looms over Iizuka city was for many years decorated with strings of lights, until the city decided to promote an image less tied to its mining past. Other slagheaps have disappeared altogether. Mitsubishi perfected a technique for recycling its mining debris for use by the corporation’s massive concrete enterprise, while other firms leveled their slagheaps for use as bed fill in bullet train and expressway construction projects.



Japanese guide describes Sumitomo Mining’s Iizuka slagheap for Korean relative with back to camera, August 2006

Then 16 and now 78, a request from his family in Korea prompted Kim Kwan-gyol to come to Kyushu for work in 1943. Since 1969 the Fukuoka resident and reparations pioneer has tape recorded oral histories, visited more than 300 temples in the Chikuho area and physically verified the location of 500 sets of Korean remains, describing the results in a Japanese book called “Chikuho By Foot: A Record of Korean Mine Labor.”[65] Group efforts at researching Korean conscription, nationally and in locales like Chikuho, were initiated in the early 1970s by zainichi Koreans and Japanese affiliated with Chongryun, sometimes in connection with general anti-discrimination and human rights efforts.

Compilation of name rosters, always a central goal of activists, was accomplished over many years by checking records at the national library and local temples. A master list naming 430,000 conscripts (90 percent of them from southern Korea) went on public display in Seoul’s congressional hall in 2003. Hundreds of Koreans viewed the list but only a small percentage could find relatives’ names, prompting a Kyushu group of younger zainichi Koreans to produce a Fukuoka-specific death roster of 2,000 names. This list was then sent to Seoul and Pyongyang in 2004.[66] Mindan, the zainichi Korean organization supportive of South Korea, became increasingly involved in reparations work in the 1980s. While both segments of the ethnic Korean

community have long placed heavy emphasis on grassroots memorial services, local Mindan chapters have taken the lead in returning numerous sets of remains directly to South Korean citizens’ groups over the past two decades. Such proto-redress efforts began well before the high-profile involvement of the Seoul government and more mainstream Japanese activist groups.

Historical research and public awareness have blossomed in recent years. In various editions covering all of Kyushu as well as Yamaguchi Prefecture, the Nishinippon Shimbun (considered the region’s paper of record for local news) ran more than 100 stories on “forced labor” between 2003 and 2005, with roughly three-quarters concerning Koreans and one-quarter concerning Chinese—and coverage being generally supportive of both reparations campaigns. Japanese activists affiliated with the Truth Network and other progressive groups have gone to public libraries in various parts of the country on the same day to search digital newspaper databases using the same search terms, highlighting improved coordination. Citizen researchers have also been scouring old industry reports, corporate histories, municipal histories and a range of public records for facts about conscription, looking for possible matches between Japanese and Korean name kanji and paying special attention to districts with reputations as “Korean ghettos.” (Yi Chon-gwan,

the conscript killed in the Mitsubishi mine explosion, had been assigned the new surname of “Iwamoto,” while the personal name “Jukan” is a Japanese reading of the same Chinese characters comprising his Korean personal name.)

The phenomenon of “double conscription,” referring to workers being sent first to Sakhalin and later to Kyushu, came to light only after a Chikuho researcher stumbled upon a cache of company-produced “accident fatality reports” in a small town’s board of education warehouse in 1990. The retired high school teacher determined that 18 out of one worksite’s 32 fatalities involved Koreans, several of whom died soon after being separated from their families in Sakhalin and arriving in Chikuho, suggesting the heightened dangers of late-war mining conditions. Ethnic Korean Russian nationals from Sakhalin, young children during the war, have since visited Chikuho seeking information about fathers who disappeared without a trace. One Korean man was informed in 2005, shortly after moving from Sakhalin to South Korea, that his father had died at 10:30 p.m. on December 21, 1944, “by compression due to total submersion in debris” following a mine cave-in.[67] Noting that companies thoroughly documented workplace fatalities and submitted the information to government agencies, activists say increased cooperation from the state and industry could bring similar closure to more bereaved families.

The so-called “Water Emergency” (Mizuhijo) disaster, which occurred offshore near Yamaguchi’s Ube city in February 1942, has also lately come to public attention. One-hundred eighty workers, 140 of them Koreans, were drowned in a massive tunnel collapse at Chosei Mining’s undersea coal mine. No remains were recovered. Formed with 100 volunteers in 1991, an Ube citizens’ group is working to document the disaster through oral histories, erect a public memorial at a nearby beach, preserve the concrete ventilation shaft still visible offshore, and hold memorial ceremonies with bereaved Korean families. Family members and representatives from Seoul’s Truth Commission have met with local and prefectural officials, requesting that the Korean remains be brought up from the ocean floor—not a simple task since the undersea mine was once Japan’s deepest. In South Korea former mine workers have testified before the Truth Commission about water seeping into tunnels in the days preceding the collapse and their warnings going unheeded, while in Japan a former mine official recently offered his personal apology. The Nishinippon Shimbun has provided bank transfer information so readers can contribute to the Ube support group, which maintains a substantial website ([http://www7a.biglobe.ne.jp/~chousei-tankou/winIE6/index\\_ja.htm](http://www7a.biglobe.ne.jp/~chousei-tankou/winIE6/index_ja.htm)).[68]

Other Chikuho-area groups have been carrying out creative reparations activities for several

years. Some groups work together with the more recently formed Truth Network and with each other; others do not, typically due to differences regarding ideology or organizational structure. The most visible and effective of these groups is now known as Mugunfa, named after the Mugunfa-do charnel house that Iizuka city was pressured into constructing in 2000. The Korean reading of Chinese characters meaning “eternal flower,” “Mugunfa” was formed by members of more than one dozen existing citizens’ groups, with strong links to labor, peace, women’s, religious and human rights networks. Headed by an 85-year-old zainichi Korean who came to Japan as a conscripted laborer, Mugunfa plays a leading role in research, mourning, educational and cultural exchange activities.

Mugunfa reported in July 2006 that the names of 1,974 deceased Koreans, along with personal details and 31 sets of bones, had been confirmed based on cremation and interment records from 1939-1945, with two-thirds of Chikuho’s cities and towns providing information. Data about the circumstances of death and corporate involvement, however, was blacked out on the grounds that only the original presiding physician and immediate Korean family members are entitled to such private information, a rule activists charge is intended to conceal the reality of forced labor. Mugunfa was cautiously optimistic that municipalities may eventually disclose the full records, noting that only last

year no information whatsoever was said to exist.[69] Memorial services, sometimes involving officials from the South Korean consulate in Fukuoka and groups of Korean Buddhist priests, are regularly held at the Mugunfa-do charnel house. The facility has received unidentified remains (including some likely belonging to Japanese miners) from other charnel houses, even as Korean remains continue to be stored elsewhere in Chikuho.

Academic exchange activities involving universities in South Korea and Kyushu (which is geographically closer to Seoul than Tokyo) have critically examined the Chikuho conscription experience. One second-generation zainichi Korean man has visited nearly 400 public schools in Fukuoka and Yamaguchi prefectures, educating younger students about forced labor while exposing them to traditional Korean clothing and music.[70] For more than twenty years, the “Group for Thinking about Forced Labor” has featured food, song and dance in its Korean-Japanese cultural exchange programs. The group has long conducted Chikuho bus tours of memorials, former worker dormitories and closed-off mine shafts, including one site where 67 burakumin workers died in a 1960 mine flood. Nobody attempted to rescue the Japanese miners or retrieve their bodies due to discrimination against the outcaste class. One effect of the bus tour was to frame the forced labor reparations issue within the context of



other human rights problems in Japanese society.[71]



Chosei Mining's undersea mine near Ube city, concrete ventilation shaft, and Korean mortuary tablets (photos by Chosei Tanko "Mizuhijo" Historical Preservation Group)

Hokkaido has become a hotbed of similarly energetic redress activities, with a group called the Hokkaido Forum forming from other groups in 2003 and successfully building coalitions among citizens' networks. Activists in Akita Prefecture have confirmed more than 70 Korean forced labor sites and are currently planning a new memorial; the only existing forced labor memorial is at Hanaoka and more closely identified with Chinese victims. A new memorial in Okinawa, where thousands of Korean military conscripts were taken and many died, was unveiled last spring. Domestic reparations efforts are gaining the greatest traction in Chikuho and other places on Japan's political periphery.

More than 35,000 Allied prisoners of war were also transported to Japan for forced labor. Thousands of them ended up in the Chikuho coalfields, according to POW Research Network

Japan (<http://homepage3.nifty.com/pow-j>), a Tokyo-based citizens' group that has produced an online English roster of the 3,526 POWs who died in Japan.[72] <http://homepage3.nifty.com/pow-j> In the late 1980s a large Christian memorial was erected at one Chikuho site, along with a plaque bearing the names of the nearly 900 Dutch POWs who died in Japan.[73] Reconciliation activities involving former Dutch and British POWs are relatively advanced, with dozens of these elderly men or family members making goodwill visits to Japan each year through a limited program sponsored by the Japanese government.

The United States remains the only major Allied nation that has not recently compensated its nationals who performed forced labor in Japan, although legislation that would do so is once more pending in both houses of the U.S. Congress. There have been few efforts to track down the unpaid wages for POW forced labor that some corporations apparently deposited into postal savings accounts. The San Francisco Peace Treaty waived claims to such money and prevented compensation lawsuits by former POWs from being heard in Japanese and foreign courtrooms over the past decade. Unlike the South Korean government's strong support of reparations demands, the American federal government actively opposed, and continues to oppose, its citizens' redress efforts. All remains of Allied POWs were recovered soon after the war,

and mistreatment of prisoners was vigorously prosecuted during war crimes trials. Reparations claims involving names, bones and unpaid wages remain unresolved mainly for Asian victims of forced labor in Japan.

## REPARATIONS AND HUMAN RIGHTS

Fluid and spreading, the global reparations movement is one of the most conspicuous social and political trends of the post-Cold War era, spilling across academic disciplines such as democratization, historical memory, transitional justice, human rights, conflict resolution and even evolutionary psychology. The year 2006 has brought new volumes written by leading reparations specialists. Titles include “Taking Wrongs Seriously: Apologies and Reconciliation” (from Stanford, edited by Elazar Barkan and Alexander Karn); “Making Whole What Has Been Smashed: On Reparations Politics” (from Harvard, authored by John Torpey); and “The Handbook of Reparations” (an 800-page tome from Oxford, edited by Pablo De Greiff).

Dozens of similar books and articles have appeared over the past decade and numerous academic conferences convened. The phenomenon of state apologies has become especially prominent, while American researchers often focus on the persistent question of reparations for slavery in the United States. Asian reparations activities, however, tend to

make only cameo appearances in the burgeoning English-language literature on “coming to terms with the past”—despite Asia being home to much of the world’s population and a major locus of global economic growth.

The legacy of war and colonialism in Northeast Asia deserves greater attention within the debate between those arguing that the global reparations trend is being driven by the post-Cold War emergence of universal values and is here to stay, and those countering that any “new morality” perceived in the explosion of reparations activities is temporary and bound by political culture. These latter critics contend that recent compensation programs, in particular, have resulted mainly from actors’ traditional self-interested calculations of economic costs and benefits, although other factors such as security and international reputation have played important roles in past cases.

Whatever the motivations of parties granting reparations in specific instances, the cumulative effect has been to raise expectations and produce additional demands for a broader range of past wrongdoing. But nothing resembling a “threshold” of injustice making reparations “necessary” when crossed has yet appeared, as the nature of parties involved and the relationships between them, along with time elapsed since the offense, are a few of the many variables. The relationship between

“reconciliation” and “reparations” also factors in. A certain thickness of reconciliation between states or groups may be required for placing the possibility of reparations on the agenda, even as the lack of reparations discourages reconciliation from taking root.

In Europe, the ancestral home of the humanist ideals that underpin most theories of reparations, the discourse has centrally featured the German approach to war responsibility. Germany as well as Austria recently concluded state-industry compensation programs for survivors and descendants of Nazi-era forced labor and their descendants, representing the last major class of victims not yet redressed. (These reparations programs, as well as those recently enacted by Swiss and French banks and insurance companies, are examined in “Holocaust Restitution: Perspectives on the Litigation and Its Legacy,” edited by Michael Bazzyler and Roger Alford and published by New York University in 2006.) While it is difficult to directly compare German and Japanese postwar behavior for a variety of reasons, wartime forced labor on the Japanese scale would likely have been redressed in a European setting by now.

Much of the West has today moved on to “cultural restitution,” something that also remains far off the agenda in Japan, which heavily looted cultural properties from libraries, temples and museums in China, Korea and

elsewhere. While Japan did return 1,300 cultural assets to South Korea as part of the 1965 accord, tens of thousands of pieces were reportedly retained. A new Japanese approach to cultural restitution may have been glimpsed in 2005 with the return to Pyongyang via Seoul of the two-meter-tall Pukkwan stele, a battle monument dating to 1707 commemorating the defeat of a Japanese invasion of Korea during the 1590s. The stele had been stolen during the Russo-Japanese War and set up at Yasukuni Shrine; the South Korean government had requested its return since 1979, the year after it was first spotted by a zainichi Korean.[74]

As for human remains, efforts in the West involve returning bones hundreds or even thousands of years old to countries or native communities of origin, unlike in Japan where Koreans are today demanding the remains of immediate family members. Certainly the belated nature of the undertaking is not all Japan’s fault. South Korea’s postwar succession of authoritarian military regimes, with their ideological as well as actual connections to the Japanese colonial establishment, predictably viewed reparations claims as a state prerogative best left unexercised.

The democratic transformation of South Korea, along with more gradual progress in Japan and the global spread of reparations politics, has been indispensable to the results now being achieved

by a joint Korean-Japanese civil society. These achievements and capabilities come into sharper focus when contrasted with the Chinese forced labor reparations movement, which is unfolding alongside efforts on behalf of Korean victims and partially intersects with them. Political asymmetry between China and Japan and the relative thinness of civil society links has limited progress in the Chinese victims' case. The impetus for both Korean and Chinese forced labor originated with Japan's mining and construction industries, which began pressing the state to authorize the Korean program in 1937 and Chinese program in 1939. Some of the 700,000 Korean forced laborers, especially those brought to Japan during the most forcible "requisition" phase, endured extreme working and living conditions basically the same as all 38,935 Chinese endured between 1943 and 1945, although workers were kept strictly quarantined from one another (and from the Allied prisoners of war numbering slightly less than the Chinese).

### **KOREAN AND CHINESE CASES**

A striking feature differentiating Korean from Chinese forced labor was the pressuring, deception and finally physical coercion of Koreans as imperial subjects. Chinese forced labor, by contrast, was obtained with direct Japanese army involvement from war-torn North China adjacent to Japanese-occupied Manchuria, and Chinese workers were very often undeclared

POWs or abducted farmers. Koreans fled worksites at very high rates and incorrigible troublemakers were even sent home; successful escapes by the more closely guarded Chinese were negligible and unsuccessful escapes were punished by torture and transfers to even harsher camps. Chinese workers were spared any systematic attempts at cultural indoctrination.

The most revealing difference in the two labor programs was that 17.5 percent of Chinese died. Fatality rates exceeded 50 percent at some sites, as Chinese workers were subjected to uniquely high levels of brutality and deprivation by state and corporation design.[75] (About 10 percent of Allied POWs died in Japan, although overall death rates for Allied POWs in Japanese captivity were much higher for some nationalities including Americans. Korean labor conscripts died at far lower rates than Chinese or Allied POWs, although no precise figures are available.) While it appears that some corporations did deposit unpaid wages for Chinese workers with the central bank after the war, these efforts at damage control did not reflect a Korean-like system of mandatory savings accounts and pension withholdings. Instead, documents recently submitted by Chinese plaintiffs in a compensation lawsuit against Mitsubishi at the Nagasaki District Court indicate that the state specifically exempted corporations from applying the standard pension withholding procedures to Chinese, whose service in Japan

the government today concedes was “half-forcible.” Mitsubishi is now pioneering denials of Chinese forced labor in three Kyushu courtrooms, a contestation of historical reality that has plagued Korean redress efforts for a far longer period.[76]



Mugunfa-do charnel house for Korean conscript remains, Chikuhō

Like some classes of Koreans, Chinese workers were given priority for repatriation following Japan’s defeat, because they were considered a security risk and due to their status as nationals of the victorious Allied coalition. Relatively determined attempts were made to send back remains of Chinese with the workers being repatriated, whereas Korean remains were typically abandoned in Japan. Japanese companies treated the two Asian labor programs similarly in taking immediate postwar measures to avoid responsibility and obtain state compensation for themselves. For the Chinese case, corporations submitted extensive

information to the state during the spring 1946 compilation of the five-volume Foreign Ministry Report, while company-supplied data was also the source of a report defining the scale of unpaid Korean wages that was compiled by the Welfare Ministry in the summer of 1946, prior to that fall’s order for the monies to be deposited. Both secret documents, along with the Welfare Ministry’s post-deposit report, included master name rosters and personal details which were then suppressed despite demands for information from citizen activists and the South Korean and Chinese governments.

Besides taking the lead in pursuing wages for Korean workers, the League of Korean Residents in Japan also paved the way for reparations at Hanaoka, where scores of Chinese had been tortured to death following a late-war rebellion and remains had been left scattered in open fields. A pro-Beijing group of Japanese citizens known as the Memorial Committee for Martyred Chinese Captives pushed for the repatriation of Chinese remains throughout the 1950s, in the face of state-industry resistance that included a concerted cover-up of name lists and other data. Like the current situation concerning Korean conscription and the Japan-side Truth Network, the Memorial Committee independently obtained partial Chinese name rosters and tracked down bones. Then as now, the Japanese government cooperated in incremental ways only when forced to do so and described its role as a

limited, humanitarian one.

Sino-Japanese relations were restored in a two-stage process only in the 1970s, so the earlier activists engaged in a delicate dance with Japan's Foreign Ministry to make Chinese remains repatriation possible. The Truth Network and the South Korean government cannot be too confrontational today either. Seoul's Truth Commission has officially received from Tokyo the names of only a small percentage of labor conscripts, and needs the Welfare Pension Name Roster and the Unpaid Financial Deposits Report to certify recipients for its domestic compensation plan. In contrast to Japan's attitude toward naming names of non-Japanese war victims, every spring Hiroshima city officials at the Peace Park Memorial carefully air out more than 80 books containing nearly 240,000 names of hibakusha, using white globes to remove the books from a stone room beneath the peace memorial as part of a preservation ritual.[77]

The contemporary movement for Chinese forced labor redress suffers from having no equivalent of the large zainichi Korean community. In recent years a sizeable number of ethnic Japanese have returned to Japan from China after having been abandoned there in 1945. However, these "war-displaced Japanese" (zanryu Nihonjin) and their immediate family members, culturally Chinese and severely marginalized within Japanese society, have not become a zainichi Korean-style

bridge for transnational activities. On the contrary, a large number of war-displaced Japanese have filed group lawsuits against the Japanese government for abandoning them in China and now inadequately providing for them in Japan; some zanryu Nihonjin have opted to return to China.[78] There are also tens of thousands of Chinese students living in Japan, but they are poorly integrated within the generally closed society. These students tend to avoid all political activism due to fear of offending their home and host governments. The modest degree of Japanese courtroom success posted by Chinese forced labor lawsuits has resulted from the intrinsic strength of the claims and occurred in spite of the relative weakness of Sino-Japanese civil society.

Like South Korea under military rule, the Chinese Communist Party—rightfully criticized for using forced labor in the nation's penal system today—rejects a universal right to individual redress. In 1995 the Beijing government did give Chinese citizens the green light to bring lawsuits in Japan, but it has remained lukewarm in supporting them. After announcing via state-controlled media last spring that it would allow forced labor survivors to sue Japanese companies in Chinese courts, China may now be backsliding on opening up this unprecedented reparations venue (or perhaps waiting for decisions on three relevant cases now before the Japan Supreme Court). While

regularly lambasting Japan's response to forced labor claims verbally and in print, Beijing's reluctance to support the movement via concrete, South Korean-style actions confirms that repressive states are least likely to press target states for reparations for their citizens.

### KOREAN CIVIL SOCIETY AS MODEL

South Korea's direct involvement in forced labor reparations work has been made possible by domestic democratic transition and the active exercise of civil liberties. This has produced a three-party synergism involving the Seoul government and citizens' networks in South Korea and Japan, most visible in the activities of the Truth Commission on Forced Mobilization. A range of preceding creative activities contributed to these current capabilities. In 2003 a coalition of nearly 60 citizens' groups in South Korea and Japan demanded of both their respective governments that Japan apologize and pay compensation for its war responsibility.[79] Plaintiffs in an ongoing lawsuit against Nachi-Fujikoshi Corp. are shareholders in the company and have agitated for redress at annual shareholders' meetings in Japan, last year submitting a petition with the signatures of more than 50 members of South Korea's National Assembly from both the ruling and opposition parties. (The company had settled a previous lawsuit by paying compensation but was later sued by different plaintiffs, demonstrating the

need for a comprehensive solution.))[80]

During previous international acrimony over a revisionist Japanese history textbook, South Korean local governments used their "sister city" ties and "citizen diplomacy" to lobby Japanese boards of education not to adopt the book. Numerous Chinese and Japanese municipalities are linked as "friendship cities," but these "Track 2" relationships are far more constrained. Whereas exchanges between Korean and Japanese religious groups (mainly Buddhist but also Christian) have been important for the remains issue, Chinese religious groups cannot operate independently of the state, which restricts the ability of even non-political groups to assemble. Freedom to criticize one's own government—and to sue it in court—has played a seminal role in the Korean case. Civil lawsuits prompted President Roh's release of the diplomatic records concerning the 1965 treaty and additional lawsuits, along with unrealistic citizen demands for the state to renegotiate the treaty, followed disclosure of the information.

South Korean courts have proven themselves to be the most independent in the region, although the announcement by the Justice Department in February 2006 of the summary dismissal of all lawsuits by descendants of pro-Japanese collaborators seeking the return of confiscated property was questionable, as was talk of national legislation authorizing the state to retain

such properties. Use of the internet, a technology the Chinese state is determined to control, has also been instrumental in South Korean democratization and forced labor activism. South Korea has liberalized its media in general by phasing out the press club system, an institution which inhibits Japanese society's awareness of its postwar legacy. Leading newspapers in Fukuoka and Busan have exchanged reporters for six-month stints through a "sister paper" program, advancing mutual understanding by enabling visiting correspondents to communicate directly with local readerships even about divisive historical issues.

The empowerment of South Korean civil society has been accompanied by a flowering of historical memory and a still-evolving shift in self-identity at the individual and communal level. The grand experiment with the truth commission process, targeting not only forced labor but most other aspects of the collective twentieth-century experience, became possible only after a threshold of national self-assurance was achieved. Former labor conscripts previously refrained from publicly discussing their hardships in Japan to avoid shameful (but usually inaccurate) accusations of collaboration. Along with bringing home remains, a major goal of the Truth Commission on Forced Mobilization is to restore the honor of individuals and families by clarifying and broadly disseminating the actual circumstances of their conscription. State

compensation is an important symbolic means of restoring honor and will be considered by the national legislature this fall.

In an emotionally complex 2005 case, a family requested and received the remains of a Korean kamikaze pilot who had died in combat after freely volunteering for military service; his family had previously known the remains of the Imperial Japanese Army officer were in Yutenji Temple but did not want them back. A Japanese national in life now embraced as Korean in death, the man's remains left Tokyo after a memorial service involving officials from the Japanese and South Korean governments, and were met in Seoul by state representatives.[81] South Korea's state-citizen unity in demanding forced labor reparations also involves a convergence of state nationalism and popular nationalism. As in China today, the former tended to suppress the latter with respect to historical issues prior to the Roh era; currently the two South Korean nationalisms are in a positive feedback loop and propelling each other toward a shared goal.



Tokyo memorial rites and public forum for Korean forced labor reparations, July 2006

The "Korea boom" in cultural imports was at its



peak in 2005, Japan and South Korea had successfully co-hosted the FIFA World Cup in 2002, and the Obuchi-Kim summit of 1998 had seemed to finally put the past to rest (even as the leaders' declarations of reconciliation raised expectations for reparations at the citizen level). The souring of Tokyo-Seoul relations due to history, along with Korean resolve to press the matter of names, bones and unpaid wages for wartime forced labor, has thus surprised and perplexed many Japanese. Such critical acrimony from communist China might be smugly brushed aside, but the political symmetry and perception of shared values between South Korea and Japan means that Seoul's protests must be taken more seriously. International support, even for the similar cause of forced labor redress, lines up more readily for claims advanced by a liberal democracy than by an authoritarian state, which can be more easily accused of manipulating history for political advantage.

The moral legitimacy of South Korea as a reparations partner is enhanced by the self-searching nature of the nation's truth commission process, which serves to raise the bars of truth-telling and participatory democracy for Japan too. In fact, the Korean forced labor redress movement, with its heavy political commitment by state actors and a nearly borderless South Korean-Japanese civil society, may become a new template for related campaigns—especially for the underrepresented Asia Pacific region. But the

model will not be easy to emulate. Decades of groundwork in Japan, the fitful maturation of South Korean civil society and the spread of a global redress consciousness have all been necessary conditions.

The model is clearly being closely observed. Activists for Chinese forced labor redress, limited in their ability to duplicate the domestic accomplishments seen in South Korea, are now planning to bring their largest-ever group of Chinese to Japan between October 29 and November 3. The delegation of 100 Chinese will include forced labor survivors, family members, lawyers and a Chinese television crew. The group will begin its visit in Tokyo by making direct appeals for apologies and compensation to state agencies and various corporate headquarters, and then split up into smaller groups for visits to regions where litigation is under way. As in the Korean case, Japanese grassroots researchers are now preparing itineraries and urging local media to cover the upcoming field trips to mines and other worksites.

Reparations backers for Chinese forced labor are also beginning to focus more directly on the human remains aspect, piggybacking on the Korean example. The remodeled and expanded Memorial Museum for Workers Martyred in Japan reopened in Tianjin on August 18 with a ceremony attended by 400 people; leading the

Japanese delegation was retired Diet member Doi Takako, the longtime head of the Japanese Socialist Party and a one-time leader of the Lower House. The memorial includes a mausoleum housing the remains of 2,316 Chinese workers who died in Japan, with these now stored in refurbished wooden cubicles with glass doors. Most of the remains were sent back to China by progressive Japanese citizens' groups in nine batches between 1953 and 1964, but 670 sets of Chinese remains are still being stored in Hokkaido temples today.[82]

The repatriation of these Chinese remains—along with others presumably stored at temples elsewhere in Japan—is certain to become a future focus of activity. The South Korean government, for its part, may eventually emulate the Chinese approach idea of combining a central memorial for forced laborers, a charnel house housing remains that cannot be returned to families, and an upgraded interpretative museum. Such remains are now kept at South Korea's national cemetery. The Japanese Truth Network's future plans include opening a memorial museum.

There has been some discussion of a regional approach to forced labor reparations covering both Korean and Chinese cases. The research specialty of a Chinese-speaking member of the South Korean Truth Commission is the history of Korean forced labor in Japanese-occupied Manchuria; such victims would be eligible for the

Seoul government's planned compensation but little is known about their experience.

Visions of a civil society encompassing Japan, South Korea and China are clearly premature. Within Japan, factionalism and compartmentalization have long weakened progressive political movements. Japanese activists for Korean forced labor do not always cooperate with each other for ideological reasons; the same is true for activists for Chinese forced labor. Coalitions between Japanese backers of the Korean and Chinese claims could also be strengthened. At an early August meeting of the Fukuoka support group for Chinese forced labor lawsuits, I passed out fliers advertising the upcoming schedule of local Korean reparations events. Members of the Chinese support group had been unaware of the Korean program, but several attended the Fukuoka public meeting featuring the bereaved Korean relatives.

## RECONCILIATION WITHOUT REPARATIONS?

"Historical reconciliation" will remain a matter of primary importance in Northeast Asia for the foreseeable future, but the process could unfold in various directions. Two incompatible positions were recently on display in the Japanese parliament. Last June 15, Upper House member and reparations advocate Okazaki Tomiko submitted a written list of pointed questions to

the Koizumi administration.

Do you recognize, Okazaki asked, that Korean labor mobilization after 1939 was a Japanese government-run operation, established and annually renewed by cabinet resolution, and that corporations received workers only after government approval? How do you view the responsibility of the state and industry for Koreans who died during mobilization, since these people would not have died otherwise? How many Koreans died during mobilization? Systematic government cooperation regarding records about cremations, domicile registries, pension contributions and financial deposits would clarify the human remains situation and enable Korean families to learn what happened to their relatives. Will you actively cooperate? Do you believe returning remains is important? Do you think apologies and explanations of events surrounding workers' deaths would be good? For remains being returned to South Korea, does the government intend to provide condolence payments and money for interment expenses? How about a survey of the harm caused by labor mobilization in other Asian countries? Don't you think it is important for Japanese to know this history in detail in order to avoid repeating it?

Prime Minister Koizumi's written answers were provided to the Diet on June 22—in considerably less detail than Okazaki's original query.[83] Koizumi reported that the government does not

know the number of Koreans mobilized or killed. Regarding the return of remains, Koizumi said the government will do all it can on a humanitarian basis, but there is no plan to provide any information about circumstances of deaths. The claims waiver language of the 1965 treaty with South Korea definitively settled all questions of state responsibility, while the government is in no position to comment about apologies by private companies. Koizumi added that Japan intends to normalize relations with North Korea using the same economic cooperation formula, as per the Pyongyang Declaration of September 2002.[84]

The current attitude of the Japanese government and corporations cannot lead to reconciliation with the South Korean government or society, which is not surprising given the long track record of evasion and duplicity regarding names, bones and unpaid wages. Reparations supporters pointed to a double standard last May 29, when 398 unidentified Japanese soldiers who had died on overseas battlefields or in Soviet labor camps were interred at Chidorigafuchi National Cemetery. Koizumi and other cabinet members, along with Prince Akishino, were among the 600 people who attended the dignified state ceremony for Japan's military war dead.[85] Japan treats Korean remains, activists charge while referring to Koizumi's recent Diet statement, as second-class cargo under the best of repatriation scenarios.



Identifying Korean remains exhumed from a Hokkaido field, August 2006 (Peacetown photo)

In Chikuho, unfolding alongside achievements in public consciousness-raising and returning remains, historical regression is raising questions about the community's commitment to reconciliation. In 2004, a monument in front of Tagawa city's municipal coal museum was dedicated to deceased miners and inscribed with the restorationist term "war dead" (eirei). Likewise in 2005, at a chapter of an internationally known civic club in nearby Nogata city, a historical display prepared by the local board of education referred to a wartime workforce of "coal-digging warriors."

Redress advocates say such creeping revisionism in the public square seeks to instill pride in Chikuho by airbrushing out of historical memory the shameful reality of forced labor by Koreans, Chinese and Allied POWs—as well as the widespread exploitation for the war effort of working-class Japanese. A retired front-office employee of Mitsubishi's Chikuho coal division last year wrote a revisionist book apparently directed toward local youth called "The Truth and Glory of the Coal Mines: The Fabrication of Korean Forced Labor." The book was published

by the local chapter of the Nippon Kaigi, an influential political lobbying group with a strongly nationalistic agenda, and edited by a retired Aso Corp. executive.[86]

Dramatically demonstrating the reverse, conciliatory approach to the region's history problem, in May 2005 a Kumamoto physician apologized in Seoul for the 1895 murder of Korea's last ruling empress. The 84-year-old doctor, the grandson of the leader of the team of Japanese ultranationalists who assassinated the empress, traveled to South Korea with a transnational group called the "People's Meeting in Memory of Myongsong" and tearfully asked for forgiveness at the royal tomb.[87] Wider knowledge about how Japan's imperial involvement on the Asian mainland began and developed would greatly assist Japanese society's understanding of wartime forced labor and persistent demands for redress. Domestic pressure (naiatsu) for reparations depends largely on more accurate and sensitive historical awareness.

Just as importantly, basic information about the Korean labor conscription program and Japan's postwar handling of its aftermath is being systematically disseminated beyond the region for the first time. There has been no shortage of Track 1, 2 and 3 attempts by the global community to foster "reconciliation" between Japan and South Korea, Japan and China, and

even all three nations on a trilateral basis. Advocates of a regional approach to reconciliation have suggested that South Korea, since it shares political values with Japan but broadly sides with China against Japan on history issues, might somehow mediate or arbitrate the Beijing-Tokyo impasse.

A blind spot in these efforts, however, frequently stems from lack of thorough knowledge about Japan's inadequate response to "reparations" in the prevailing, non-treaty sense of the term. The Korean conscripts' six-decade struggle for justice should attract more international backing (gaiatsu) as it becomes better known in the West. This will lay bare the mismatch between Japanese intransigence and the nation's aspirations for regional and global leadership, while providing much-needed context for comprehending history problems involving Yasukuni, textbooks and territorial disputes.

"The very morality of postwar Japan is being put to an acid test by this appeal from South Korea," the Asahi Shimbun observed in October 2005, at a time when the Japanese state and industry were dragging their feet on the remains project. The Asahi editorial called on the central government, local municipalities, corporations and temples to "show good faith" and "do the right thing."<sup>[88]</sup>

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#### ENDNOTES

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[59] See William Underwood, "NHK's Finest Hour: Japan's official record of Chinese forced labor." *Japan Focus*, Aug. 8, 2006. Available (<http://www.japanfocus.org/products/details/2187>).

[60] See Tanigawa Tohru, "'Shinshi' ni ha Uketomeru mo, Jijitsu Kaimei ni Seii nashi: Nihon Kokan sosho wakai wo kangaeru." In *Kosho*, Tanaka, Sato et al. 2000 (Endnote 47).

[61] See Takahashi Makoto, "Kodomo wo Renko shite Kyosei Rodo: Chosen joshi kinro teishintai sosho." In *Kosho*, Tanaka, Sato et al. 2000.

[62] Chang Sokkyong 2006. See Endnote 41.

- [63] "U.S. list of Korean laborers under Japan contradicts Tokyo's figures." *Hankyoreh* online, Aug. 12, 2006.
- [64] "Woman seeks father's memorial returned from Japan," *Hankyoreh* online, July 19, 2006. Hongo Jun, "Korean-Japanese bridges the gap for movie crew," *Japan Times* online, July 20, 2006.
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- [66] "Kyosei renko izoku sagashi ko watashi, Fukuoka no shibo 2000-nin tokutei, Zainihon Chosen Kyushu Seinen Shokokai, Kankoku nado de kokai." *Nishinippon Shimbun*, May 16, 2004.
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- [68] See stories on the Chosei Mining disaster in the *Nishinippon Shimbun* on Dec. 19, 2004; Jan. 29, 2005; and April 20, 2005.
- [69] "Chosen shusshinsha, Chikuho ni 1,974-nin maiso kiroku, shimin dantai ga kaiji kekka hokoku." *Nishinippon Shimbun*, July 7, 2006.
- [70] "Bunka shiri, sabetsu nakuso, zainichi Chosenjin Nisei." *Nishinippon Shimbun*, May 21, 2005.
- [71] "Rekishi kara jinken manabu, ireihi koguchi seki nado meguru, Tagawa chiku basu tsuaa." *Nishinippon Shimbun*, June 7, 2004.
- [72] See the POW Research Network Japan website at <http://homepage3.nifty.com/pow-j>. See also "List details deaths of 3,500 POWs held by Japan." *Japan Times* online, Jan. 18, 2005.
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- [75] Underwood 2006 (Endnote 59).
- [76] William Underwood, "Mitsubishi, Historical Revisionism and Japanese Corporate Resistance to Chinese Forced Labor Redress." *Japan Focus*, Feb. 8, 2006. Available (<http://www.japanfocus.org/products/details/>

1823). See also William Underwood, "Chinese Forced Labor, the Japanese Government and the Prospects for Redress."

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[77] "Hiroshima gives A-bomb victims' list yearly drying." Japan Times online, May 24, 2005.

[78] See Tamanoi Mariko Asano, "Japanese War Orphans and the Challenges of Repatriation in Post-Colonial East Asia." Japan Focus, Aug. 13, 2006. Available (<http://www.japanfocus.org/products/details/2195>).

[79] "Grassroots groups demand war apology." Japan Times online, June 6, 2003.

[80] "South Korean politicians back redress suit." Japan Times online, Feb. 19, 2005.

[81] Kitano Ryuichi, "60 Years On: Ashes of Korean kamikaze fighter find final resting place." Asahi Shimbun online, Aug. 20, 2005.

[82] Sasaki Manabu, "Kyosei renkoshu no ikotsu tobureau, donai 670-nin mo nokotsu, shinkinenkan kaikan, Chugoku Tenshin." Hokkaido Shimbun online, Aug. 19, 2006.

[83] Diet member Okazaki's June 15, 2006,

questions and Prime Minister Koizumi's June 22 answers are available at the House of Councilors website: [here](http://www.sangiin.go.jp/japanese/joho1/syuisyo/164/syuh/s164086.htm)

(<http://www.sangiin.go.jp/japanese/joho1/syuisyo/164/syuh/s164086.htm>) and [here](http://www.sangiin.go.jp/japanese/joho1/syuisyo/164/touh/t164086.htm) (<http://www.sangiin.go.jp/japanese/joho1/syuisyo/164/touh/t164086.htm>).

[84] Japan's 1965 approach to normalizing ties with North Korea may well be rejected, at least initially, when it is eventually next offered by Tokyo. The anomalous weeks following the Pyongyang Declaration marked the only time in the past half century when North Korea has not viewed actual state reparations for war and colonial responsibility, and even for Japan's indirect support role during the Korean War, as a precondition for normalizing ties. (See Mark E. Manyin, "North Korea-Japan Relations: The normalization talks and the compensation / reparations issue." CRS Report for Congress, June 13, 2001. Gavan McCormack and Wada Haruki, "The strange record of 15 years of Japan-North Korea negotiations." Japan Focus, Sept. 2, 2005, [is available \(http://www.japanfocus.org/products/details/1894\)](http://www.japanfocus.org/products/details/1894). Hiramatsu Kenji, "Leadup to the signing of the Japan-DPRK Pyongyang Declaration." Gaiko Forum, Winter 2003.) The impressive progress of the Korean forced labor reparations movement since 2002, along with growing north-south solidarity in confronting Japan on history issues, generally strengthens North Korea's bargaining

position. But Pyongyang remains a singularly “unworthy” reparations partner in terms of human rights and its past abductions of Japanese nationals may cancel out any negotiations advantage.

[85] “Remains of 398 soldiers interred at Chidorigafuchi.” Japan Times online, May 30, 2006.

[86] Satani Masayuki, *Tanko no Shinjitsu to Eiko:*

*Chosenjin kyosei renko no kyoko.* Nogata, Fukuoka: Nippon Kaigi Fukuoka Chikuho Chapter, 2005.

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[88] “Facing the past.” Asahi Shimbun online, Oct. 3, 2005.