

# Comfort Women in Indonesia: A Consideration of the Prewar Socio-legal context in Indonesia and Japan<sup>1</sup>

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## *Comfort Women in Indonesia*

During the course of the last 15 years the comfort women have been a consistent feature of discourses on World War II in many different countries. With respect to Indonesia, most writings are some combination of sensationalist journalism, political activism, and uncritical recycling of information obtained from other sources. Thankfully there have been a few publications which expand our knowledge of the subject, but despite testimonies on some women and waves of attention, our understanding of the comfort women and the context in which they appeared has developed very little since 1992. Instead, the comfort women issue is most commonly raised by politically-oriented individuals or groups, including by established politicians in Korea, the US, Canada, and Europe, activists such those in Amnesty international or Vownet, Christian church groups and some conservatives or right wing reactionaries. Their primary interest in the present—or agendas for the future—results in poor history writing. To phrase it crudely, the question of whether a woman was “forcibly recruited” or “volunteered” forms the central issue for the political “debate” between the “right-wing” and “liberals,” especially in Japan.<sup>2</sup> When there is no right-wing active, the Japanese government and its refusal to provide further funds or apologies is used as the requisite “right-wing” against which to crusade. Reactionary Japanese similarly find a “liberal” target to criticize. After 15 years of such political discourse, it seems time to return to a serious academic effort both to document—critically and carefully—issues related to the comfort women, and to make an attempt to analyze this history.

In this essay I return to the historical contexts and precedents. By examining the legal and social contexts, I endeavor to go beyond the simplistic question of whether a woman was “forced” or “willingly recruited” to be a comfort woman and the situation in which she found herself during that period, and to include the social norms and legal structures of Indonesia (then the Netherlands-Indies), the Netherlands, and Japan. None of the policy-makers, Japanese soldiers or civilians involved in these affairs, nor any local residents of Indonesia, were acting in a vacuum; the world in which they lived was shaped over a long period.

## *Prewar Prostitution in the Netherlands-Indies and Japan*

During the 19th century, as the Netherlands Indies colonial government expanded its intervention into various aspects of life in the Indies, it attempted to control some

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bad effects of prostitution—most particularly venereal disease—through regulation of prostitution. The first laws related to prostitution were put in place in 1852. Initially, at least, the Netherlands Indies government was concerned not with the various forms of indigenous prostitution, but rather with types of prostitution which were most apparent and most affected European interests. Thus, in addition to the controls over brothel prostitution, *ronggeng* dancers were apparently also subject to medical checks but not special prostitution taxes (Hesselink 1987: 214).

Prostitutes were to be officially registered, given regular medical inspections (virtually impossible in most locales due to a shortage of medical personnel), and were to keep registration and medical check cards on their persons. Any woman found infected was then kept in the hospital (or designated isolation shed) until “cured.” Based on these general guidelines, local authorities were to issue detailed regulations. After 1874, as a part of the central government’s efforts to shift financial burdens to others, municipalities and other local authorities were given full responsibility for regulation. In most cases this meant reissue of essentially the same regulations.<sup>3</sup> These laws effectively encouraged brothel prostitution, as opposed to more disperse, harder to control varieties. In some places prostitutes were even localized into a few *kampung*. Separate brothels for military personnel, mandated in the 1852 laws, also existed throughout this period and Japanese prostitutes in Riau were even provided with prophylactics by the Dutch Navy (Hesselink 1987: 206; 216–7).

While there was anti-prostitution sentiment in the Indies, and Indonesian reactions became stronger and better organized over the first decades of the 20th century, legal changes were mainly determined by metropolitan interests. By around 1901, the anti-prostitution movement in the Netherlands and other European countries, based largely on Christian morals and concern for the victims of “white slavery,” had been able to eliminate officially-regulated prostitution in some municipalities such as Amsterdam. The International Agreement for the Suppression of White Slave Traffic of 1904 involved the collection and sharing of information related to the “traffic in white slaves” by a central authority in each state and more generally to share information about the procurement of women and girls for any type of “immoral purposes.” The International Convention for the Suppression of the White Slave Traffic of 1910 declared it “illegal” to procure any girl under age 20 regardless of consent, as well as to engage in traffic in women recruited through deception or force. The International Convention for the Suppression of Traffic in Women and Children of 1921 raised the age of consent to 21, and created a system of licensing international employment agencies. Finally, the Convention for the Suppression of Traffic in Women of Full Age of 1933 made traffic in adult women illegal regardless of consent. All of these agreements aimed primarily to combat the international traffic in women and children, and did not fully address domestic prostitution. The Netherlands joined with other European countries as an original signatory of both the 1904 Paris treaty and the 1910 convention, and later ratified each of the other treaties related to the international trade in women and children (excepting the 1949 treaty banning prostitution itself).

In 1911, the regulation of prostitution in the Netherlands was eliminated with application of new “public morality laws” which while not outlawing prostitution *per se*, penalized third parties who made a profit from prostitution or facilitated immoral

behavior. In the words of one scholar, "a 'policy of tolerance' thus was adopted in the Netherlands, whereby the morals police simply allowed the operation of brothels and closed sex houses as long as they did not cause any nuisance or disruption to the broader society. Thus, although the Dutch state had formally adopted an abolitionist position, prostitution, both at home and abroad, was allowed to continue" (Kempadoo 1994: 142-3). Furthermore, hesitation to completely abandon regulation can be seen from the description of "a sort of informal registration" and regulation which allowed Dutch police to keep lists of practicing prostitutes and ensure that foreigners could not practice most forms of prostitution, although some Germans did join the large numbers of streetwalkers (League of Nations 1937: 125-7). Ideally this legal framework protected women, although the same apparatus could be used to harass them. This is the legal framework that the Netherlands bequeathed to the Indies in 1913, both through inclusion of the Indies in international agreements and ensuring that laws in the colonies and at home were more or less compatible.<sup>4</sup>

Articles 250 bis and ter of the Netherlands-Indies penal code (volume 2, title 14 on moral offences) were the primary laws used to control prostitution. 250 bis states that "he who deliberately caused or promotes fornication by third parties as a profession or habit will be punished with imprisonment not exceeding 1 year 4 months or a fine of not more than 1000 guilders." 250 ter states that "trade in women and trade in underage males will be punished with imprisonment of not more than 6 years."<sup>5</sup>

As a result of these laws, a substantial change in prostitution took place, most importantly well organized brothels, whether based in hotels or in special buildings, effectively ceased to exist in the Indies. In the words of the League of Nations Commission (1933: 240), "the official attitude in the Dutch East Indies towards the problem of prostitution is, in brief, the following: the exercise of prostitution itself is not a legal offence. There is no regulation and no licensing of prostitution whatsoever." The medical checks of prostitutes by local authorities had already been abandoned in 1911, in anticipation of other legal changes. There were also efforts made to eliminate some types of unlicensed prostitution, but these were taken on a local level, with the acceptance of draft laws attacking streetwalking and allowing mayors and residents to place a "ban" restricting access to any building suspected of facilitating prostitution. By 1933, these laws had apparently been adopted in Medan, Pematang Siantar, Atjeh, Padang, Bangka, Batavia, the Preanger Regencies, Bandoeng, Blitar, Semarang, and Djokjakarta (League 1933: 241-3).

Despite Indonesian participation in the struggle against traffic in women in the early 1930s, and efforts to track down missing girls from areas such as Jogjakarta, girls assumed to be taken either by force or under false pretenses for sale or prostitution, authorities apparently had limited ability to control traffic in women and very few tools to control small scale prostitution.<sup>6</sup> Accordingly it publicly flourished throughout the final years of Dutch rule.<sup>7</sup> The widespread problem of prostitution even after application of new laws helped make both street prostitution and hotel prostitution a feature of Indonesian literature (e.g. Djola-djoli 1925 and Ener 1932). Japanese observers also occasionally took note of prostitution in the Indies, such as Shibukawa (1941) who wandered into a Chinese brothel/opium area filled with inviting women with white-painted faces, and Takei (1935) who commented more generally on the wide range of

“flowers” sold in Bandoeng. Not surprisingly, especially considering the abandonment of medical checks in 1911, venereal disease rates remained very high in many areas and were a cause of concern to public health officials.<sup>8</sup>

As many authors have noted, there were various types of indigenous prostitution. Especially well known in this context are the *teladek* or *ronggeng* dancers in Java. However, even the more “modern” forms of prostitution were widely spread in Indonesia by the late 19th and 20th centuries. Women were recruited as coolies for the plantations of Deli with wages so low that women were expected to serve as prostitutes for other coolies, but were also frequently drawn into the service of European employees as “housekeepers” (Stoler 1985). In the late 1930s, a medical doctor, R. D. G. Ph. Simon, provided eight categorizations for prostitution which he observed in Surabaya: “that found in the small cafes near the harbour and in the old port town; the street prostitutes from local *kampung*; the brothels in the centre of the city owned by Chinese and Japanese; the brothel *kampung* on the margins of the city; the discrete services of housebound Dutch women for young, unmarried Dutch men; European prostitution in organized brothels; and finally, homosexual prostitution and pederasty” (Ingleson 1986: 125). The most common form of prostitution in Surabaya was prostitution in special *kampung* [villages or neighborhoods], but also common were the private “agreements” with bar girls and streetwalkers assisted by men who solicited for the women and protected them from arrest.

The case of Japan was significantly different than that of the Netherlands East Indies. Licensed prostitution in Japan dates to at least the early 17th century (the beginning of the Tokugawa shogunate),<sup>9</sup> but significant changes were introduced in the 19th century due to interactions with the West. Along with instituting regular VD checks, one change involved “ensuring” that prostitutes were able to leave the profession, thus differentiating Japanese prostitution from slavery. This found legal form in 1900 (League 1933: 103), however, in practice prostitutes were often encouraged to return to brothels. Military brothels like those in the 19th and early 20th century Netherlands-Indies were a modern innovation which Japan first began to develop during the Siberian Campaign of 1918–20 to deal with venereal disease.<sup>10</sup> While prostitution was legal in Japan until 1956, some prefectures did enact bans on licensed prostitution, including Gumma in 1893 (Japanese Government 1926). This anti-prostitution movement, spearheaded by the Christian Temperance Union, was particularly successful in the late 1920s and 1930s when a number of prefectures passed laws to eliminate licensed prostitution.<sup>11</sup> Nevertheless, instead of eliminating regulation of prostitution, the central Japanese government continued to enact strict regulations designed to control venereal disease and other “bad effects” of prostitution.<sup>12</sup>

Despite the existence of a number of different categories of prostitutes, these efforts at regulation related primarily to the group of licensed or regular prostitutes (*shogi* [娼妓]).<sup>13</sup> Before issuance of a license, the police were required to confirm consent of both the women and head of their household, usually the father or husband. The women were then registered, given (regular) medical checks and restricted to official brothel areas. Officially they were only allowed to work for 4–6 years, and were only issued licenses if they were at least 18 years old. Geisha in Japan proper were subjected to less control and licensed from age 12, as their primary functions were related to more



general entertainment, although they were generally recognized as a type of prostitute. To mention only two groups, *shakufu* [hostesses (酌婦)] and *jokyu* (女給) [waitresses or bar maids] also served as prostitutes, but were generally under little state control. The expansion of these other categories of unlicensed prostitution (especially *shakufu*, *jokyu* and streetwalkers (*gaisho* [街娼])) with the difficulties for regulation which that entailed and the potential spread of venereal disease were major concerns of the Japanese authorities.

The situation in the colonies was slightly different. First, the number of registered prostitutes in these areas was relatively low. In Chosen [Korea] in 1930, there were reportedly 2,975 registered prostitutes, of whom 1,841 were Japanese, 1,132 Korean, and 2 Russian. There were also more than 1,600 licensed prostitutes in Kwantung and the South Manchuria Railway Zone, primarily Japanese but including some Chinese. The minimum age for licensed prostitutes was 17 in Kwantung and Chosen, but only 16 in Taiwan (League 1933: 104). The most important difference was probably in the importance of the other categories of prostitutes. Geisha were subjected to medical checks in both Kwantung and Taiwan, and registration was extended to many restaurants and different types of waitresses, allowing the government to keep some control over these gray areas of prostitution.

Overseas prostitution was a major part of Japanese emigration during the 19th and early 20th centuries following the Japanese relaxing of bans on overseas travel. These women, now collectively known as *karayuki-san*, made up a significant portion of the emigrants in Southeast Asia, thus helping to establish Japanese communities and to provide remittances to Japan. Early 20th century counts of Japanese residents of the Netherlands Indies show substantial numbers of women who acknowledged working in one of the traditional Japanese prostitute jobs (Yamamoto 2004).

Despite the relatively tight restrictions on prostitutes, Japanese actions with respect to prostitution were apparently acceptable to international authorities, although sometimes subject to criticism. In the 1910s and 1920s, the Japanese government through its consuls and embassies worked actively to eliminate overseas Japanese prostitution by forcing *karayuki-san* to return to Japan or to abandon that profession (Warren 1993: 159–169). In the case of the Netherlands East Indies, the wider Japanese community was also heavily involved in the elimination of Japanese prostitutes. This movement was motivated by the desire to raise Japanese prestige in the Indies (Yamamoto 2004). In 1925 Japan also accepted modified versions of the 1904 Agreement, 1910 Convention, and the 1921 Geneva Convention (although “under age” was understood as under 18 years old in the versions Japan accepted in 1925).<sup>14</sup> The regulations which Japan used to protect women and children from various efforts to lure them into prostitution specifically made punishable recruitment of “virtuous” or married women, thus ensuring a loophole for “loose women” or women already working as prostitutes to be recruited. Japan also excluded its colonies and other dependencies, and only agreed to observe the movement of women to and from these colonies.<sup>15</sup> Thus, the agreements seemed to only govern the movement of women and children between countries, which notably allowed movement of women for “domestic” prostitution between Japan and her colonies.<sup>16</sup> However, based on official Japanese information, there was very little movement of women into Japan proper; women from overseas, including Japanese

dependencies of Sakhalin, Formosa and Korea, were not granted licenses to practice prostitution in Japan proper. On the other hand, as no passport was necessary for metropolitan women to travel to Japanese dependencies, there was a significant flow of women out of Japan proper for prostitution which the government could not prevent (Japanese Government 1926; League 1933: 114).

The approaches to managing prostitution and the social and health problems thus varied considerably from place to place, with prostitutes in Japan under considerably greater regulation and restriction and provided with less effective protection from abuse. Nonetheless, neither the Netherlands East Indies nor Japan were free of prostitution, but the different forms (and perhaps scale) of prostitution and the roles government had played in prostitution in general in the 20th century virtually ensured that the interaction between Japanese and their new subjects in the Indies would at best not be easy for either party and would probably be disturbing to many of their new subjects. This difference, along with the development of military brothels elsewhere in the Japanese empire, at least in part due to the unquestioned assumption of male need for sex—the famous “necessary evil” doctrine—and need to “control” the undisciplined behavior of Japanese soldiers to protect Chinese civilians after the rape of Nanking in 1937–38,<sup>17</sup> provides the context of Japanese actions in Indonesia.

### ***The Wartime Situation***

After fall of the Netherlands East Indies in March 1942, Japanese military authorities would have had to make arrangements for the creation of some type of brothel or *ianjo* (comfort station). In some cases, messages were sent requesting that women be sent from Taiwan for such purposes. Although in this way the initial troops brought some facilities to the strange new occupied territory (Indonesia), the Japanese military administration also gradually became familiar with local prostitution practices and adapted them to their needs. Thus, during the Japanese military occupation, like other socio-cultural systems, Netherlands Indies-style “prostitution,” including strategies of recruitment, also continued to function. The local population, however, in the course of the occupation gradually adjusted to the Japanese military’s expectations about prostitution as well. In most cases, women were presumably recruited locally, with recruitment focusing initially on practicing prostitutes, and gradually turning to other women who could somehow be convinced to cooperate, or whose families were convinced to cooperate due to hunger, pressure, threats, or promised rewards. To do this, Japanese military officials needed the cooperation of local residents, Chinese, Dutch and native. Famously, President Sukarno has acknowledged assisting the Japanese in procuring women to protect other Indonesian women, but other less famous cases exist.

Widespread reports show various strategies of recruiting through promises to become an actress,<sup>18</sup> or to obtain some type of training and work in professions such as nursing in Tokyo or other distant location.<sup>19</sup> Recruiters, rarely Japanese, made promises that were misleading to say the least, but provided clues to the recruits that later they and their families would have to accept that “they should have known” in the prewar social context. Stage actresses and other female performers (including the *teladek* or *ronggeng* dancers in Java) were suspect and known to be potentially of “low morals” to both local native Indonesian and ethnic Chinese communities, while nurses having the

responsibility to care for the Japanese troops might seem to Japanese, in particular, to be similar. In any case, for Javanese girls to be taken far away from their families would already have been disconcerting, at the very least, and most families would have suspected that something was amiss from the very beginning. It is precisely this ambiguity that must have been important and illustrates the continuity and changes in the local prostitution practice. One area of continuity was in the recruitment and transfer of women from Java to the outer islands. According to Stoler (1985), before the war men and women were recruited by agents in Java with various enticements, and then sent to East Sumatra to be coolies on plantations. However, female laborers were quickly either recruited by European overseers as concubines or converted to prostitutes for the large numbers of male coolies.<sup>20</sup> The transfer of laborers from Java to other islands was also practiced during the Japanese occupation period, however, the transfer of prostitutes and other types of laborers followed a different pattern due to adaptation of Japanese military "logistic" needs.

In terms of recruitment of women as prostitutes, except during the initial arrival of the Japanese military, continuity with Dutch colonial period practice and gradual change existed just as in any other socio-cultural context. There was, however, one very significant "new" practice which occurred in several internment camps in Java in 1943-44. Internment camps for ordinary citizens were invented during the Japanese military occupation,<sup>21</sup> and this unique setting resulted in a unique recruitment process in which there is little continuity with prewar prostitution. However, at the same time, a similar "negotiation" processes appeared there between internees and recruiters. The cases of women recruited in the internment camps of Magelang in late 1943, in the internment camps in and around Semarang in early 1944, and in Batavia illustrate well some of the common techniques which may have been used in recruiting women, and the limits on recruitment and brothel operations by the Japanese military. These cases are also cases about which we have the most reliable information, because they were special enough to warrant post-war investigation and prosecution at the B-C Class War Crimes Trials in Batavia. The conditions of military prostitution will be illustrated with a heavy reliance on evidence compiled by Dutch prosecutors. Since the Dutch BC Class War Tribunal only prosecuted "forced prostitution" and not prostitution involving other women, despite careful interpretation of the documents, this description might be shaped by the postwar Dutch discourse on "forced" vs. "free-willing" women.

According to the reports of the European camp leaders,<sup>22</sup> in December 1943 or January 1944 a list of young women was made during a visit to the women's internment camp at Muntilan by several Japanese.<sup>23</sup> The camp leaders were required to write the names of the women pointed out by the Japanese and later to type a list. In early January the women on the list may also have been called to the administration office and asked if they would be willing to work. This list was then used by the Japanese to call these women to the church on January 25, 1944 where they were examined by a medical doctor (checking their heart, legs, eyes, etc.). Around 15 were selected while the mothers and camp leaders gathered outside. These young women were given 30 minutes to pack a suitcase, and with some force, all were taken out of the camp.<sup>24</sup> They were then taken to houses in the officer's encampment in Magelang. The European administration then made a list of women "of light morals", most of whom had

relationships with Japanese in Surabaya, who could be taken instead (and whom were generally referred to as "volunteers" by other women, an ambivalent term at best).<sup>25</sup> These women were collected on January 28, and according to some testimonies were taken to the local police station along with the previously selected young women, where in the presence of representatives of the camp leadership selection was redone. Two of the "volunteers" and two of the "selected" women were returned to the camp, while approximately 13 other women were sent to Magelang, medically inspected, raped and forced to work as prostitutes.<sup>26</sup> An effort was made to prosecute some individuals for this incident, however, for a variety of reasons the court was unable to obtain any convictions.<sup>27</sup>

In early 1944, around 35 Eurasian and Dutch women were removed from four civilian internment camps in Ambarawa and Semarang.<sup>28</sup> These events took place after the announcement of impending transfer of internment camp management from civilian administration to the military (November 7, 1943) but before the transfer took effect (March 1, 1944). According to one person selected at Ambarawa I/VI, all women between 17 and 28 years of age had to line up and come to the camp office one by one on February 23, then 20 of them had to report again to the office on February 24 for further selection.<sup>29</sup> On February 26, 10 women were taken from the camp and brought to a building on the Kanarielaan in Semarang together with women from other camps where they were forced to sign a statement in Japanese. They were then reselected and brought to 4 brothels in Semarang on around February 26.

The process in each of the other camps seems to have been similar. The selection of these young women in each camp by a group of Japanese men, was usually done with the reluctant assistance of the camp leaders who were not informed of the purpose. The degree of force which was necessary to encourage the women in the camps to cooperate varied considerably. In Ambarawa VIII [Sumawono], Bangkong and Lampersari, however, there was sufficient resistance to prevent the removal of the women and in some camps older women volunteered so that the younger ones would not need to go (e.g. in Gedangan).<sup>30</sup> This is one indication of a shared understanding about what was intended. In practice, the recruitment of women in the camps involved several military officers and several of the brothel managers.

The brothel managers were Japanese men born on Honshu island between 1903 and 1923. At least two of the managers had arrived in Java only months after the Japanese invasion, and had previously been running brothels on Hainan island. Upon arrival in Java, one opened both a brothel and restaurant, while the other simply opened a brothel.<sup>31</sup> One of the brothel owners reported having managed brothels at the request of the Semarang residency from January 1943 until the capitulation of Japan.<sup>32</sup> Conflicting information compiled by the Japanese government in 1947 suggests that he had already opened the brothel in August 1942.<sup>33</sup>

The brothels were closed after an inspecting officer from Tokyo was informed that the women were not willing to serve as prostitutes. The brothels were then quickly closed on orders from Jakarta (after less than two months of operation), and the women sent to Kota Parijs camp in Bogor where they were given special medical treatment and reunited with their families. According to a Japanese civilian doctor in Semarang, the brothels were reopened three months later with other Eurasian women.

One of the earliest war crimes trials in Batavia was the 1946 trial of a Japanese man who had been resident in Batavia from 1920 until November 30, 1941.<sup>34</sup> This man opened a restaurant called the Akebono Club in June 1942 and then a brothel for civilians called the Sakura Club or Gang Horning Brothel in September 1943 at the request of the Japanese mayor of Batavia.<sup>35</sup> This owner claims to have only opened the brothel under strong pressure from the government and kept himself at a distance from the day to day affairs of the brothel, which was largely managed by his European mistress. A number of Europeans (including Eurasians) were employed there, usually first being recruited into the Akebono Club restaurant and then later forced to move to the Sakura Club brothel. The court found that the brothel owner was responsible for the threats of Kempeitai punishment made by the European manager as she was his mistress and he had a financial stake in the women's presence in the brothel. He was thus found guilty of "the war crime of enforced prostitution."<sup>36</sup> This case was one of a very few cases of prostitution prosecuted at the Batavia trials, and the one with the least military involvement.<sup>37</sup>

Recruitment in Batavia (especially in internment camps) and Central Java for these two institutions was done primarily by the manager with the assistance of several European procurers, although the Japanese owner also participated in several recruiting trips to Central Java. Women were required to have joined the brothel "of their own free will," regular medical checks were required, officially no woman under age 17 was to work there (a rule which was circumvented in at least two cases), and women were to receive regular monthly salaries plus a percentage of the visitation fees. The resulting picture is of relatively widespread European prostitution as some of the women who were recruited from internment camps in Batavia are mentioned as probably having been prostitutes before the war, although it is also clear that some women believed that they would either only act as serving girls or only have a sexual relationship with one man. Severe poverty was clearly a factor in some women's decisions to join the brothel. Once in the brothel, there were strong pressures upon the women to stay in the brothel, permission to leave the brothel was never willingly granted, and some women who tried to leave were arrested briefly and then dismissed from the brothel. Critical in this was the Kempeitai, charged with oversight of the brothel through monthly inspections.

Importantly, the information in these court documents blurs the boundaries between regulated prostitution and military prostitution. The military was obviously involved in the founding and regulation of the aforementioned brothel, as Java was under military administration at the time, but it was neither founded by the military as an organization nor intended for the use of soldiers. This case also blurs the distinction between "forced" prostitution and "free" prostitution (insofar as there is ever truly free prostitution), as the women were at least at times misled and at other times threatened in order to keep them at work in the brothel.

### ***Conclusion***

Evidence on comfort women in Indonesia during the war is unreliable, a problem which is shared with evidence from other countries. Numerous Indonesian sources have appeared, and there is undoubtedly a substantial base to many of them. Nevertheless, as contemporary discourse tends to shape memories, unconfirmable second hand infor-



mation is better noted, but not relied upon. For example, numerous sources report that girls were recruited through the use promises to provide education in Japan or elsewhere in Asia. Should we accept this information as it appears in identical (but generally sketchy) form from many sources, or reject it as being very likely to be shaped by contemporary discourse? However, seeing the social situation during Japanese military occupation in an anthropological way, emphasizing continuity and changing of society, the pre-war prostitution practice actually helps us to understand recruitment of women by local agents. We can more easily accept this information into the general picture than accept it for a particular case.

Although the Dutch authorities compiled information on prostitution during the Japanese military period, these cases all deal primarily with European or Eurasian women, and thus are special cases. Moreover, the data was collected to prepare for prosecution in war crimes tribunals for which the Dutch established special laws at the end of the war. One of the areas in which their "war crimes" differed from other Allied nations was in their inclusion of "forced prostitution" as a war crime. The inclusion of "forced prostitution" as more than a civil offense under both Japanese and local laws suggests the degree of difference in attitude towards prostitution which had developed, but also the fact that the Dutch were suspicious that they had been targeted. Both the aforementioned Semarang and Magelang cases, and the relative ease with which various Dutch consented to cooperate with Japanese military authorities may have fueled this feeling, although from another perspective it looks as if the Dutch were eager to hide this Dutch willingness to cooperate.

During the last 15 years of well-politicized discourse on comfort women, the word "prostitute" has been sensitive and rarely used in discussing comfort women. The avoidance is indeed related to former comfort women's sensitivities, but there are also political motivations for sensationally overemphasizing the uniqueness of the Japanese comfort system and the difference from prostitution. However, this de-emphasis of prostitution and "re"-focus on forced-prostitution, rape, and slavery have led the public to misunderstanding history, and to restrict discussion on comfort women, marginalizing women who did not fit the current discourse.

### Footnotes:

- 1 Use of Dutch archival sources in this paper follows a detailed report published by the Asian Women's Fund (Yamamoto & Horton [Horton] 1999), a report which was approved by the archivists of the Rijksinstituut voor Oorlogsdocumentatie, the Algemeen Rijksarchief, and the Ministerie van Buitenlandse Zaken. Special thanks are due to Mayumi Yamamoto for the assistance, encouragement, and helpful information which she provided at critical times.
- 2 Of course, as terrible as the situation was for many comfort women, the distinction was never that clear. Prostitution almost always depends on a combination of persuasion (including ambiguous "misrepresentations") and coercion (physical, social, or economic) to obtain the cooperation of a woman, family and others in a given society for recruitment and to keep the woman working. While not eliminating the possibility of agency on the part of women, this makes a truly free prostitution virtually impossible, and makes pure, simple victimization by an outsider problematic as well. It is a question of degree and character.
- 3 For regulations as well as example registration cards, registration lists and formal certificates of permission to operate brothels prepared by the Residency of Probolinggo (by H. van Steeden and H. C. A. Muller), see Reglement (1894). For other examples, see citations in Hesselink 1987: 221.

- 4 Ali Sastroamidjojo (1933) directly attributes the changes in Netherlands East Indies laws (specifically to article 250 ter) to the 1910 international agreement, not to the changes in the Dutch legal code.
- 5 For the original Dutch language legal code, see eg. Engelbrecht (1940), p. 1040.
- 6 Many of the cases which were solved in fact were not related to prostitution *per se*, and sometimes not even “traffic in women” in the wider sense. In one case, a man from Padang who worked as a “*kepala kontrakt*” (contracting agent) in Mr. Cornelis (now Jatinegara) was caught providing girls from Java for sale to men in Singapore. On this case, in which the accused was acquitted by the Landraad in Batavia due to “lack of evidence,” see Ali Sastroamidjojo (1933).
- 7 Braconier (1919: 511–515); Hesselink (1987: 207); Ingleson (1986); League 1937.
- 8 Military authorities were apparently more effective, presumably by virtue of their efforts at prophylaxis and education. According to a graph presented at the 1937 Bandoeng Conference of Central Authorities in Eastern Countries (League 1937: 80), for European soldiers there was a tremendous drop in gonorrhoea rate from the peak of around 25% in 1911 to 7% in 1935, syphilis from the peak of 18% in 1920 to 4%, and in “soft chancre” from its peak of 15% in 1911 to 2%. For native soldiers, the rates dropped less substantially from their peaks in around 1918–1921 (12% to 5%, 7.5% to 2% and 2.5% to less than 1% respectively).
- 9 Of course, this is not to imply that there was no prostitution in Japan before the Tokugawa shogunate.
- 10 Yoshimi (1995: 18); Suzuki (1993: 234–6).
- 11 The Christian Temperance Union movement introduced western sexual morality into Japan, and as a result, the movement was not only anti-prostitution but anti-prostitute.
- 12 Baishun Taisaku Shingikai (1959: 276).
- 13 In 1925, there were reportedly 50,056 *shogi* in Japan proper. These women—possibly all Japanese—worked in 11,154 licensed brothels within 541 brothel quarters.
- 14 This reservation was withdrawn in 1927 (Yoshimi 1992). In 1933 Japan even endorsed the elimination of the words “under age” from the 1910 agreement, eliminating all age distinctions from the article which makes recruitment of underage women punishable. However, according to the League of Nations itself (1933: 104), licensed prostitutes in Japan were granted licenses at age 18. Therefore this age restriction probably should be seen as affecting the recruiting of “virtuous women” for “immoral purposes” only.
- 15 For the 1904 Agreement and the 1910 Convention, Chosen [Korea], Taiwan, the Kwantung Concession and the Japanese part of Sakhalin were excluded. For the 1921 Convention, the Pacific Mandate Territories [Nanyo] were also excepted. Despite early support, Japan did not sign the 1933 Convention, possibly due to Japanese withdrawal from the League in early 1933.
- 16 Yoshimi (1992: 33–36). The League of Nations Commission of Enquiry into Traffic in Women and Children in the East (1933) reported that Japan excluded her colonies from the treaties entirely. Mayumi Yamamoto has suggested that the different treatment of and restrictions on prostitution in Japan proper, its colonies, and in foreign countries might be related to the Japanese government’s efforts to show a good face to the world (personal communication).
- 17 According to an official report from General Okabe Naosaburo of the North China Expeditionary Force in 1938, the establishment of *ianjo* was urgent to protect the Chinese living in the vicinity from uncontrollable Japanese soldiers, to preserve the prestige and honor of the Imperial Japanese Military, and to prevent the spread of sexually transmitted diseases among the troops (Yoshimi 1992: 209).
- 18 E.g. the case of Mardiyem who was probably recruited in Yogyakarta in 1943 in the most famous case (Budi Hartono and Dadang Juliantoro 1997). Mardiyem, who passed away in late 2007, claimed to have been recruited in 1942, but that claim is inconsistent with information she provided in interviews in the early 1990s.
- 19 To mention only a few cases, reports of such recruiting appeared in distant and diverse places like Sulawesi and West Java, where Pramoedya reports that girls were recruited for such “education” (Pramoedya 2001).
- 20 Stoler quotes an early 20<sup>th</sup> century description of a hospital for prostitutes which shows the pathetic conditions of the women themselves and the tragically atrocious working conditions. Unfortunately, conditions during the war were sometimes just as bad, if different.
- 21 While the camps were an innovation of this period, they began with strategies that were very similar

to the Dutch colonial government. The colonial government had restricted the place of residence for various political prisoners in the 1920s-1940s, thus requiring individuals from Java and Sumatra to live in internment camps in malarial New Guinea. In 1942-43, some Europeans and Eurasians were subjected to a series of residential restrictions for "their own protection" culminating in full-fledged internment camps.

- 22 RIOD 034258, RIOD 034251. These testimonies seem generally reliable, although the camp head seemed very concerned to defend herself against accusations by other women that she did not sufficiently oppose the Japanese or that she was even "friendly" with the Japanese leaders. After reading a number of these testimonies it is clear that the European camp leaders cooperated with the Japanese, even if reluctantly. For testimonies by other residents of the camps, see the appendix to Yamamoto and Hoton (1999).
- 23 According to the European camp leader, they were the Japanese camp commandant, the Resident of Magelang, a member of the Kempeitai, and a local Japanese civilian (RIOD 034251).
- 24 There is a certain amount of variation in witnesses' descriptions. One of the assistant camp heads claims that "certainly 8" of the 15 were forced, but that the others went more or less willingly. She seems unaware of the "selection" at the police station mentioned by others, and is uncertain about how many women were returned to the camp (RIOD 034258).
- 25 The European camp head claimed that the Japanese gave the camp leaders a list of the women of "low morals" on January 25 (RIOD 034251), while her assistant acknowledges that they had given the Japanese such a list after January 25 in order to try to convince the Japanese to return the women taken on the 25th (RIOD 034258).
- 26 Only one document in the Vos de Wael archive (#9) mentions this affair, but has different dates and numbers of women.
- 27 See Groot (1990: 35-8) for a discussion of the only case that went to trial.
- 28 These camps were Ambarawa I/VI, Ambarawa IX, Halmahera, and Gedangan. According to some sources (and the Poelgeest report), resistance in Gedangan was strong enough that only "volunteers" were taken out of the camp, although other sources (eg. NEFIS BM/1123, BM/1125, and BM/1126) suggest that volunteers were only collected at a later date. The names of the internment camps are sometimes inconsistent. For example, one victim claims that she and 8 other women were taken from Camp IV (probably Ambarawa IX) and that 9 girls were next taken from Camp II (probably Ambarawa I/VI) (RIOD 035054). The verdicts mention 5 camps: Semarang-Oost, Gedangan, Halmahera, Ambarawa IV and Ambarawa VI.
- 29 RIOD 00238 (Interview 322b).
- 30 BURAM Box 5, MHA-M and Vos de Wael #13. Poelgeest also suggests that some women in Halmahera Camp volunteered to replace younger women but that this offer was refused by the Japanese.
- 31 Yoshimi (1992: 377). It is likely that these were two of the same brothels that housed the women from the camps. One of these men moved to East Java after the closing of the brothels in 1944.
- 32 RIOD 019429. The brothel owner's statement is presented in the verdict of the 13th Japanese prosecuted for the Semarang affair (RIOD 027091).
- 33 Yoshimi (1992: 377). This document was created in response to Dutch demands in the course of their preparation for the prosecution of the war crimes trials.
- 34 This man and his wife had run the Suwa Hotel (probably at Molenvliet Oost 27) and had been an active member of the Japanese community. He was also known to the Japanese community as being fluent in Indonesian and Dutch, and so would have had fewer communications problems than most Japanese. After the war he worked briefly as a translator helping interned Japanese, and later died while serving his sentence in Batavia (Kawai 1968: 52-3).
- 35 See Piccigallo 1979, "Case No. 76," and Utsumi 1996 for discussions of this case.
- 36 The published UNWCC discussion of this case (Case No. 76, p. 124) notes that the original statute reads "Under the war crimes are understood acts which constitute a violation of the laws and usages of war committed in time of war by subjects of an enemy power or by foreigners in the service of the enemy, such as: ... 7. Abduction of girls and women for the purpose of enforced prostitution." Abduction was apparently not present in this case. As the court took note of the "poverty-stricken" condition of which he "took advantage" for his profit, this case ends up looking less like a war crime than a civil crime,

except that it seems likely that his European manager/mistress was not prosecuted because she was not Japanese.

- 37 It should be noted that despite the references to European "madams" in the Poelgeest report, the role of the Japanese owner's European mistress/manager in running daily affairs, recruiting women, and making threats is not mentioned, while the Japanese owner is referred to as a pimp.

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