

# Women, War and Violence in International Relations: On the Exclusive Narrative of Victimhood in Case Studies of South Korean “Comfort Women” and Bosnian “Mothers of Srebrenica”

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## キーワード

フェミニスト安全保障 ナショナリズム 犠牲者神話 慰安婦 パク・ユハ スレブレニツァの母たち

## Keywords

Feminist security theory; nationalism; victimhood; Comfort Women; Park Yu-Ha; Mothers of Srebrenica

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## Introduction

This paper examines two incidents from 2015 related to two paradigmatic cases of women suffering from war violence: that of Korean ‘comfort women’, and that of war rape and genocide against Bosnian Muslims in the war in Bosnia and Herzegovina. Both cases provided an impetus for the early 1990s rise of the transnational feminist movement. The first incident is related to the case of South Korean historian Park Yu-Ha, author of the controversial book *The Comfort Women of Empire* (2013) in which she questions the understanding of ‘comfort women’ as exclusively victims of the Japanese military.<sup>1</sup> Park Yu-Ha was brought to the court for defamation in 2015. The second case involves the *Mothers of Srebrenica* who, invited by the first female Croatian president (“The Queen of the Balkans” as they call her) in 2015, participated in commemorating the controversial military operation against Croatian Serbs in August 1995 (the so-called ‘Operation Storm’). Through combined analysis of these two incidents, I will discuss broader theoretical issues existing at the intersection of feminist theory and international politics, such as war, peace, and the boundaries of the nation-state, and how they affect the complexity of feminist voices associated with making women more relevant in international politics, and more “secure” or less

<sup>1</sup> ‘Comfort women’ expression is commonly put in quotation marks in English-language academia. The term is considered to be the Japanese Imperial Army’s euphemism for military sexual slavery (in the case of colonized Korea, this practice started in 1932 and lasted until Japan’s defeat in 1945), which does not accurately convey the realities suffered by the enslaved women. The expression “sexual slaves” was first used in 1993 in the UN commission report by Theo van Boven, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (UN, E/CN.4/Sub.2/1993/8). This was followed by the World Conference on Human Rights in Vienna and the Fourth World Conference on Women in Beijing, which all contributed to a new legal discourse in which wartime violence against women in war constituted war crimes, which required punishment for perpetrators and compensation for victims. According to Yoshimi Yoshiaki and his groundbreaking work (1995) on the history of comfort women, the first comfort stations were established in 1932, but it was not until 1938 that they existed on a mass-scale.



vulnerable in times of war and peace. I argue that in both cases, Park Yu-Ha being criminally indicted by a state prosecutor, and the Mothers of Srebrenica openly celebrating Croatian general Ante Gotovina and the war crimes committed under his command<sup>2</sup>, exclusive victimhood is at play, compromising feminist agency and its voice's quest for peace and security, reifying state behavior and unnecessarily perpetuating historical and emotional tensions in regional inter-state relations. The paper does not attempt to compare the two historically and geographically different historical events and contexts but finds it justified in discussing them together as a part of the same feminist discourse that emerged in the 1990s. While war is a realist, masculine discourse, it is important to problematize complex relationships of women to war since they emerge from war narratives and are constitutive of war. With an awareness that the feminist discourse is anything but monolithic, this paper frames the two case studies within feminist critiques of the core issues of the international relations discipline, namely war, peace, and the quest to secure boundaries of sovereign, independent nation-states. The Feminist Security Theory (FST) framework is particularly relevant to this discussion since it questions the extent to which women are secured by the state, and poses critical questions, such as: who is being secured by whom, and from what threats?<sup>3</sup> FST contests discourse where women are unreflectively linked with peace and security, and problematizes the role of women in both domestic security discourses and international affairs. FST expands the international relations subject matter to wartime sexual violence, as war rape had been a neglected issue, as the case of the 'comfort women' and more recent cases in Rwanda and former Yugoslavia testify.

### 1. The "Comfort Women of the Empire" debate

The 'comfort women' issue has come to the forefront of public attention with 1990s transnational feminist activism but is also part of a broader resurgence of collective memory in public discourse.<sup>4</sup> The contested memoryscape of the 1990s, as Gluck writes, was a consequence of at least two phenomena: the fact that surviving World War Two victims who remained suppressed were already very old and hence felt a pressing need to give a collective statement of the enduring yet untold suffering, as well as the fact that the post-Cold War circumstances saw a democratization of space for various identity constructions based on the past and laying claims to the future.<sup>5</sup> The comfort women's past during the 1990s "transcended" regional borders and became a "transnational memory with social, legal, and moral consequences", and a part of "larger, more humane legacies of the world".<sup>6</sup> The pressure on Japan by its former colonies to finally address its colonial and war past through apology and reparations became amplified in a seemingly

<sup>2</sup> Gotovina was indicted in 2001 on war crimes and crimes against humanity charges in connection with Operation Storm by the International Criminal Tribunal for the former Yugoslavia. In 2011 he was found guilty and sentenced to 24 years imprisonment, but acquitted in 2012 in an appeal that raised controversy at the tribunal (see Judge Harhoff's Letter to 56 addressees), within the region, and around the world.

<sup>3</sup> Blanchard, Eric M., "Gender, International Relations, and the Development of Feminist Security Theory." *Signs* 28, no. 4 (2003): 1289–1312. doi:10.1086/368328.

<sup>4</sup> The movement against sexual violence under women in South Korea actually started in the early 1970s, against the so-called "kisaeng (professional female entertainers) parties" for mainly Japanese male tourists, but also against the sex industry developed around U.S. troops in South Korea. See, for example, Soh, Chunghee Sarah's "The Korean 'Comfort Women': Movement for Redress", *Asian Survey*, Vol.36, no.12, December 1996, 1226–1240, 1231.

<sup>5</sup> Gluck, Carol, "Operations of Memory: 'Comfort Women' and the World", in Sheila Miyoshi Jager and Rana Mitter (Eds.) *Ruptured histories: war, memory and the post-Cold War in Asia*, Harvard University Press, Cambridge, Mass, 2007, 44–77.

<sup>6</sup> Gluck, *ibid.*

contradictory process of Japan's collective amnesia, revision of history<sup>7</sup> and denying responsibility for past wrongdoings. In December 2000, several international NGOs and Asian women's and human rights organizations<sup>8</sup> organized the informal Women's International War Crimes Tribunal on Japan's Military Sexual Slavery in Tokyo. The Women's Tribunal judge at the tribunal was Gabrielle Kirk McDonald who was former president of the International War Crimes Tribunal on the Former Yugoslavia (ICTY), and the chief prosecutor was Patricia Viseur-Sellers, the legal adviser for Gender-Related Crimes in the Office of the Prosecutor for the ICTY and ICTR (Rwanda). The tribunal found Japanese *Showa*<sup>9</sup> Emperor Hirohito (1901-1989) posthumously guilty for the institutionalization of the sexual slavery practice by the Japanese military, and the Japanese government was requested to compensate the victims and to officially apologize, since the "Kono Statement"<sup>10</sup> from 1993 was found to be insufficient. The Asian Women's Fund (AWF) established to compensate the women victims of military sexual slavery became controversial since it was considered to be a private fund (although the Japanese government initiated it and donated the majority of funds),<sup>11</sup> while all seventy-nine Dutch women, a hundred Filipinas and the overwhelming majority of Taiwanese and South Korean comfort women rejected the compensation. The final verdict of the Tribunal in The Hague in 2001, somewhat controversially, had no mention of the number of women who accepted the compensation and the letter of apology from Japan's prime minister at the time.<sup>12, 13</sup> Sixty-one South Korean women who accepted the compensation were labeled as traitors to the national cause and later denied the South Korean government's aid.<sup>14</sup> The comfort women issue has since remained a stumbling block in relations between South Korea and Japan despite another attempt to settle relations in 2015, on the occasion of the fiftieth anniversary of establishing diplomatic relations between Japan and the Republic of Korea, when Japan agreed to pay one billion JPY (the amount South Korea asked for) in exchange for the promise by the South Korean government to remove the Peace Statue (the statue of comfort women) in front of the Japanese Embassy in Seoul. Japan's Prime Minister Abe stated that it considers the issue solved "finally and irreversibly".<sup>15</sup> The current irony is that the statue is guarded 24/7 by the activists who now fear their own government will remove the statue.

In 2013, Park Yu-Ha, a professor of Japanese literature at Sejong University in Seoul, published a book titled (English translation) *Comfort Women of the Empire – The battle over colonial rule and memory*. In 2014, the book was published in Japanese under the Japanese title *Teikoku no ianfu – shokuminchi shihai to kioku no tataikai*<sup>16</sup>. The main motivation to write the book, according to Park, is the current impossibility

<sup>7</sup> For historical revisionism in Japan, see Minoru Iwasaki, Steffi Richter and Richard F. Calichman, "The Topology of Post-1990s Historical Revisionism." *Positions: East Asia cultures critique* 16, no.3 (2008): 507–538.

<sup>8</sup> VAWW-net (violence against Women in War network). for details on the tribunal see [www.iccwomen.org/tokyo/](http://www.iccwomen.org/tokyo/), [www.jca.apc.org/](http://www.jca.apc.org/), and [www.vaww-net-japan.org/](http://www.vaww-net-japan.org/).

<sup>9</sup> Showa era denotes the reign of Emperor Hirohito (1926–1989). It is the longest era in Japan's history, and the most controversial since the WWII responsibility of the Emperor Hirohito was never addressed.

<sup>10</sup> <https://www.mofa.go.jp/policy/women/fund/state9308.html> (cited 2019-01-17).

<sup>11</sup> For more on the Asian Women's Fund, see Soh, C.Sarah, "Asian Women's Fund for 'Comfort Women'", *Pacific Affairs*, Vol.76, no.2, Summer 2003, 209–233.

<sup>12</sup> Lévy, Christine, "The Women's International War Crimes Tribunal (Tokyo, 2000): a feminist answer to historical revisionism?", *Clio*, 2014, Vol.39, 129–150, 142.

<sup>13</sup> The Korean Council for the Women Drafted for Military Sexual Slavery (Chong Dae-Hyup) published the names and addresses of the women who accepted the AWF compensation.

<sup>14</sup> Lévy, *ibid.* 142.

<sup>15</sup> "I think we did our duty for the current generation by reaching this final and irreversible resolution before the end of the 70<sup>th</sup> year since the war.", available at <https://edition.cnn.com/2015/12/28/asia/south-korea-japan-comfort-women/> (cited 2019-01-17).

<sup>16</sup> Asahi Shinbun shuppan, November 2014. Until November 2017, the book saw 11 editions in Japan.

of resolving the ‘comfort women’ issue between Japan and South Korea. This is, according to Park, due to heavy politicization of the issue.<sup>17</sup> This long-standing and unresolved issue is sufficiently researched and the facts known on all sides, Park argues, but the problem is that many individuals and movements have built their political positions based upon it.<sup>18</sup> Consensus on the issue within Japan and between Japan and the Republic of Korea, Park argues, is impossible precisely because the problem became political. In this respect, it is important, according to Park, to understand the issue “in terms of the conditions surrounding the existence itself of comfort women first of all, as well as the conditions surrounding movements and conflict over the past 20 years; and it is necessary for learned individuals and ordinary citizens, whose involvement in this issue does not affect their livelihood or political positions, to engage with this issue and consider it together with the directly involved parties.”<sup>19</sup> Park’s book calls for a more nuanced and therefore, more complex understanding of the comfort women regime which, according to Park, did not appear “out of blue” with the creation of comfort stations but actually used a pre-existing system of “karayuki-san”. Furthermore, Park emphasizes a diversity of circumstances and experiences among the ‘comfort women’. Some who were able to raise their status “took pride in indirectly supporting men working for the state and easing their homesickness”. Some women were “working” individually, and after being incorporated into the system by recruiters who were civilian employees often established comfort stations in cafes or restaurants “instead of comfort stations designated by the military”.<sup>20</sup> The main confusion, Park writes, came from the fact that “comfort women encountered different experiences depending on their nationalities, periods of work and locations (either on the front lines or behind battle lines).<sup>21</sup> The confusion’s root cause, according to Park, is “the manner in which the comfort women issue was handled considered all of these women as comfort women”.<sup>22</sup>

In Japan, the book was “highly evaluated as a milestone for deepening argument over the ‘Comfort Women Issue’”<sup>23</sup> by numerous progressive intellectuals and won two prestigious awards in 2015: a special “Asia – Pacific Award” prize and the “Waseda Journalism Principal Award in Memory of Tanzan Ishibashi”. The book stirred controversy in South Korea and Japan. In 2014, Park Yu-Ha was subject to a civil claim by nine former comfort women for defamation, requesting the book to be banned. The Eastern District Court in Seoul ruled that Park pay 10 million won (around USD 8,000) to each of nine plaintiffs, for defamation and the ‘distorted’ content of her book. A temporary ban on the book’s sale was lifted only after the Seoul Eastern District Court ordered deletion of certain parts referring to the collaboration of colonial subjects (“Korean comfort women were victims but they were also collaborators as people from colony”).<sup>24</sup> In November 2015 Park Yu-Ha was criminally indicted by a state prosecutor who asked for a

<sup>17</sup> <https://parkyuha.org/archives/4368> (cited 2019-01-17).

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> In support of this argument, also see an earlier study of Soh, C. Sarah, *The Comfort Women: Sexual Violence and Postcolonial Memory in Korea and Japan*, The University of Chicago Press, Chicago and London: 2008. For example, Soh on pages 35 and 36 provides two photographs from the US National Archive of women in Burma and in Northern China, both taken in 1944. The difference in conditions seems obvious in the pictures and “supports the point that underscores the wide range of situations concerning the comfort facilities and personal conditions of individual women” (p.35).

<sup>22</sup> <https://parkyuha.org/archives/4368> (cited 2019-01-17).

<sup>23</sup> “A Statement against the Indictment of Professor Park Yu-ha”, signed November 26<sup>th</sup>, 2015 by 68 public intellectuals in Japan and the US. Available at <https://parkyuha.org/archives/5755> (cited 2019-01-17).

<sup>24</sup> Maeda Akira, translated and introduced by Caroline Norma, “The South Korean Controversy Over the Comfort Women, Justice

three-year prison sentence for defamation.<sup>25</sup> In January 2017, the Seoul District Court announced a non-guilty verdict. The High Court still judged that Park gave ‘false’ statements, which did not constitute the ‘correct’ view of South Korean history.

In November 2015, a group of fifty-four intellectuals mainly from Japan and several from the US issued a statement against the indictment of professor Park Yu-Ha by the Eastern Prosecution Office in Seoul.<sup>26</sup> The statement was issued at a press conference on November 26th and published in *Asahi Shinbun* on November 27th. The indictment, according to the intellectuals’ statement, misunderstood the author’s intention and the entire book, which does not defame or show a lack of empathy for the former comfort women. The intellectuals agree with Park Yu-Ha that the primary question is the responsibility held by Japan during its colonial rule in creating conditions for the fraternization of ‘comfort women’ with Japanese soldiers as well as the involvement of local Korean agents in recruiting the comfort women.<sup>27</sup> The signers of the statement further expressed consternation with the public authorities’ involvement in suppressing academic freedom and appealed to the ‘common sense and conscience of democracy’. The statement was signed by prominent progressive Japanese intellectuals, such as Japanese feminist scholar Ueno Chizuko, as well as Sakai Naoki, Komori Yoichi, Narita Ryuichi, Iwasaki Minoru, Andrew Gordon, Peter Duus, writer and Nobel Prize winner Oe Kenzaburo, and Kono Yohei, famous for issuing the “Kono Statement” on the ‘comfort women’ in 1993. Additionally, in January 2017, Noam Chomsky and Bruce Cumings issued separate letters endorsing Park.

Nevertheless, Park’s arguments have also been criticized by a number of progressive intellectuals on the basis of providing material for the Japanese right to deny the crimes committed by the Japanese military during the Asia-Pacific War—essentially a view that the denials should be interpreted as a crime itself, rather than as freedom of speech.<sup>28</sup> Park’s book has been said to contain serious methodological flaws through relying on mistaken claims as data, then interpreting them in a way that “promotes falsehoods”.<sup>29</sup> Maeda Akira, a law professor from Tokyo Zokei University and an active participant in the “justice for comfort women” movement in Japan since its inception, besides the above criticism of Park’s book, also criticizes the protest statement as “difficult to comprehend” in terms of libel law on the basis that the falsity of the author’s statements should be seen separate from the author’s intent.<sup>30</sup> To Maeda, academic freedom is a separate issue to that of the book containing falsehoods. Maeda considers that “there is nothing strange about public prosecutors bringing a criminal indictment in cases like this, especially following a successful civil action, and where there are still grounds for examination of possible libel. Of course, as is similarly the case in Japanese law, court protection is not awarded claimants on

and Academic Freedom: The Case of Park Yuha”, *The Asia-Pacific Journal*, Vol.14, Issue 4, no.3, February 15, 2016.

<sup>25</sup> [http://english.hani.co.kr/arti/english\\_edition/e\\_national/775564.html](http://english.hani.co.kr/arti/english_edition/e_national/775564.html) (cited 2019-01-17).

<sup>26</sup> The statement is available in Korean, Japanese and English at <http://www.ptkks.net/en/> (cited 2019-01-17). The website is maintained by the group as a sign of ongoing protest.

<sup>27</sup> *Ibid.*

<sup>28</sup> Maeda, *ibid.*

<sup>29</sup> Maeda writes: “One of my concerns with Park’s book is its persistent reliance on the novel of a Japanese male writer [Senda Kako] whenever it seeks to make important statements of historical fact. Park claims she wrote the book on the basis of ‘historical materials’, but there is no evidence of this being the case. The only historical evidence that can be gleaned from the novel of a Japanese male writer is his views on the wartime ‘comfort women’ system. But Park takes these views to suggest they convey historical information not only about the comfort women, but also about the thoughts of these women. In no respect is this a recognized historical research method.”

<sup>30</sup> Maeda, *ibid.*

the basis of self-perceived experiences of harm. Questions as to an individual's victimisation or victim status are, according to Maeda, to be decided by a court. But, it must be remembered", he continues, "that the judgments like this are made by courts all the time".<sup>31</sup> The protest statement signatories show no acknowledgement of the harm experienced by the victims, Maeda contends, and they entitle themselves to "effectively tell survivors that they are not the arbiters of their own experience of harm and that, instead, it is they, the signatories, who must judge".<sup>32</sup> Maeda goes as far as accusing the protest statement to "effectively follow the same logic as that of neo-Nazis" since "their claims replicate exactly those of that group" in their denial of the Nazi holocaust which is criminalized in Europe. Alexis Dudden wrote an introduction to Yang Ching Ja's critique<sup>33</sup> of Park Yu-Ha's "*Comfort Women of the Empire*", in which she supports Yang's way of how "best to 'do' history: recognize its victims and build from there; premise their memories through the lens of traumatic experience; and contextualize such evidence in a larger context of related memory and documented materials, such as soldiers' testimony, government orders, maps, photos, and so on".<sup>34</sup> Yang Ching Ja, according to Dudden, argues that we can address the "truth of the past" only if "we begin to do this through empathizing with the horror endured by those enslaved in systems from which there was no escape. We do not explain away the past to make it more palatable to us today".<sup>35</sup> Dudden contends that Park's book "deserves critique from multiple and comprehensive perspectives", but she focuses on "her failure to fully recognize the victims".<sup>36</sup> And the victims are, Dudden reminds us, recognized by several UN committees which hold that 'comfort women' state-sponsored sexual slavery constitutes a crime against humanity.<sup>37</sup> Yang Ching Ja in her critique of Park Yu-Ha also focuses on Park's "failure to recognize the victims" and expresses a deep concern with the way the book has been "revered by 'liberal' intellectual and media in Japan" which "asserted it to be a 'lonely' job to 'fairly' face one's own country (South Korea)'s nationalism".<sup>38</sup> Yang focuses on several of Park's sentences related to diversity of experiences and in principle agrees with Park's statement from the book that "to conceal any memories that don't show the comfort woman as victim is to ignore the comfort woman's whole personality. It is also to deprive her of the right to be 'master' of her own memories as a comfort woman. If we allow them only the memories that others expect them to have, we are in some sense, forcing them into subordination".<sup>39</sup> But Yang cannot agree with Park's statement that "their (comfort women's) voices were ignored by their supporters and the supporters have been highly selective about which memories to include publicly".<sup>40</sup>

<sup>31</sup> Maeda, *ibid.*

<sup>32</sup> Maeda, *ibid.*

<sup>33</sup> The original essay is "Higaisha no koe ni mimi o katamuketeiruka?: Park Yuha Teikoku no ianfu hihan." *Q and A Nihongun "ianfu" to shokuminchi shihai: anata no gimon ni kotaemasu*, edited by Nihongun "ianfu" mondai web site seisaku iinkai, 2015, Tokyo: Ochanomizu shobo. 56–61., cited in Yang Ching Ja (Introduction by Alexis Dudden), translate by Miho Matsugu, "Are You Listening to the Voices of the Victims? My Critique of Park Yuha's *Comfort Women of the Empire*", *The Asia-Pacific Journal*, Japan Focus, Volume 14, Issue 17, no.1, Sept. 01, 2016, available at <https://apjif.org/-Yang-Ching-Ja/4949/article.pdf> (cited 2019-01-17).

Yang Ching Ja is a translator, interpreter and lecturer at several colleges in Japan. She is co-director of Japan Nationwide Network for Resolution of Japan's Military "Comfort Women" Issue and author of the documentary film *Ore no kokoro wa maketenai* (My heart will never be defeated). Short bio available at <https://apjif.org/authors/view/14635> (cited 2019-01-17).

<sup>34</sup> <https://apjif.org/2016/17/Yang.html> (cited 2019-01-17).

<sup>35</sup> *Ibid.*

<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*

<sup>38</sup> Yang here cites Takahashi Gen'ichiro, "Rondan jihyo: kodoku na hon, kiokuno shujinko ni narutameni" [Op-Ed: A Lonely book: to become the main character in her memories], *Asahi shimbun*, November 27, 2014

<sup>39</sup> <https://apjif.org/2016/17/Yang.html>, page 143 in Park's book.

<sup>40</sup> *Ibid.*, 101.

Yang strikes back that it was Park who was actually selective, and ‘abusive’ about the parts of the victims’ testimonies (collected by The Korean Council) that fit her argument. Furthermore, Yang continues, Park’s approach “reveals her lack of imagination and poor comprehension of the contents”. Yang is critical towards Park’s criticism of the *HerStory* 3D animation relating a comfort woman’s story<sup>41</sup> and points out inaccuracies in Park’s accusation about the deletion of certain parts related to “volunteering”. For Yang, how to approach the victims and their testimonies was a long journey in understanding the complex circumstances (e.g. related to relationships with soldiers or opium use) and she, according to her own words, was able to fully understand some parts only when she came across Judith L. Herman’s *Trauma and Recovery: the Aftermath of Violence – from Domestic Abuse to Political Terror* (1992, New York: Basic Books). Only then, Yang argues, could she understand the feelings and prolonged trauma of the isolated victims who had long been confined.<sup>42</sup> Yang concludes with the impossibility of fully understanding the victim’s experience.

## 2. The *Mothers of Srebrenica* case

In July 1995, in the UN “safe heaven” town of Srebrenica in Eastern Bosnia, the Bosnian Serb army committed a genocide in only several days by killing close to 8,000 men and forcibly displacing women, children and the elderly. In displacing the women from Srebrenica, rape was not an uncommon occurrence, just as it was common on all sides throughout the war.<sup>43</sup> The International Criminal Tribunal for former Yugoslavia (ICTY) set the precedent in 1993 that rape constituted a form of torture and a crime against humanity.<sup>44</sup> Despite the old phenomenon of rape being deployed as strategic warfare<sup>45</sup>, this was the first time in international law that rape was listed explicitly as a war crime and crime against humanity. Stigmayer in 1994, based on collected evidence, argued that the systematic rape of Bosnian Muslim women was unique and constituted a form of genocide.<sup>46</sup> Nevertheless, the case of Srebrenica’s genocide is infamous for the massacre of men whose bones are still being identified and buried ceremonially every July when the tragic event is commemorated. The key role in commemorating the tragic event is given to the mothers who lost their entire families, fathers, and sons.<sup>47</sup> The association “Movement of Mothers of Srebrenica and Žepa Enclaves” (hereafter, The Mothers of Srebrenica), is a non-governmental and non-

<sup>41</sup> *HerStory* is a short 3D animation produced by The Korean Council and directed by Min Kyu-Dong in 1996. In the animation, Chung Seo-Woon tells about her experience of being taken away to Indonesia when she was 15 years old and forced to work at a Japanese military brothel.

<sup>42</sup> Ibid.

<sup>43</sup> It is difficult to estimate the number of women raped during the Bosnian war, but it is considered to range between 15,000 and 50,000. Many, due to stigma in a patriarchal society, are not willing to talk about their torture.

<sup>44</sup> Statute of the International Tribunal, adopted 25 May 1993 as amended 13 May 1998; Blaskic IT-95-14; Furundzija IT-95-17/1; Celebici IT-96-21; all listed on [www.un.org/icty](http://www.un.org/icty) (cited 2019-01-17).

<sup>45</sup> On history of rape in warfare see Brown Miller (1975) chapter 3.

<sup>46</sup> Stigmayer, A., Faber M., et al. (Eds.), *Mass Rape: The War Against Women in Bosnia-Herzegovina*, Lincoln NE, London: University of Nebraska Press, 1994.

<sup>47</sup> The association Mothers of the Enclaves of Srebrenica and Žepa (shortly Mothers of Srebrenica) was formed in 2002 and is based in the Netherlands. It has around 6000 registered members. In June 2007, the association filed a civil suit against the UN and the Government of the Netherlands requesting compensation and acknowledgment of responsibility from both the UN and the Netherlands. In July 2008, the District Court of The Hague held that the “UN enjoyed absolute immunity and that the Court did not therefore have jurisdiction to hear the case. On 30 March 2010, the Court of Appeal of The Hague upheld the decision.” (<http://www.internationalcrimesdatabase.org/case/769/mothers-of-srebrenica-v-the-netherlands-and-the-un/>, cited 2019-01-17). On 16 July 2014 the District Court of The Hague decided in the civil case filed by the Mothers of Srebrenica that the Netherlands was liable for the loss suffered by relatives of the more than 300 Muslim men who were deported by the Bosnian Serbs from the Dutch battalion compound in Potočari on July 13 1995, of which a majority was killed.

profit organization established in 1996.<sup>48</sup>

In August 2015, at the invitation of the first female Croatian president, Kolinda Grabar-Kitarović, the Mothers of Srebrenica participated as special guests at the twentieth anniversary of “Operation Storm”, considered to be the decisive battle in the Croatian War of Independence (Croatia’s Homeland War). The Croatian military was supported by the Army of the Republic of Bosnia and Herzegovina, stationed in the Western Bosnian town of Bihać. Logistical support for the Croatian operation came from an American private military company, L-3 MPRI. Between 150,000 and 200,000 Croatian Serbs were expelled, thousands of properties which had been their homes for generations were destroyed, and around 2000 were killed, of which a majority were civilians (close to 1,200). In 1990, prior to the war in Croatia, the constitutional status of Croatian Serbs was changed from ‘constituent nation’ to ‘national minority’. This coincided with the official reintroduction of symbols from the Second World War by the new Croatian government, which sparked a flood of WWII memories of genocide under the Serbs by the war-time Croatian fascist puppet state (NDH or Independent State of Croatia). The armed conflict between the Croatian army and the army of Serbian Krajina started in 1991, and by 1992 Serbian Krajina had become a UN protected zone.<sup>49</sup> After peace negotiations failed in August 1995 Croatia started the operation in less than four days and recaptured over 10,000 square kilometers—or 18.4 percent of its territory—that had been controlled by Croatian Serbs. August 5th has since been celebrated in Knin, the former capital of Serbian Krajina, as the Day of Victory and Homeland Thanksgiving. The ICTY in The Hague indicted several persons for “crimes against humanity, violations of the customs of war and Joint Criminal Enterprise of forcefully and permanently removing the Croatian Serbs from Serbian Krajina by unlawful attacks against civilians and civilian objects, persecution and deportation, murder and plunder of property”<sup>50</sup> committed during Operation Storm. Of those indicted, the most prominent were Colonel General Ante Gotovina, who had been hiding for four years before being arrested in a Spanish resort, operation commander Mladen Markač, and general Ivan Čermak. In its November 2011 verdict, the ICTY sentenced Gotovina and Markač to 24 and 18 years imprisonment respectively.<sup>51</sup> A year later, the Appeals Chamber suspended the Trial Chamber’s decisions and acquitted all three prominent actors. The decision was highly controversial among the judges, two among five of whom were explicitly opposed, and also prompted Danish judge Frederik Harhoff to write to 56 contacts, expressing concern that the “set practice at the court that military commanders were held responsible for war crimes that their subordinates committed during the war in former Yugoslavia” had come under serious pressure in the international criminal justice system.<sup>52</sup> According to Judge Harhoff, the decision was more political than legal and was enforced through the “American presiding judge’s tenacious pressure on his colleagues”.<sup>53</sup> The ICTY’s decision was met with euphoria in Croatia, while Serbia was once again convinced that the

<sup>48</sup> The official website is available at <http://enklave-srebrenica-zepa.org/english.onama.php#> (cited 2019-01-17).

<sup>49</sup> Nakarada, R., “Acquittal of Gotovina and Markač: A Blow to the Serbian and Croatian Reconciliation Process”. *Utrecht Journal of International and European Law*, 29(76), 2013, 102–105.

<sup>50</sup> Prosecutor v Gotovina et al. (Amended Joinder Indictment) IT-06-90-PT (17 May 2007) paras 48–53; Trial Judgement (n 4) vol.I, para 3., cited in Nakarada, *ibid.*

<sup>51</sup> Trial Judgement (n 4) vol.II, paras 2620, 2623., cited in Nakarada.

<sup>52</sup> Judge Carmel Agius and Judge Fausto Pocar dissented. Judge Frederik Harhoff sent a letter of concern to 56 contacts in June 2013. The text of the letter is available at <https://www.legal-tools.org/doc/e3d89c/pdf/> (cited 2019-01-17).

<sup>53</sup> <https://www.legal-tools.org/doc/e3d89c/pdf/> (cited 2019-01-17).

special international justice bodies in The Hague had been created only for Serbs, ignoring the crimes of other sides in the conflict. The decision, arguably, has compromised the reconciliation process and its contested memorialization remains an unresolved issue between two states and their peoples.<sup>54</sup> In 2015, Croatian president Kolinda Grabar-Kitarović, announced that Gotovina and Markač would be members of a newly established Council of Homeland Security, a body in charge of national security strategy and the development of the armed forces of the Republic of Croatia. On that occasion, the president stated that she wanted General Gotovina to be included in the work of this important council for homeland security, with whom she has also been friends for many years.<sup>55</sup> In 2016, next to his function in the Council, general Gotovina became a special advisor to the vice prime minister and minister of defense on homeland security issues, a position for which he refused remuneration.<sup>56</sup>

Twenty years after the Srebrenica genocide and the exodus of Serbs from Croatia, the Mothers of Srebrenica attended the celebration of Operation Storm's jubilee. Munira Subašić, president of the association stated in Knin that if the military operation hadn't happened, there might have been another genocide in Bihać, in neighbouring Bosnia and Herzegovina.<sup>57</sup> President Subašić expressed her "satisfaction that it was president Grabar-Kitarović who had invited them because Grabar-Kitarović had also attended the twentieth anniversary of the Srebrenica genocide and gave her support to us, mothers, our dead children, and spoke the real truth that genocide had happened in Srebrenica happened genocide".<sup>58</sup> Furthermore, "Subašić congratulated all Croatian veterans on the liberation of "Operation Storm" and gave special mention to General Ante Gotovina describing him as one of the best generals and soldiers".<sup>59</sup> Subašić described having previously visited Knin together with the Women of the World organization<sup>60</sup>, but this was the first time that she attended the celebration. She was especially moved when mentioning General Gotovina, who she had backed while in The Hague and whose trial at the ICTY she also attended as a sign of support, and said that she saw him as "her own son".<sup>61</sup>

### 3. The securitization of gender

The problematic securitization discourse surrounding gender and war has received considerable international attention since the 1990s and has especially been focused on violence against women and wartime rape as its extreme form. It can be said that discourse in both cases was dominated by three different views of rape: firstly, rape as unavoidable and therefore a normal consequence of war, hence not constituting a special security issue; secondly, rape as targeted against one nation or ethnicity, and hence a national security issue; and thirdly, rape understood through gendered lenses as an issue deeply rooted in patriarchal masculine and nationalist culture, which poses a threat to women regardless of their

<sup>54</sup> Nakarada, *ibid.*, 105.

<sup>55</sup> <https://www.nezavisne.com/novosti/ex-yu/Gotovina-i-Markac-savjetnici-predsjednice-Hrvatske/298021> (cited 2019-01-17).

<sup>56</sup> <https://www.vecernji.hr/vijesti/ante-gotovina-postao-posebni-savjetnik-potpredsjednika-vlade-za-domovinsku-sigurnost-1129212> (cited 2019-01-17).

<sup>57</sup> <https://vijesti.rtl.hr/novosti/hrvatska/1710162/majke-srebrenice-u-kninu-da-nije-bilo-oluje-mozda-bi-se-dogodio-genocid-i-u-bihacu/> (cited 2019-01-17).

<sup>58</sup> *Ibid.*

<sup>59</sup> *Ibid.*

<sup>60</sup> <https://www.womenworldplatform.com/en/home> (cited 2019-01-17).

<sup>61</sup> Subašić's statement is available in full at <https://www.womenworldplatform.com/en/home> (cited 2019-01-17).

ethnicity/nationality.<sup>62</sup> Both the war in Bosnia and the ‘comfort women’ issue brought gender issues to the forefront of the international security agenda.<sup>63</sup> The mass rape of Muslim women in Bosnia has raised important questions for the conceptualization of gender and security. The main discussion revolved around conceptualizing the issue in terms of individual or collective security, and consequently as a matter of national or gender—based insecurity.<sup>64</sup> The world’s influential feminists became fiercely divided on this matter, especially around the rape in war-time Bosnia. Some tended to see it as a ‘genocidal rape’, targeted against Bosnian Muslim ethnicity and went so far to accuse those who resisted seeing the rape as genocide of being involved in its cover-up.<sup>65</sup> On the other hand, those who resisted seeing it as an exceptional case of rape targeted against one ethnic group argued that “to emphasize as unparalleled [which many had done] the horror of genocidal rape is factually dubious and risks rendering rape invisible once again”.<sup>66</sup>

Zalewski warns of this tendency to represent rape during the war as a “deliberate instrument of warfare” and exceptional when the “reality is that rape and abuse of women in armed conflict has a long history”.<sup>67</sup> This part of the feminist discourse since the 1990s adopted the gendered approach putting an emphasis on structural violence and masculine oppressive culture, rather than a realist approach emphasizing the ethnicity of women as being the target. Elstain’s edited collection *Women and War* criticized the realist discourse and turned attention to the fact that war is seen as an “objective, scientific, masculine” activity in which there is a place for women who “want to be taken seriously”.<sup>68</sup> The feminists posed critical questions, such as: who is being secured by whom, and from what threats? These critiques involved the core issues of the international relations discipline, such as war, peace, and the quest to secure nation-state boundaries in a world of sovereign, independent states. Feminist Security Theory (FST) emphasized that the struggle of women with everyday patriarchy is always partial and elusive. The feminist discussion of the ‘national interest’ and ‘national security’ in world affairs and domestic security discourses revealed the highly complex relationship of women to war. Tickner emphasized the relationship between international relations and “multileveled gender insecurities”.<sup>69</sup> These gender insecurities are seen as originating in violence from the lowest family level (for example, poor families in Japan and colonial Korea often sold their female children to be trained as courtesans) to political and economic oppression at the national and international level.<sup>70</sup> Many international relations feminists problematized the state as protector of women.<sup>71</sup> Tickner emphasizes the importance of women’s distancing from the warrior-patriot narrative in order to deconstruct the oppressive discourse. FST examines the relationship between women,

<sup>62</sup> Hansen, Lene, “Gender, Nation, Rape: Bosnia and the Construction of Security”, *International Feminist Journal of Politics*, 3:1, 2000, 55–75.

<sup>63</sup> Hansen, 55.

<sup>64</sup> *Ibid.*, 26.

<sup>65</sup> Engle, Karen, “Feminism and Its (Dis)contents: Criminalizing Wartime Rape in Bosnia and Herzegovina.” *The American Journal of International Law*, 99, no.4 (2005): 778–816. doi:10.2307/3396669. 786.

<sup>66</sup> Engle, 786.

<sup>67</sup> Zalewski, Marysia. “‘Well, What Is the Feminist Perspective on Bosnia?’” *International Affairs (Royal Institute of International Affairs 1944–)* 71, no.2 (1995): 339–356. doi:10.2307/2623438. 355.

<sup>68</sup> Blanchard, 1294.

<sup>69</sup> *Ibid.*, 1296.

<sup>70</sup> Kim Hak-Sun (died 1997) was the first woman to speak publicly about her experience of being a ‘comfort woman’ in China from 1941–1945. Kim Hak-Sun was sold by her mother to be trained as a ‘kisaeng’ (professional courtesan). The house she was sold to trained girls to serve the Japanese military in North China.

<sup>71</sup> Tickner *Gender in International Relations*, cited in Blanchard, 1297.

security, peace, and war.<sup>72</sup> Burguières identifies three basic feminist approaches to peace and war. The first is the stereotypical perception of men as aggressive and women as being inherently peaceful. The second stereotype rejects differences between men and women and argues that women can participate as equally as men in peace and war. The third approach rejects both stereotypes and argues that “war is rooted in patriarchal, military structures which are supported by the behavior of both men and women”.<sup>73</sup> Feminist security theorists emphasize that violence against women does not cease with the cessation of war and that “war-related violence should not obscure women’s everyday insecurity under the global system of patriarchy”.<sup>74</sup> Under this system, feminists argue, the state cannot be viewed as the “mainstay of security and assuming that security for the individual is adequately understood in terms of her or his membership in a given national community”.<sup>75</sup> The security discourse, the critique points out, is dominated by the state/national security discourse, and it is especially so in war or war-like times. Hence, the problem is that within the dominant state security discourse, gender security is recognized only to the extent that it fits nation-state security logic.<sup>76</sup> For example, Katharine Moon writes about how the United States and South Korea “became ‘partners in prostitution’ through the sponsoring and regulation of a systematic, regulated sex trade surrounding US military camp towns” despite prostitution being illegal in South Korea.<sup>77</sup> Soh criticizes the Korean Council (Chong Dae Hyup) for their insistence on victimizing Korean women while ignoring that many girls and young women ended in ‘comfort stations’ due to poverty, patriarchal oppression, and Korean complicity with the colonial regime, just as they were stigmatized in post-war Korean society.<sup>78</sup> This victimization approach prevents a more complex understanding of female insecurity in times of war. According to Soh, the Council put its own political interests before the interests of victims. This argument seems to be in line with Park Yu-Ha’s argument that politicization of the issue prevents resolution and her proposal that the issue should be discussed and solved by those who have not been involved politically. The Council gave itself a right to decide on the appropriateness of women choosing to accept compensation and led some who chose so to be stigmatized as unpatriotic. Alongside “unpacking” fascist paternalism in imperial Japan and the “masculinist sexism of the Japanese military”, Soh in her book (2008) also unpacks the “feminist humanitarianism of the post-Cold War era” and “ethnic nationalisms, especially in South Korea”.<sup>79, 80</sup>

A similar stigmatization of women victims (and children born out of the tortures they were exposed

<sup>72</sup> Blanchard, 1299.

<sup>73</sup> Ibid.

<sup>74</sup> Ibid., 1301.

<sup>75</sup> Steans 1998: 104, as cited in Lene Hansen, “Gender, Nation, Rape: Bosnia and the Construction of Security”, *International Feminist Journal of Politics*, 3:1, 2000, 55–75: 58. See also Grant 1992; Tickner 1992: 54–66.

<sup>76</sup> Hansen, 59. Also see Walker 1992; Hansen 2000.

<sup>77</sup> Blanchard, 1295.

<sup>78</sup> Chunghee Sarah Soh, *The Comfort Women; Sexual Violence and Postcolonial Memory in Korea and Japan*, University of Chicago Press, 2008.

<sup>79</sup> Totani, Yuma, “C. Sarah Soh. *The Comfort Women: Sexual Violence and Postcolonial Memory in Korea and Japan*”, *The American Historical Review*, 116, no.3 (2011): 783–784.

<sup>80</sup> The feminist humanitarianism in the post-Cold War era and the subsequent interventionism would be a whole new topic. Especially instructive are the cases of Bosnia and Herzegovina, Iraq, and Afghanistan. For example, most of the raped Bosnian women ‘asked the world to intervene militarily or lift the weapons embargo so that the war, and with it the rapes and expulsions, would cease’ (Stiglmeier 1994: 164). Understanding rape as exceptional in Serbian warfare is to prompt the international community, more specifically the West, to intervene in defence of the Bosnian government against a ‘genocidal Serbs’ (Meštrović 1994; Ó Tuathail 1996).

to) can be perceived in post-conflict Bosnia.<sup>81</sup> Many raped Bosnian Muslim women divorced from their husbands and some were even killed.<sup>82</sup> In a still overwhelmingly patriarchal society, additionally impoverished by the war, women not at the forefront of the struggle for the 'national interest' are invisible. This atmosphere is especially not conducive to the security of Bosnian Serb women who have also been raped because "reading the rapes through national collective security lenses risked removing the rapes from women themselves" seeing as "in the collective, national-security construction individuals cease to exist".<sup>83</sup> Feminist non-governmental organizations have become mono-ethnic (unlike during war-time when multi-ethnic character and solidarity was prominent) and have mostly shifted their activities from focusing on war victims and war-related traumas to filling in the gaps in the state social service system.<sup>84</sup>

### Conclusion

This paper has focused on feminist discourse since the 1990s regarding war-time violence against women, particularly the questions of when, under what circumstances, and how feminist discourse reifies state behaviour. Feminist security discourse has been deployed in order to deconstruct the patterns that conflate state security with the notion of gender security. This paper discussed two 2015 incidents related to two case studies of women victims of war ('Comfort Women' and 'Mothers of Srebrenica'). The cases are from very different contexts but have in common their prominence in the 1990s feminist conceptualization of gender security. The end of the Cold War and beginning of the new world order saw the emergence of a feminist humanitarian/interventionist discourse which saw significant "successes" related to war rape legislation pertaining to the conflict in former Yugoslavia and especially in Bosnia and Herzegovina. All these factors have contributed to the fact that both the Bosnian conflict and the 'comfort women' problem since the 1990s have become universal issues of gender violence.<sup>85</sup> However, there is no consensus on how to understand the Bosnian conflict or 'comfort women' issue from a feminist perspective. As Zalewsky put it, "there is an easy and a difficult answer to this question".<sup>86</sup> The easy one is to look at what is happening and the women's suffering.<sup>87</sup> The more difficult one is to think about a reification of gender through an intersection of gender and ethnicity, and the implications of various feminist perspectives for international politics. This paper demonstrated that in both, the case of Park Yu-Ha being criminally indicted by the state prosecutor, and the case of Mothers of Srebrenica celebrating war crimes committed during the Croatian Operation Storm, there is an exclusive victimhood at play compromising the feminist agency and its quest for peace and security. Through including only a narrative that fits the state security discourse, feminist activists often prevent the already complex issues from being resolved and perpetuate historical tensions in regional inter-state relations.

<sup>81</sup> Folnegovic-Smalc 1994: 179; Seifert 1994: 59; Stiglmayer 1994: 91; Hansen 64.

<sup>82</sup> Ibid.

<sup>83</sup> Morkovašić 1998, as cited in Hansen, 64.

<sup>84</sup> Cynthia Cockburn, "Against the odds: Sustaining feminist momentum in post-war Bosnia-Herzegovina." *Women's Studies International Forum*, Volume 37 (2013): 26–35.

<sup>85</sup> Soh, C. Sarah. "Japan's National/Asian Women's Fund for "Comfort Women"." *Pacific Affairs* 76, no.2 (2003): 209–33. <http://www.jstor.org.ezproxy.leidenuniv.nl:2048/stable/40024391>. p.215. (cited 2019-01-17.)

<sup>86</sup> Zalewsky, 355.

<sup>87</sup> Ibid., 355.

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