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To the editors of the *International Review of Law and Economics*:

I am writing to express extreme concern regarding the decision by the *International Review of Law and Economics* to publish J. Mark Ramseyer's article, "Contracting for Sex in the Pacific War," in which he argues that Korean Comfort Women were prostitutes who collaborated with comfort station operators to create favorable "indenture contracts"¹ that would entice them to want to go to the warfront and "work hard."² This article is objectionable on every level, starting with the premise and including his faulty interpretation of the primary sources. There is no legal contract that protects perpetrators of sexual slavery and sex trafficking. No contracts have ever been found where Comfort Women agreed to indentured servitude. Comfort Women is an euphemism for an estimated 200,000 sexually enslaved girls and women taken by the Japanese military from nations colonized and occupied by Japan during the WWII era. They suffered atrocious violence in an institutionalized and coordinated sex trafficking and forced sexual labor system that imprisoned them and where they were subject to frequent sexual violence and abuse. In 1991, Korean survivor Kim Hak-Sun *halmoni* testified to her experience as a Comfort Woman to the Japanese public. This opened space for other women enslaved across Japanese occupied territories including China, the Philippines, Indonesia, East Timor, Malaysia, Burma, Taiwan, and Dutch territories to testify. Survivors describe how they still suffer from physical and emotional pain and trauma. Their testimony prompted the 1993 Kono Declaration, ignited activism around Japanese military slavery, and prompted new research and scholarship that has supported global mobilization against gender-based violence.

In a relatively short period of time, a group of concerned scholars came together to critically scrutinize Ramseyer's sources and assertions, definitively rebutting the article's argument that the Comfort Women were willing prostitutes, not coerced sex slaves.³ Particularly unethical, he also misuses the autobiography of a survivor Mun Okju to make a key point that Comfort Women profited from sexual slavery. Given the serious limitations of Ramseyer's scholarship it is unfathomable how this article could have passed the journal's review process.

As a scholar of the Korean Comfort Woman history and activism, I am additionally alarmed by how Ramseyer's article contributes to the growing transpacific right wing alliance centered around denying Comfort Women history. Ramseyer's building of his argument around consent, perfectly aligns with right-wing Japanese revisionists, legitimated by Prime Minister Shinzo Abe and members of the Liberal Democratic Party, who for decades have been fixating on the concept that Comfort Women were agents free from coercion.⁴ Their argument is in service of refusing Comfort Women demand for an official apology from the Japanese Diet. The attempts to delegitimize the claims of Comfort Women have escalated in Japan over the past 30 years, including the removal of mention of Comfort Women from Japanese history books.⁵

A transpacific lens must be added to this denialist mobilization: the rise in activism and scholarship around Comfort Women history in the US, represented by the building of Comfort Women memorials across the US since 2010, and passing of House Resolution 121 Supporting Redress for Former Comfort Women in 2007 has emboldened the Japanese right-wing even further and given them a renewed energy and new platform for growing their movement.⁶ Scholar Tomomi Yamaguchi notes the Japanese right wing mobilization to remove a Comfort Women memorial that was built in 2010 in Palisades, NJ as the start of the “so-called ‘history wars’” now explicitly expanded to include the US.⁷ In 2014 concerned scholars across the US came together, in response to Japan Foreign Ministry, acting with support of the Prime Minister Abe, instructing “its New York Consulate General to ask McGraw-Hill publishers to correct the depiction of the comfort women in its world history textbook *Traditions and Encounters: A Global Perspective on the Past*, coauthored by historians Herbert Ziegler and Jerry Bentley.”⁸ Given how much has been written about coercion and consent with regard to Comfort Women history, it is hard to believe that Ramseyer is unaware of this debate.

Like the US alt-right, the most virulent of the Comfort Women deniers have relied on distorting the past and making up lies, with casting doubt on the testimony of Comfort Women being one of the most popular strategy. Korean survivor Mun Okju (also Mun Okchu) and her testimony is often targeted for such abuse. According to her own account, Mun Okju was born in 1924 in Daegu.⁹ In 1940 she was abducted and became a sexual slave for Japanese soldiers in Manchuria where she was regularly raped over 30 times a day.¹⁰ She was able to escape to Seoul, but Mun Okju was captured again and sent to Southeast Asia. Her story is well known to Comfort Woman scholars, and her testimony is translated to English in *True Stories of the Korean Comfort Women: Testimonies Compiled by the Korean Council for Women Drafted for Military Sexual Slavery by Japan and the Research Association on the Women Drafted for Military Sexual Slavery by Japan*.¹¹ Her life story is documented in a book dedicated to her life, first published in Japanese as *Biruma sensen tateshidan no “ianfu” datta watashi*¹² and then in Korean as *Mun Okju halmeoni ildaegi*.¹³ Her narrative has been an important part of analysis around the Comfort Women history, featured in monographs by Joshua D. Pilzer, Anh Yonson, C. Sarah Soh, and George Hicks, as well as several articles.¹⁴

Instead of her own memoir or *True Stories* Ramseyer cites a pro Japanese neo-nationalist website, where the moderator has picked out 12 quotes detailing only Mun Okju’s time in Burma and Vietnam near the end of her period in the Comfort Woman system.¹⁵ The website features numerous other articles denying Comfort Women history, Comfort Women testimonies, the Rape of Nanking and others. Feminist theorists, advocates for victims of gender-based violence, and human rights jurists argue that giving testimony and having their stories heard is a primary step in restoring dignity and can lead to healing for victims of gender based violence.¹⁶ Testimonies are the bedrock of victim-centered justice models. Oral histories are historical sources that foreground the importance of a reparative approach to history and address the gaps inherent in imperial archives.¹⁷ However, Comfort Women testimony and accounts from oral history have consistently come under attack from deniers who question the validity of memories as historical sources. Through such denials, the experiences of the victims are discredited and their dignity impugned.¹⁸

These 12 passages are decontextualized and are cut out from the broader narrative web of her life. These passages focus on her feelings of gratitude, her mobility, her accumulation of wealth, and sense of joy at being a comfort woman. They are specifically selected to make an argument

that she enjoyed her life as a Comfort Woman. Scholars such as Pilzer, Soh, and Hicks in their incorporation of her autobiography into their scholarship present her whole life story. They do not need to gloss over the fact that she may have earned tips (she was made to entertain Japanese soldiers) nor deny that her experience has elements that demonstrate the complexity of the Japanese comfort system across the war front. An apt corollary might be to liken the variegated experiences of Comfort Women with that of African slaves in the US in the antebellum era. Mun Okju's life points to how these larger systems of state violence were negotiated and mediated in complex ways by the various subjects who were part of the system. In his turn to Mun Okju's story, Ramseyer abuses her life and experience for his own gain.

The accepted term used to describe the experiences of these women and girls is sexual slavery. The testimony of the Comfort Women, along with a broad and deep historical archive, including those of the Japanese Self Defense Agency, and US military reports, substantiate that the victimization of these young women was organized by the Japanese imperial army.¹⁹ The first time the term was introduced to describe the Comfort Woman history at the UN was in 1992 when Sin Heisoo spoke on behalf of the Korean Council and categorized the "comfort system" as sexual slavery.²⁰ In 1993, Theo Van Boven, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities would amplify this term, using the expression "sexual slaves" concerning the Comfort Women system.²¹ In 1996 Radhika Coomaraswamy, the UN Special Rapporteur on Violence Against Women, challenged Japan's objection to the term military sexual slavery, concluding that "the practice of 'comfort women' should be considered a clear case of sexual slavery and a slavery-like practice."²² In conjunction with the testimony of the victims of sexual slavery from the International Tribunal for the former Yugoslavia and International Tribunal for Rwanda, the testimony of the Comfort Women from the 2000 Women's International War Crimes Tribunal on Japan's Military Sexual Slavery have been central to creating global accountability and forcing states to accept full legal and moral responsibility for sexual violence against women. Ramseyer offers absolutely no evidence that would over turn this overwhelming consensus that has built up over the past 30 years.

That Ramseyer did not consult any scholarship in the field, such as the works of C. Sarah Soh, Pei Pei Qui, Yuki Tanaka, Bonnie Oh, Puja Kim, Laura Hyun Yi Kang, and Yoshimi Yoshiaki's works should have easily flagged the problematic nature of this work. The *International Review of Law and Economics* should withdraw his article immediately.

Yours truly,

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¹ P. 7, "Contracting for sex in the Pacific War."

² Ibid, P.7

³ See Amy Stanley, Hannah Shepherd, Sakaya Chatani, David Ambaras, Chelsea Szendi Schiedler, "Contracting for Sex In the Pacific War": The Case for Retraction on Ground of Academic Misconduct," <https://sites.google.com/view/concernedhistorians/home>, accessed February 19, 2021. This situation is fast unfolding and there are other scholars also writing rebuttals and demanding that the journal pull the article.

⁴ In March 2007 Shinzo Abe stated when addressing the Japanese Diet that there is no evidence to prove that Comfort Women were coerced. In April 2015 at a lecture at Harvard Kennedy School he denied that the Japanese military coordinated the sexual slavery system, stating that "comfort women were victims of human trafficking conducted by private recruiters." For more on Shinzo Abe's history of denial read p.46 in Tomomi Yamaguchi, "Japan's Right Wing Women and the 'Comfort Women' Issue," *Georgetown Journal of Asian Affairs*. Volume 6, 2020: 45-54. This article also offers a useful history of the arc of government denial: Yoshiaki Yoshimi, "Government must admit 'comfort women' system was sexual slavery," *Asahi Shimbun: Asia and Japan Watch*, September 20, 2013.

⁵ Yoshiko Nozaki, "Feminism, Nationalism, and the Japanese Textbook Controversy over 'Comfort Women,'" in France Winddance Twine and Kathleen M. Blee, eds., *Feminism & Antiracism: International Struggles for Justice* (NY: New York University Press, 2001), pp. 170-189

⁶ Michael Honda and Kinue Tokudome, "The Japanese Apology on the "Comfort Women" Cannot be Considered Official: Interview with Congressman Michael Honda," *The Asia-Pacific Journal*. May 2 2007, Volume 5, Issue 5,

⁷ Tomomi Yamaguchi, "Japan's Right Wing Women and the 'Comfort Women' Issue," *Georgetown Journal of Asian Affairs*. Volume 6, 2020: 45-54

⁸ <https://www.historians.org/publications-and-directories/perspectives-on-history/march-2015/letter-to-the-editor-standing-with-historians-of-japan>

⁹ P. 104, Keith Howard, ed. Trans. Young Joo Lee. *True Stories of the Korean Comfort Women: Testimonies Compiled by the Korean Council for Women Drafted for Military Sexual Slavery by Japan and the Research Association on the Women Drafted for Military Sexual Slavery by Japan* (London: Cassell) 1995: 104-114.

¹⁰ P. 106, *ibid*.

¹¹ *Ibid*.

¹² Mun Okuju with Morikawa Michiko. *Biruma sensen tateshidan no "ianfu" datta watashi*. (Tokyo: Nashinokisha) 1996.

¹³ Mun Okju with Morikawa Michiko. *Beoma jeonseon ilbongun "wianbu": Mun Okju halmoni ildaegi* (Seoul: Areumdaun saramdeul) 2005.

¹⁴ Joshua D. Pilzer, *Hearts of Pine: Songs in the Lives of Three Korean Survivors of the Japanese "Comfort Women,"* (New York: Oxford University Press) 2011; Anh Yonson, *Whose Comfort? Body Sexuality, and Identity of Korean 'Comfort Women' and Japanese Soldiers during WWII* (World Scientific Publishin) 2020; C. Sarah Soh. *The Comfort Women: Sexual Violence and Postcolonial Memory in Korea and Japan* (Chicago: U Chicago) 2008; George Hicks. *The Comfort Women: Sex Slaves of the Japanese Imperial Forces* (Allen and Unwin) 1995.

¹⁵ Ramseyer's quote of Mun Okju's narrative is on p.6 of his article. The cite for his source is KIH, Apr. 20, 2016, 2016b. Korea Institute of History. 2016 Former Korean Comfort Woman Mun Oku-chu, which is at website: <http://scholarsinenglish.blogspot.com/2014/10/former-korean-comfort-woman-mun-oku.html>, accessed February 11, 2021. The organizing impulse for the blog is to collect articles that deny Comfort Women history and document pro-Japanese imperial sentiment by Koreans. Other blog titles on April 2016 include "Confronting Korea's Censored Discourse on Comfort Women' by Professor Joseph Yi" and "Korean Wartime Sex Slaves is Fake News" by Professor Ikuhiko Hata."

¹⁶ Elizabeth Son, *Embodied Reckonings: "Comfort Women," Performance, and Transpacific Redress* (Ann Arbor: University of Michigan Press) 2018: P.14.

¹⁷ For example consider how Comfort Women's experiences have been completely erased or occluded from the Treaty of San Francisco (1951) or the ROK-Japanese Normalization Treaty of 1965, even though the US military and Allied forces had explicit knowledge that the Comfort Women system existed.

¹⁸ For more in this debate see Yoshiko Nozaki, "The "Comfort Women" Controversy: History and Testimony" in *The Asia-Pacific Journal*, July 6, 2005, Vol 3, Issue 7. Also see, Yoshiaki Yoshimi, "Government must admit 'comfort women' system was sexual slavery," *Asahi Shimbun: Asia and Japan Watch*, September 20, 2013. Mun Okju's autobiography has regularly been cited partially by those seek to discredit Comfort Women's claim of sexual slavery, with deniers pointing to these same passages in the KIH website. Another section of her autobiography which gets a great deal of attention is a section where she narrates her experience being put on trial for killing a Japanese soldier. See this website as an example of the latter: <http://harc.tokyo/en/?p=76>, accessed February 13, 2021.

¹⁹ See Yoshiaki Yoshimi. *Comfort Women: Sexual Slavery in the Japanese Military during World War II*. Trans. S. O'Brien (NY: Columbia University Press) 2000. Also see United States Office of War Information, Psychological Warfare Team Attached to US Army Forces India Burma Theatre, "Japanese Prisoner of War Interrogation Report No. 49", APO 689. This report was produced by the Office of War Information of the U.S. Army forces in CBI (China-Burma-India) Theatre and based on the interview conducted by a US soldier with 20 Comfort Women and two Japanese Comfort Station operators. The report confirms that the Japanese military operated the Comfort System, including the discovery that "the conditions under which they transacted business were regulated by the Army."

²⁰ P.8, Laura Hyun Yi Kang. *Traffic in Asian Women*. (Durham, NC: Duke University Press) 2020.

²¹ p.130, Christine Levy, trans. Anne Epstein. "The Women's International War Crimes Tribunal, Tokyo 2000: a feminist response to revisionism?" in *Clio: Women, Gender, History Journal*, 2014, Issue 39: 125-145.

²² P. 13, quoted in Laura Hyun Yi Kang, *Traffic in Asian Women*. Original quote comes from Radhika Coomaraswamy, *Report on the Mission to the Democratic People's Republic of Korea, the Republic of Korea and Japan on the Issue of Military Sexual Slavery in Wartime*. Report submitted to the 52nd session of the UN Commission on Human Rights (E/CN.4/1996/53/Add.1) (New York: UN Economic and Social Council, Commission on Human Rights, Economic and Social Council, January 4, 1996), P.4.