

Introduction

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This special topic of *The Journal of Northeast Asian History* addresses ongoing research involving the Japanese government's state-sponsored system of sexual slavery during the 1930s and 1940s, commonly known by its cruel euphemism, the "comfort women." As the following essays by Jung-ae Park, Joongmoon Ha, and Myeongsuk Yune make clear, all of us interested in learning from the history of Northeast Asia still have much to understand about this transnational crime against humanity, and the time for us to learn from it is now while some of the system's survivors remain alive.

Important to consider up front, the excellent essays in this special topic were researched, written, and submitted for publication before this topic once again became front page news around the world. As is now well-known, in December 2020, Harvard Law School Professor J. Mark Ramseyer circulated a new article "Contracting for Sex in the Pacific War" that had been accepted for publication in the March 2021 issue of the *International Review of Law and Economics* (the article was and remains available on the Internet, although, as of this typing in late June 2021, the print version is delayed due to the worldwide outcry over Ramseyer's factual errors and blatant denialism). Then—and still not part of what the authors of the essays in this edition of *The Journal of Northeast Asian History* address in their respective articles—in January 2021, Ramseyer subsequently published an op-ed on the right-wing English language Internet website, *Japan Forward*, describing the "comfort-women-

sex-slave-story” as “pure fiction.” This latter effort of Professor Ramseyer’s was picked up by global media outlets including and not limited to *The New York Times*, *The Washington Post*, *CNN*, *The Associated Press*, and so on.

In brief, Professor Ramseyer decided in his publications to ignore an extensive and well-documented literature by Japanese, Chinese, Korean and Anglophone authors, and the documentary record detailing the Japanese military’s wartime system of military sexual slavery. This may not be so unusual in our Internet age where one can publish nonsense at whim. Furthermore, Professor Ramseyer is—and should be—protected by his right to exercise free speech. That said, what has become abundantly clear during recent months is that Professor Ramseyer has attempted to take advantage of academic freedom of inquiry, and he may have over-stepped his privilege. Academic freedom is not a constitutional right (unlike free speech, for example), yet it is highly prized and allows researchers to consider difficult problems from many perspectives. Academic freedom, however, is not “free.” It is predicated on academic integrity, which Professor Ramseyer has ignored, denied, and repudiated in his shameful attempts to promote a particular worldview popular among some people in Japan (and Korea, too) that names the history a “lie” and its victims “liars” in a weak-spirited effort to shore up some bygone sense of masculinity and pride.

Fortunately, we have something called “research” with which to challenge Ramseyer’s least-common denominator approach to history, and the articles in this special topic of the *Journal of Northeast Asian History* could not be more important as a result. In the lead essay, Jung-ae Park interrogates the “need” the Japanese military’s high command placed on establishing the system of sex slavery in the first place, critically arguing a multinational historical understanding of what took place at the time as well as the urgency of avoiding hierarchies among victim groups today. Ha Joongmoon’s path-breaking article introduces a plethora of fresh evidence from Japanese government archives in the form of war diaries mandated to maintain an accurate record of what took place in the field for the express purpose of creating accurate “historical accounts of war.” Finally, Myeongsuk Yun examines the issues of state responsibility, and, in particular, of how best to compel the Japanese government to accept factual records. Impor-

tantly, Yun calls also on the South Korean government to clarify its own position on the 1965 Treaty of Normalization with Japan which the Japanese government maintains absolves it from any responsibility.

These three essays read together at once make clear the vitality of the survivors' collective testimonies in learning the history at stake and also the imperative of understanding the transnationality of Asian and Pacific Islander experiences in the nexus of this history of horror.

This is key. For reasons known only to himself, Professor Ramseyer has targeted Koreans at the expense of others. He maintains in correspondence with me that Koreans were "citizens" of the Japanese empire and therefore can be measured as having the same historical experience as Japanese. This is inaccurate not in the least because the basic constitutional and legal definitions of humanity at the time disagree with Ramseyer: *all* individuals—Japanese nationals and colonials alike—were "subjects" of the emperor, whose "conditions necessary for being a Japanese subject (were) determined by law," which the Japanese emperor "sanction(ed) and order(ed)." Economic, gender, and racial factors informed these "conditions" and generated clear hierarchies of personhood. Simply put, all men were *not* created equal—let alone women in general, let alone women and minors from Japan's colonially occupied territories.

Different from the essays presented in this volume, Professor Ramseyer's absence of analysis of the first known legal record of victims of this historical crime—and, most important, the conditions of their victimization—reveals the strategy he employs, and, moreover, confirms that "contract" has no place in any discussion of this history. In his 2006 English-language publication, Etsuro Totsuka, one of Japan's pre-eminent international law scholars, analyzed the 1932 well-documented instance of trafficking 15 Japanese women by Japanese men through Nagasaki to one of the first known so-called "comfort stations" established in Shanghai by the Imperial Navy (not the Army). In 1936, a Nagasaki court found guilty the Japanese men who had deceived the women about the terms of their employment, rendering empty Ramseyer's contention "any notion that (the women) had been tricked by duplicitous recruiters (is implausible)."

In Professor Totsuka's peer-reviewed and published words:

“The author has had the good fortune to locate the earliest District Court and Appeal Court judgements of the Japanese criminal court against ten private entrepreneurs, who deceived and trafficked 15 Japanese women from Nagasaki to a Japanese Naval “comfort station” in Shanghai, China. It was already known as early as 1997 that in 1937 the then Supreme Court had endorsed the judgments of the District Court and the Appeal Court. The lower Courts’ judgement, however, had not been found.

As it was assumed by the researchers, including myself, that the judgments must have been destroyed by the atomic bomb dropped in August 1945 by the United States onto Nagasaki City, nobody attempted to find them. They, however, had survived. . . . The Court found that all defendants under a series of conspiracies deceived and trafficked 15 Japanese women in Nagasaki to a Japanese Naval “comfort station” in Shanghai, China and that they were guilty of committing crimes defined by Article 226 (1) and (2) of the Penal Code.”

Totsuka argues that this fresh evidence should encourage additional investigation by researchers “to discover the reasons why the law was not effectively enforced in Japanese colonies, particularly in Korea” where “the pattern of recruitment (was) strikingly similar to the many Korean cases of the abduction of women.”

One of the primary reasons for studying any state-sponsored atrocity in the past is to learn how it happened in order to try to prevent ongoing occurrences of similar violence and not to abuse history by weaponizing it for present purposes. The challenge remains to expand education about this crime against humanity so that undetected denialist racialist claims never again pass for scholarly inquiry, and the essays in this special volume move forward our collective knowledge of Northeast Asia’s past.