

## **Harvard Professor's Paper on 'Comfort Women': Perfect Opportunity to Raise a Serious Discussion on the Subject**

South Korean media is at work again, going on their witch-hunt against Professor John Mark Ramseyer of Harvard Law School, who published a paper titled "Contracting for Sex in the Pacific War." The Korean Student Association of Harvard University released a statement, which has since collected many signatures, criticizing Professor Ramseyer and demanding his apology as well as the retraction of his paper. Meanwhile, South Korean media has been gleefully broadcasting this situation, dismissing Professor Ramseyer's academic paper as "nonsense."

For a long time, activist groups such as the Korean Council for the Women Drafted for Military Sexual Slavery by Japan (The Korean Council) have been propagating the hypothesis that comfort women were forced into sexual slavery by the Japanese military. Academic debate and verification about this were attempted in Korea by several academics, including Professor Yoo-ha Park, Professor Younghoon Lee, and Professor Seokchoon Lew. But their efforts were always thwarted by thoroughly anti-Japanese, nationalist activist groups and media and by the judiciary that complied with their agenda. As such, we cannot express enough how deeply concerned we are that this controversy over Professor Ramseyer's paper might go down the exact same track, as we have observed over the years in South Korea.

1.

First of all, what we would like to point out is that Professor Ramseyer's paper was officially approved to be published by the *International Review of Law and Economics*, a renowned international academic journal, after his paper received appropriate evaluations including peer review. The paper was recognized for its originality by experts in international academia, and the subject of the paper was acknowledged as worthy of academic debate. So why are external agents, who have nothing to do with academia, talking of the paper being 'nonsense' and trying to prevent any discussion from taking place?

Contrary to all the fuss that Korean media is making, Professor Ramseyer's paper is actually not about proving 'comfort women' are prostitutes. Using the concept of "credible commitments" in game theory, the paper delves into unique types and terms of contracts between the 'comfort station' owner and the 'comfort women', which cannot be explained from the perspective of sex slave theory. From the law and economics perspective, it investigates why the owner and the women involved in domestic prostitution in Japan and colonial Joseon (Korea) signed long-term contracts that allowed them to exchange large sums of wage advances and why a unique method of profit distribution was formed between them. Moreover, it discusses that in the case of comfort women, since they were dealing with wartime soldiers, not just with any soldiers at ordinary times, all conditions such as their advance payments, wages, and periods differed from the conditions for ordinary prostitutes who dealt with civilians.

From an economic point of view, it is understandable that Professor Ramseyer presupposes that contracts of comfort women were voluntary in nature. This is because, in economics, coercive measures, such as forced mobilization, are viewed as irrational options that cost a lot more than market transactions. Not only does the paper explore the working conditions of prostitutes under the authorized prostitution system in Japan, but it also explains in detail how the process of becoming a comfort woman was different for those from colonial Joseon than for those from mainland Japan. It also presents specific data that shows that the tyranny of pimps was particularly harsh in colonial Joseon.

Follow-up articles and academic debates in the future will be able to gradually decide if Professor Ramseyer's arguments were thorough enough or if they had any serious academic flaws. To a certain extent, academics in ivory towers remain independent from society and should be able to have fierce discussions even on subjects that are considered taboo by society, such as the "comfort women issue." Such a process contributes to raising the intellectual level of society as a whole. Open and rigorous debates constitute the basis of a sound academic process.

2.

In this regard, we are particularly shocked at the anti-academic behavior of many Harvard students of Korean heritage, who are demanding an apology from Professor Ramseyer for his article and are abruptly requesting that his paper be retracted from the

journal. We cannot help but point out and criticize this type of behavior reminiscent of the 'Cultural Revolution' in China.

'Retraction' is a final disciplinary action taken after an investigation is carried out by a journal or when serious misconduct is found in a thesis. What the students are trying to do is trample on the very value of academic freedom over an issue about which one can have different opinions and perspectives, even before a vigorous discussion has taken place regarding the subject of the paper. How will the international academia and scholars react to this situation?

At this time, other than the article written by a student of Korean heritage published in Harvard's student newspaper *The Harvard Crimson*, not too many articles in international media are currently addressing the controversy over Professor Ramseyer's paper. It's partly because the subject requires specialized knowledge, but more importantly, it's because foreign media has an unspoken understanding that this issue is basically a matter that needs to be settled by academic practices and logic.

In that respect, we wonder if the anti-academic behavior of Korean students at Harvard will only invite criticism from international media, giving them another reason to undermine Korea. If there are adults who prompted students to act this way, they should also take the time to reflect on their irresponsible behavior.

3.

At the same time, we ought to be extremely wary of the fact that Professor Ramseyer's personal life is under more scrutiny than the actual content of his paper. For instance, those criticizing him focus on the fact that he stayed in Japan for a long time during his childhood, that he is a Mitsubishi professor, and that he received a medal from Japanese government.

Of course, pointing out a possible conflict of interest for a scholar making claims that have social implications is not, in itself, wrong. However, such inspection must be equally carried out for those on the other side, who are criticizing Professor Ramseyer.

It's because 'academic freedom' is supposed to guarantee fair treatment and procedures, even to those who make unpopular or uncomfortable claims.

In this regard, we should equally recognize the fact that Professor Ramseyer is a scholar at the most prestigious law school of America and has been widely recognized in academia for his academic achievements.

4.

In international academia, there have been various discussions even on the most fundamental problem concerning the comfort women, such as whether 'forced mobilization' actually took place and whether the concept of 'sex slave' is an appropriate term or not.

Only in South Korea has the debate about the issue remained stagnant for more than ten years. The rigid position of activist and civic groups, which are not at all or only remotely related to academia, and that of international organizations, which only accept unilateral claims lacking academic depth, became the main authority on the issue and hindered any serious conversation from taking place.

If we, South Korea, ever wish to participate in the conversation on comfort women among international scholars, we must develop and present arguments strictly built on facts and logic and stop using reckless activism and impertinent, false 'fact checks'.

In order to do that, we should be able to have discussions on the subject without censorship. We cannot keep treating the hypothesis of sexual slavery in the Japanese military as some sort of a sacrosanct realm that is perfectly error-free.

As we, the Republic of Korea, are one of the parties directly involved in the issue, the obligation for us to allow rigorous conversations about comfort women proves to be all the more important than ever.

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**Signed by**

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