

# U.S. Courts-Martial in Occupation Japan: Rape, Race, and Censorship

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*"We too are an army of rapists," anonymous soldier, letter to the editor, Time Magazine, November 12, 1945.*

What explains the lack of records regarding the number of rapes in occupation Japan by American servicemen? I briefly review the situation of rape during World War II in the European theater for which there is reasonable documentation to better understand why the names and numbers are concealed or lost. I then examine the situation postwar, focusing particularly on conditions in Japan at the beginning of the American occupation. I conclude by analyzing what little documentation I discovered about an execution for rape while writing *Black Glasses Like Clark Kent*, my memoir about my uncle who committed suicide after leaving me tapes about his experiences as an MP in Tokyo's 8th Army stockade.

Our civilian justice system aims primarily to safeguard the rights of property, community, and the individual, perhaps in that order. Short of murder, rape is the most egregious violation to the individual. In civilian life, rape may go underreported for a number of reasons including protection of reputations, confusions about what constitutes rape, or the psychological difficulties of coping with a rape trial.

Before the Uniform Code of Military Justice was

instituted in 1950, civilians inducted as soldiers were stripped of most of their individual rights, including due process and trained legal representation. Regardless of the UCMJ, however, for the military, discipline and obedience take precedence over these rights. Rape in the military may be underreported both for the usual civilian reasons but also to prevent the loss of manpower, to avoid housing criminals, and to maintain an appearance of order. These military reasons are invoked most often during a war when manpower is crucial, bivouac at a minimum and order paramount. But they also apply, if with less urgency, during military occupations and in the basing of troops overseas.

The decision of whether to report a rape, and whether the offense will come to trial, is made by military commanders who retain enormous discretion, particularly in an investigation's early stages, such as the preliminary inquiry. If an officer decides that reporting a rape would be detrimental to military objectives, he may not report it. A recent example is a case in which the military discharged a US soldier accused of raping and murdering a 12-year-old Iraqi girl rather than trying him.<sup>1</sup>



**Colliers magazine cover depicting US-GIs  
in the thrall of Japan**

Yet military law, specifically extensive resort to court martial, has long been an important part of US military discipline. During WWII, as many as one in eight US soldiers were court-martialed for crimes committed while in the service.<sup>2</sup> Records regarding these cases are hard to obtain. According to Robert J. Lilly, the author of *Taken by Force: Rape and American GIs in Europe during WWII*, rape handled by lesser courts [other than the Judge Advocate's Court] and cases investigated by agencies other than the US Army's Criminal Investigation Division do not even appear in the JAG Branch Office records, the only records of offenses kept by the military.<sup>3</sup> Immediately after WWII even Congressional House members of the 1946 Military Affairs Committee complained that "The general Army practice is to let out as little information about courts-martial trials as possible."<sup>4</sup> This was particularly true of cases regarding rape. Discussing "Excessive and Disparate

Sentences," the Committee stated:

The most tragic [of these excessive sentences], of course, are the death sentences not commuted, about which it is so difficult to obtain information.<sup>5</sup>

Robert Lilly estimates some 17,000 rapes occurred in the European theater during WWII; however, the Judge Advocate General reports a total of 854 cases.<sup>6</sup> Lilly's explanations for the discrepancy include: the length of time it took for the European branch of the JAG to open—7 months—with the office being immediately and permanently overwhelmed, the large number of rapes handled by lesser courts with little documentation, many complaints going unprocessed in order to prevent embarrassing the soldiers or tainting the careers of officers, Army prejudice regarding the rape victim, and a military culture that placed little symbolic value in disciplining soldiers for rape. During a period of high incidence of rape, there might simply be too many cases to process.



### R.A.A. women waiting for GI patrons

Postwar, the laws governing rape by the military during WWII remained in effect. Factors specific to occupation may have made rape more common. Soldiers, fresh from battle may have lusted for revenge, and in the absence of military action, rape was one easy outlet. “Lust, liquor and loot are the soldiers’ pay” according to a “red-faced major” quoted by John Dos Passos in an article written for Life magazine, January 7, 1946 about the GIs occupying postwar Germany. Some soldiers may have blurred the distinction between prostitution and rape. The Christian Century for December 5, 1945 quoted the American provost marshal, Lieutenant Colonel Gerald F. Bean, as saying “that rape presents no problem for the military police because a bit of food, a bar of chocolate, or a bar of soap seem to make the rape unnecessary.”

Immediately after the Japanese surrendered in 1945, the Japanese Ministry of the Interior

made plans to protect Japanese women in its middle and upper classes from American troops. Fear of an American army out of control led them to quickly establish the first “comfort women” stations for use by US troops.<sup>7</sup> By the end of 1945, the Japanese Ministry of Home Affairs had organized the Recreation Amusement Association (R.A.A.), a chain of houses of prostitution with 20,000 women who serviced occupation forces throughout Japan.<sup>8</sup> (Many more women known as *panpan* turned to prostitution in the struggle to survive in the midst of the postwar devastation.) Burritt Sabin of the Japan Times reported in 2002 that just days before the R.A.A. was to open, hundreds of American soldiers broke into two of their facilities and raped all the women.<sup>9</sup> The situation prompted MacArthur and Eichelberger, the two top military men of the U.S. occupation forces, to make “rape by Marines” their very first topic of discussion.<sup>10</sup> Yuki Tanaka notes that 1300 rapes were reported in Kanagawa prefecture alone between August 30 and September 10, 1945, indicative of the pervasiveness of the phenomenon in the early occupation.<sup>11</sup>

Historian Takemae Eiji reports that

. . . US troops comported themselves like conquerors, especially in the early weeks and months of occupation. Misbehavior ranged from black-marketeering, petty theft, reckless driving and disorderly conduct to vandalism, assault arson, murder and rape. . . . In Yokohama, Chiba and elsewhere, soldiers and sailors broke the law with impunity, and incidents of robbery, rape and occasionally murder were widely reported in the press.<sup>12</sup>



### GI's photographing women

Two weeks into the occupation, the Japanese press began to report on rapes and looting.<sup>13</sup> MacArthur responded by promptly censoring all media. Monica Braw, whose research revealed that even mention of the atomic bombing of Hiroshima and Nagasaki, and particularly the effects of the bomb on civilians, were censored, maintains that pervasive censorship continued throughout the occupation years. "It [censorship] covered all means of communications and set up rules that were so general as to cover everything. It did not specify subjects prohibited, did not state punishment for violations, although it was clear that there were such punishments, and prohibited all discussion even about the existence of the censorship itself."<sup>14</sup>

Censorship was not limited to the Japanese press. MacArthur threw prominent American journalists such as Gordon Walker, editor of the *Christian Science Monitor*, and Frank Hawley of the *New York Times* out of Japan for disobeying his orders. Even internal military reports were censored.<sup>15</sup>

Five months after the occupation began, one in four American soldiers had contracted VD.<sup>16</sup> The supply of penicillin back in the U.S. was low.<sup>17</sup> When MacArthur responded by making

both prostitution and fraternization illegal,<sup>18</sup> the number of reported rapes soared, showing that prostitution and the easy availability of women had suppressed incidents of rape. John Dower, in his *Embracing Defeat: Japan in the Wake of World War II*, cites author Yoshimi Kaneko's claim that while the U.S./Japanese-sponsored brothels were open "the number of rapes and assaults on Japanese women were around 40 a day," but after they were closed, the number rose to 330 a day.<sup>19</sup> Yuki Tanaka records two major incidents of mass rape around the same time.<sup>20</sup> On April 4, fifty GIs broke into a hospital in Omori and raped 77 women, one a woman who had just given birth, killing the two-day-old baby by tossing it onto the floor. On April 11, forty U.S. soldiers cut off the phone lines of one of Nagoya's city blocks and entered a number of houses simultaneously, "raping many girls and woman between the ages of 10 and 55 years."

If these incidents are in any sense indicative, how are we to understand the fact that reports in U.S. archives about rape in postwar Japan are sparse: General Eichelberger issued three documents during the first year of the Japanese occupation admonishing the troops about their behavior, citing looting, rape and robbery.<sup>21</sup> General Eisenhower ordered a report about troop behavior on Japan and the Philippines in 1946. (The National Archives has the report's cover sheet, but not the report.)<sup>22</sup> Albert Hussey, one of the framers of the Japanese constitution, mentions the rise of "institutional rape." Under the cover of screening for venereal diseases, young women getting home from work were arrested in the subway or in the streets, pressed to have relations and/or examined by Japanese doctors in the presence of soldiers.<sup>23</sup> Rape continued during the occupation as indicated by the plea reported in the *NY Times* April 21, 1952, from a prominent woman leader, Ms. T. Uyemura, to Mrs. Ridgway, wife of MacArthur's replacement, General Ridgway, asking her husband to isolate the immoral US troops.<sup>24</sup>

Recorded courts-martial for rape during the occupation are few. The Judge Advocate General's Board of Review for the year 1946, when the R.A.A. closed, shows only 6 courts-martial.<sup>25</sup> *The Return of General Prisoners* from the 8th Army stockade in Tokyo, where all GI prisoners were incarcerated prior to being returned to the U.S., lists 6 soldiers sentenced for rape during spring 1946.<sup>26</sup> The Index to the Board of Review Opinions of the Branch Office of the JAG (1942-1949) shows only two courts-martial listed during the same period.<sup>27</sup>

French researcher Bertrand Roehner has made available the texts of hundreds of directives from the Supreme Commander of the Allied Powers to the Japanese government (called SCAPs, SCAPINS or SCAPINs) that reveal much more sexual violence occurred than has ever been acknowledged, a small window onto what went on behind MacArthur's wall of censorship.<sup>28</sup>

For example, the SCAPIN of August 31, 1949 is illustrative of another tactic MacArthur used to suppress reports of rape and other crimes by occupying forces. It shows that five Japanese were sentenced to hard labor "for spreading rumors derogatory to occupation forces" when American soldiers were accused of raping Japanese women.<sup>29</sup> Another instance of this policy is noted by Takamae Eiji:

When US paratroopers landed in Sapporo, an orgy of looting, sexual violence and drunken brawling ensued. Gang rapes and other sexual atrocities were not infrequent. Victims of such attacks, shunned as outcasts, sometimes turned in desperation to prostitution; others took their life rather than bring shame to their families. Military courts arrested relatively few soldiers for these offenses and convicted even fewer,

and restitution for the victims were rare. Japanese attempts at self-defense were punished severely. In the sole instance of self-help that General Eichelberger records in his memoirs, when local residents formed a vigilante group and retaliated against off-duty GIs, Eighth Army ordered armoured vehicles in battle array into the streets and arrested the ringleaders, who received lengthy prison terms.<sup>30</sup>

My uncle, Don Svoboda, unwittingly introduced me to this subject. He committed suicide in 2004, leaving behind audiotapes that spoke of the building of a gallows in Tokyo's 8th Army stockade where he served as an M.P. in 1946. In trying to discover whether an execution he had witnessed decades earlier had anything to do with his suicide, I interviewed many veterans who had served in the stockade. Five of them remembered "a colored boy" being executed for rape in May; none of them remembered his name; two thought there was more than one execution.<sup>31</sup> No records from the 8th Army stockade report any executions, and neither Truman nor MacArthur signed any military execution papers during 1946, the year that the soldiers remember the hanging.<sup>32</sup> In addition, no records speak of the use, or even the building of the very large gallows that all the vets remembered, including soldiers who were just passing through on their way to Korea in 1952, just before it was dismantled.<sup>33</sup>

If courts-martial for rape went underreported, perhaps so too did trials, prison sentences and executions for rape. In particular, keeping executions secret would be a logical extension of MacArthur's use of censorship. Did MacArthur order executions to send a message to the troops in order to bring rape under control but conceal it from the public and the press? The MPs assumed the execution(s) were

approved. Did MacArthur sign the execution papers and then have them destroyed? Were the executions handled extra-judicially by one of MacArthur's subordinates? James Zobel, the MacArthur Memorial archivist, referred to MacArthur's righthand man, General Willoughby, who was head of Intelligence in Japan, as a "burner."<sup>34</sup> An index at the National Archives contains a letter from a Mr. Leon Guess "concerning the number of Negro soldiers executed as a result of courts-martial" dated July 7, 1946, about the time it would take for news of a May execution to get back to the States, but there's only the index notation, no letter, the only one missing in the file.<sup>35</sup>

J. Robert Lilly, who has written extensively on executions of black soldiers during WWII, discovered that questioning the families of dead soldiers did not necessarily determine whether a soldier had been executed because sometimes the military reported deaths due to other causes.<sup>36</sup> In trying to trace the executed men, I found that pursuing the records of soldiers who died in occupied Japan was also fruitless. No soldiers were buried in Japan, and those executed are not distinguished from those who died accidentally or from natural causes.<sup>37</sup> In addition, many of the 202 Americans cremated in Japan are among those listed as unknown.<sup>38</sup> An examination of chaplains' and physicians' records regarding executions also reveals no relevant material.<sup>39</sup> Emailing and writing to the historian at the 8th Army Public Affairs office in Yongsan, Korea was met with silence.<sup>40</sup> Files around the subject of executions during the occupation consulted at the National Archives sometimes contain lists of the contents but no contents, a situation confirmed by Roehner's experiences at the Archives in the US and in Japan.<sup>41</sup>

Although Roehner maintains that a kind of "omerta" surrounds occupation records worldwide, there are other possible explanations for some of the omissions.<sup>42</sup> The 1973 National Archives fire offers one possible

explanation for the lack of documentation regarding soldiers' records--at least it is most often cited.<sup>43</sup> The Bush Administration's funding cuts to the National Archives make it very difficult for archivists to process or even become familiar with the huge holdings. Many of the occupation files in the National Archives are filed either with WWII or Korean War papers—but sometimes at the beginning of administrative files marked 1950, which makes them difficult to locate.

According to my uncle, most of the serious offenders in the 8th Army stockade were black. Alice Kaplan writes in *The Interpreter*, a book that discusses the discrepancies in sentencing between black and white servicemen convicted of rape in the European theater, that black troops who made up 8.5 percent of the armed forces during WWII were accused of committing 79 percent of all capital crimes.<sup>44</sup> Lilly reports that while 57% of the soldiers accused of sexual offenses in Europe were white, most of the convicted were black, some 66%.<sup>45</sup> "It is quite possible that the complaints against black soldiers were those the army *selected* to record, thus indirectly creating an incomplete and inaccurate account," he writes.<sup>46</sup> They were also more likely to be tried because of commander prejudice, many commanders being Southerners.<sup>47</sup> Although white and black soldiers were convicted of rape in both theaters during the war, only black servicemen were executed for this crime. Racial prejudice at a time when lynching was frequent in civilian life in the south and the military remained segregated is censorship's "elephant in the room."

Official figures about rape and executions for rape should be made available to scholars. The U.S. is embroiled in two wars in which issues of justice are hotly contested. American citizens need to know the real costs of that earlier "peaceful" occupation that is so often presented as a model for the future of Iraq and Afghanistan.

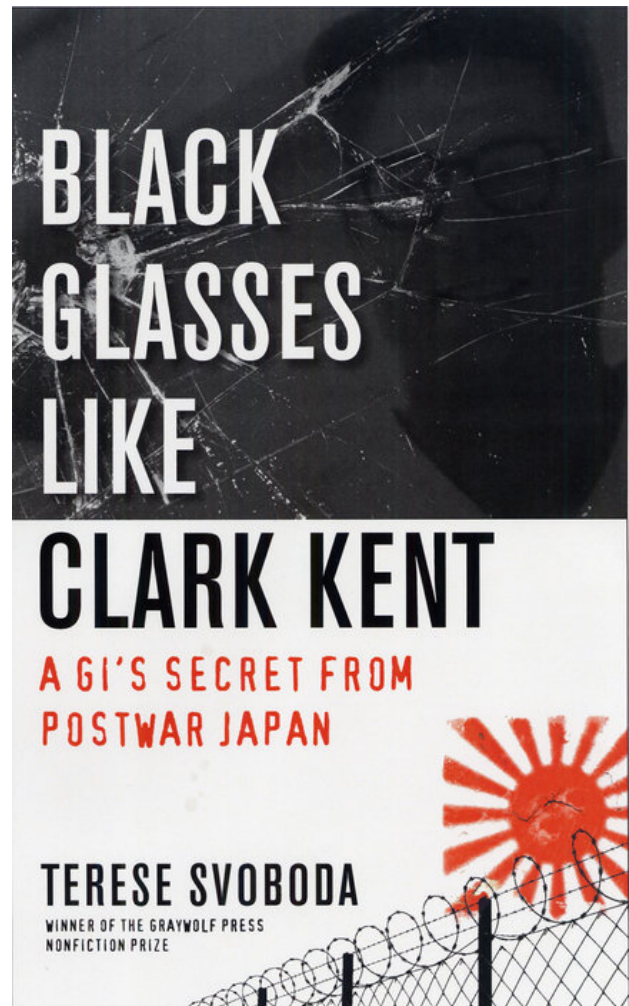
John Dower (among others) has stated that "In the case of Japan, there was not a single incident of terrorism against U.S. forces there after World War II."<sup>48</sup> This conclusion must be reviewed in light of the evidence of rape, execution, and suppression of evidence of violence in the early occupation. Not even the occupation's U.S. fatalities are available.<sup>49</sup> Roehner found no information about these fatalities from the Unit Historical Summary reports in the Quartermaster's Grave Registration Platoon History—the appropriate pages were missing.<sup>50</sup> He did discover that the British Commonwealth Occupation Forces' (BCOF) official figure for fatalities in Japan during 1945-1961 was three to four times higher than those for British Forces elsewhere during peacetime.<sup>51</sup> Given the fact that BCOF troops strength was roughly 40,000 and U.S. troops 200,000, Roehner extrapolates that approximately 4,100 Americans may have died during the occupation, adjusting for the different lengths of service between the BCOF and US troops, and other variables.<sup>52</sup>

The US government, with Japanese collaboration, has suppressed important information about crime and punishment during the occupation: it has concealed the numbers of rapes and the identity of the perpetrators; it has concealed the prosecutions, arrests and executions for rape and other crimes. There is reason to believe that the information is not only politically charged in terms of the US-Japan relationship, but that it is racially charged. Specifically, the extreme punishment of blacks charged with rape—in several cases including execution—is a reminder of the Jim Crow justice of an earlier era.

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*Black Glasses Like Clark Kent: A GI's Secret from Postwar Japan* (<http://www.amazon.com/dp/1555974902?tag=theasipacjo0b-20>), winner of the 2007 Graywolf Nonfiction Prize. Her second novel, *A Drink Called Paradise* (<http://www.amazon.com/dp/1582430012?tag=theasipacjo0b-20>), concerns the effects of US atomic tests in the Pacific islands.



*Terese Svoboda* (<https://apjif.org/-Terese-Svoboda>) is the author of *Race and American Military Justice: Rape, Murder, and Execution in Occupied Japan* (<http://www.japanfocus.org/-terese-svoboda/2737>).

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## Notes

<sup>1</sup> Barrouquere, Brett ([http://www.cleveland.com/nation/index.ssf/2008/08/judge\\_upholds\\_iraq\\_rape\\_charge.html](http://www.cleveland.com/nation/index.ssf/2008/08/judge_upholds_iraq_rape_charge.html)). "Judge Upholds Iraq rape charges" Cleveland Plain Dealer. August 26, 2008 Retrieved 2008-11-11. "Green had been honorably discharged from the military with psychiatric problems when allegations surfaced of U.S. military involvement in the slayings. He was arrested as a civilian."

<sup>2</sup> Turner, Lisa L (<http://www.airpower.maxwell.af.mil/airchronicles/apj/apj00/fal00/turner.htm> Accessed 2008-11-11). "The Articles of War and the UCMJ - widespread court martial cases in World War II led to the enactment of the Uniform Code of Military Justice." Aerospace Power Journal, Fall, September 6, 2000.

<sup>3</sup> Lilly, Robert. *Taken by Force: Rape and American GIs in Europe during WWII*. Hampshire: Palgrave, 2007. p. 34. . The lack of documentation from any of the lesser courts was noted by Frederick L. Borch of the JAG Legal Center and School Library in Charlottesville, VA by telephone on April 3, 2009.

<sup>4</sup> United States. House of Representatives Committee on Military Affairs. *Investigations of the National War Effort, Report of the Committee of Military Affairs, House of Representatives, 79th Congress, Second Session, Pursuant to H. Res. 20: A Resolution Authorizing the Committee on Military Affairs to Study the Progress of the National War Effort, June 1946*, GPO, 1946. p. 40.

<sup>5</sup> Ibid. p. 43.

<sup>6</sup> Lilly, Robert. *Taken by Force: Rape and American GIs in Europe during WWII*. p. 11.

<sup>7</sup> Yoshimi, Yoshiaki. *Comfort Women*. Columbia University Press, 2002. p. 49.

<sup>8</sup> Talmadge, Eric. "GIs Frequent Japan's 'Comfort Women'", Washington Post, April 25, 2007. Takamae Ejii. *Inside GHQ. The Allied Occupation of Japan and Its Legacy*, London: Continuum, 2002, p. 68-69. By the end of 1945, 90 percent of the RAA comfort women had reportedly contracted venereal disease.

<sup>9</sup> Sabin, Burrirt. "They Came, They Saw, They Democratized." *Japan Times* 28 April 2002. Also Manchester, William. *American Caesar: Douglas MacArthur 1880-1965*. Boston: Little, Brown, 1978. pp. 468-469.

<sup>10</sup> Tanaka, Yuki. *Japan's Comfort Women: Sexual Slavery and Prostitution during World War II and the US Occupation*. Routledge, 2001. p.123

<sup>11</sup> Tanaka, Yuki. *Hidden Horrors: Japanese War Crimes in WWII*. Boulder, Colorado: Westview Press, p. 103. There are 47 prefectures in Japan.

<sup>12</sup> Takamae Ejii. *Inside GHQ*, p. 67.

<sup>13</sup> Roehner, Bertrand M. *Relations Between Allied Forces and the Population of Japan 15 August 1945-31 December 1960*. Paris: University of Paris, 2007. Revised 2 September 2008. p. 54.

<sup>14</sup> Braw, Monica. *The Atomic Bomb Suppressed, American Censorship in Japan 1945-1949*. Lund Studies in International History 23 1986. p. 47. See also Takamae Ejii. *Inside GHQ*, p. 67.

<sup>15</sup> Roehner, p. 88.

<sup>16</sup> Tanaka, Yuki, *Japan's Comfort Women*, p. 161.



- <sup>17</sup> Tanaka, Yuki, Japan's Comfort Women, p. 158.
- <sup>18</sup> Tanaka, Yuki. Japan's Comfort Women, p. 162.
- <sup>19</sup> Dower, John. Embracing Defeat, p. 579, fn 16.
- <sup>20</sup> Tanaka, Yuki. pp. 163-164.
- <sup>21</sup> Eichelberger, Lt. General. Letter to Commanding Officer, Eighth Army Stockade. 20 Sep 1946. General Correspondence Files ca. 1947; Adjutant General Section, IX Corps; Far East Command, Department of Defense; Record Group 338; National Archives at College Park, MD. Also see Roehner. p. 108. See also MacArthur, Douglas. Letter to All Unit Commanders. 22 June 1946. Entry A-1 135; File 250.1; Occupation Files 1945-1950; General Correspondence; Department of Defense. Far East Command. Eighth Army. Provost Marshal Section. Record Group 338; National Archives at College Park, College Park, MD. It begins "Since publishing my letter to you of 10 June regarding the behavior of our troops, I have received an increasing number of reports of crimes committed by Americans." See also Letter to Commanding General, Eighth Army. 8 Nov 1946. Entry A-1 135; File 250.1; Occupation Files 1945-1950; General Correspondence; Department of Defense. Far East Command. Eighth Army. Provost Marshal Section; Record Group 338; National Archives at College Park, College Park, MD. MacArthur complains in the letter that less than 50% of the reported rapes, assaults and robberies were investigated and only one-third of the burglaries. This is after receiving another letter from the Commanding General reporting misconduct of occupation troops against Japanese Nationals for the month of September, 1946.
- <sup>22</sup> Roehner. p. 72. See also p. 236 where Roehner writes: "The report has probably been removed in the period of strict censorship and has not been replaced afterward."
- <sup>23</sup> Hussey Papers, National Diet Library. Tokyo, Japan. Reel 9. 1946. I am indebted to Roehner for this information.
- <sup>24</sup> Roehner. p. 176.
- <sup>25</sup> United States. Office of the JAG. Holdings, Opinions, and Reviews: v.1-81 + 2 index volumes. GPO, 1924 - 1949 and 1944 - 1949. See also Holdings, opinions, and reviews. Branch Office of the JAG, SW Pacific Area. Washington: Office of JAG, 1946.
- <sup>26</sup> "Return of General Prisoners" A1-149; 8th Army Stockade 1946; General Correspondence, 1946-1951; Provost Marshal Section, Far East Command, Department of Defense, Record Group 554; National Archives at College Park, College Park, MD. The 8th Army Historical Report from JAG shows 5 rapes tried in 1946. Monthly Occupation Historical Reports; File 108-DE (4)-0.2; Central Records Depot; March 1946-June 1946. Record Group 407; National Archives at College Park, College Park, MD.
- <sup>27</sup> United States. Office of the JAG. JAG's Corps Board of Review and Judicial Council Holdings, Opinions, and Reviews. Washington, D.C. : Office of the Judge Advocate General, 1949-1951.
- <sup>28</sup> Roehner to author, e-mail April 3, 2009. See also his Relations Between Allied Forces and the Occupation of Japan, pp. 10-258.
- <sup>29</sup> Roehner. p. 167.
- <sup>30</sup> Takamae, Eiji, Inside GHQ. p. 67.
- <sup>31</sup> M., Vincent, Jack W., Leroy S., and John J. Telephone interviews. 13 Apr 2007. Also M., William. "Re: Names. Email to author. 21 July 2007. See also McMillen, Joanne (<http://www.rose.edu/EOCRHC/MWCRotary-Fyffe,B.2.htm> 11-11-2008). "Interview with Billy Fyffe." Eastern Oklahoma History Collection,

Midwest City Rotary Club. 24 June 2004.

<sup>32</sup> Zobel, James. "Re: May." Email to author. 21 June 2007.

<sup>33</sup> Corey, A.G. Telephone Interview. 10 July 2005.

<sup>34</sup> Zobel, James. Telephone interview. 31 Mar 2006.

<sup>35</sup> Racial Incident; File 291.2; Cross Reference Index to the Series Central Decimal Correspondence Files, 1940-1945,' 1940-1945 and Central Decimal Correspondence Files, 1940 - 1945; War Department. The Adjutant General's Office. Record Group 407; National Archives at College Park, College Park, MD.

<sup>36</sup> Lilly, J. Robert and Thomson, J. Michael. "Executing U.S. Soldiers in England, WWII: The Power of Command Influence and Sexual Racism" Northern Kentucky University, Salmon P. Chase College of Law. 1995. p. 16. See also Kaplan, Alice. The Interpreter. New York: Free Press/Simon and Schuster, 2005. pp. 168-170.

<sup>37</sup> Heilhecker, Larry. "Re: Clark Cemetery." Email to author. 24 May 2007. Also List of Decedents PHILCOM Determined to be in "Dishonorable" Status, whose Cases are Being Processed and on when Disinterment Directives will be Issued at a Later Date; File 314.6; Correspondence Misc. File 1939-1954; Office of the Quartermaster General; Record Group 92; National Archives at College Park, College Park, MD.

<sup>38</sup> "Graves Registration WWII." Japan and Philippine Plots. USAF Mausoleum Yokohama No. 2; Office of the Quartermaster General; Record Group 92; National Archives at College Park, College Park, MD.

<sup>39</sup> Buehner, Andrew J. "Chaplain Oscar W. Schoech Missionary to War Criminals." Concordia Historical Institute Quarterly. Vol 57, No.1 (1984). Also Mahar, William. "Re:

Search." Email to author. 24 July 2007.

<sup>40</sup> Author's inquiries October 2004, December 2005.

<sup>41</sup> Roehner, p. 235. A full discussion of missing documents can be found in my memoir, Black Glasses Like Clark Kent.

<sup>42</sup> Roehner, "Re: Congratulations." Email to author. 9 Aug 2007.

<sup>43</sup> National Personnel Records Center (<http://www.archives.gov/st-louis/military-personnel/fire-1973.html>), St. Louis. "The 1973 Fire at the National Personnel Records Center". Accessed 2008-11-11.

<sup>44</sup> Kaplan, Alice. The Interpreter. New York: Free Press/Simon and Schuster, 2005. 156.

<sup>45</sup> 1% are Mexican/American. Lilly, J. Robert. "Death Penalty Cases in WWII Military Courts: Lessons Learned from North Africa and Italy. Northern Kentucky University. Salmon P. Chase College of Law. 1995. p. 16, and Kaplan 2004." p. 16.

<sup>46</sup> Lilly, Robert. p. 24.

<sup>47</sup> MacGregor, Jr., Morris J (<http://www.army.mil/CMH/books/integration/IAF-08.htm>). "Segregation's Consequences." Defense Studies Series: Integration of the Armed Forces 1940 - 1965. 1979. Chapter 5. 2 May 2001. 15 Oct 2007. Accessed 2008-11-11.

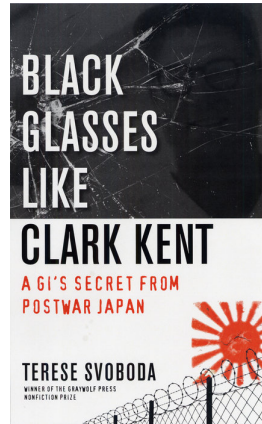
<sup>48</sup> Wallis, David. "Questions for John W. Dower: Occupation Preoccupation." The New York Times. 30 Mar 2003. 9. See also Roehner, p. 25.

<sup>49</sup> Even inquiries about this lack to the Statistical Abstract of the United States were met with silence. Author's email 3-29-09.

<sup>50</sup> Roehner, p. 231.

<sup>51</sup> Roehner, p. 25.

<sup>52</sup> Roehner, p. 34.



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(<http://www.amazon.com/dp/1555974902/?tag=theasipacjo0b-20>).