

# The Tokyo Tribunal, War Responsibility and the Japanese People

Awaya Kentaro

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By Awaya Kentaro

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Approaching the 60th anniversary of the opening of the Tokyo Tribunal in 2006, public opinion was divided over Prime Minister Koizumi's visits to Yasukuni Shrine. One reason for opposition to the visit was that Tokyo Tribunal Class A war criminals are enshrined there.

On August 15 1985, then Prime Minister Nakasone Yasuhiro, despite strong domestic and international criticism, carried out an official visit to Yasukuni. The government later acknowledged during parliamentary questioning that it had accepted the verdict of the Tokyo Tribunal through the San Francisco Peace Treaty. As a result, Prime Minister Nakasone refrained from further visits to the shrine from the following year. Though aware of these historical developments, Prime Minister Koizumi Junichiro has persisted in visiting Yasukuni Shrine since his assumption of office in 2001. In 2005, he again visited the shrine in the face of strong criticism in Japan and abroad. Conservative newspapers like the Sankei Shinbun take the view that "visiting the shrine is not a Treaty violation." This argument, however, is not in the least compelling [1]

In public opinion surveys, while opposition to Prime Minister Koizumi's Yasukuni Shrine visits is marginally greater, the numbers of those who voice support are not insignificant. This is, I believe, a reflection of popular attitudes toward the Tokyo Tribunal. This article will focus on the problem of 'The Tokyo Tribunal and the contrition of Japanese people at that time.'

### Tojo Hideki's disgraceful behaviour

The Tokyo Tribunal was convened on May 3 1946. After the testimony, counter-testimony, rebuttal, counter-rebuttal, and closing statements of both the prosecutor and the defense, the trial was concluded on April 16 1948 and the court adjourned. The court then reconvened on November 4 1948, the reading of the verdict concluded on November 12, and sentences were handed down.

With the convening of the Tokyo Tribunal, the Allied Powers and especially the U.S. Government and GHQ (SCAP) had a particularly strong interest in the reaction of the Japanese people to the Tokyo Tribunal and their sense of war responsibility. For the Japanese, the initial shock came with the first war arrest warrants by the Occupation Forces on September 11, 1945. When the U.S. forces sought to execute these warrants, former Prime Minister Tojo Hideki unsuccessfully attempted to take his own life. The sensation caused by the attempted suicide of the man who had been responsible for issuing the admonition in the Senjinkun (Imperial Japanese Army Field Service Code) to "live without the humiliation of being taken prisoner and die without leaving

a blemish on your name” was immense.



Tojo Hideki awaits sentencing, November 24, 1948.

The Home Affairs Ministry compiled a report on popular reactions from each region, but recorded the overall situation as follows: “Regarding General Tojo’s decision to commit suicide, those completely sympathetic to the timing, method, and attitude shown in the suicide are exceedingly rare, and most people are thoroughly critical and reproving. The main reactions are as follows:

1. The entire population has had their expectations completely betrayed because they believed that General Tojo had refrained from taking his life till now in order to be able to stand before the allied tribunal as the person bearing highest responsibility for the war and proudly uphold the justice of the Japanese cause.
2. If Tojo was going to attempt suicide, he

should have done it directly after the Imperial declaration of the end of the war.

3. Hurriedly attempting to shoot himself with a pistol when the American troops arrived is not the mark of a soldier. If he had died then and there, well and good, but to survive was truly humiliating. Then to let himself go and to blather away saying things that did not need to be said - well, we can only hope he will not cause the country harm ...”

### **America’s exoneration of the Emperor**

Elsewhere a September 13 report from police headquarters commented that “there is concern that the emperor might be affected.” With Tojo’s failed suicide attempt, anxiety began to surface that the search for those with war responsibility would reach the Showa Emperor. The arrest of war criminals continued after this and there was tacit consent or support amongst the people. Because the Occupation forces were letting various truths about the war be known through the press, the understanding amongst the population that they had been ‘deceived’ by military leaders and bureaucrats intensified and disaffection with these groups increased.

The Showa Emperor was the exception. A radical movement to pursue the Emperor as a war criminal developed among the core group of the newly re-established Communist Party, while from a different perspective, other groups, primarily intellectuals, began to favor the idea that the emperor ought to abdicate to accept a certain measure of war responsibility. The fact remains, however, that public opinion at the time supported the protection of the Emperor. An important factor here may have been the American anti-Japanese propaganda during the latter years of the Asia Pacific War. The U.S. tried to drive a wedge between the military, which it attacked, and the Emperor and the people, which it did not attack. This continued as part of Occupation strategy and

the political myth that ‘the Emperor and the people were fooled by the military’ permeated deeply throughout the population. As a result, popular acceptance of criticism of military leaders and of the responsibility of leaders revealed at the Tokyo Tribunal gradually strengthened and coalesced around the exclusion of the Emperor from war responsibility.



Hirohito remade in a civilian image and guarded by U.S. forces, September 1945.

Nonetheless, the popular view of ‘the responsibility of the leaders’ was mostly passive, overshadowed by a consciousness that the people were in fact victims. Virtually no sense of responsibility for attacks against the peoples of Asia was evident, nor was there any movement to pursue in a positive way questions of war responsibility. This may be seen as the origin of the failure of many people to accept war responsibility or to adopt as their own the

task of ‘overcoming the past.’

Through the Tokyo Tribunal, people became aware of and were shocked by the brutal actions of the military such as the Nanking Massacre and similar matters revealed by the prosecution. But as proceedings became drawn out, interest diminished and the spectacle even arose of ‘Tojo popularity’ (Tojo ninki). This was due to the fact that while many defendants were only interested in self-vindication, Tojo resolutely defended the policies of the Japanese government during the war and stood up to Prosecutor Keenan.

This strategy, however, also met with a degree of failure. Tojo’s testimony on New Years Eve 1947 hinted at the Emperor’s war responsibility. This worried Prosecutor Keenan and those close to the Imperial Court who had decided that the Emperor should be immune from responsibility. Ultimately, however, through behind-the-scenes manoeuvring, Tojo revised his comments early the following year, and this was the only point during the Tribunal when the actions of the Emperor surfaced.

### Conscientious criticism blocked

The U.S. authorities were paying attention to the reactions of the Japanese people, and the report “Japanese reactions to the Class A War Crimes Tribunal” prepared in August 1948 by the Far Eastern Section of the State Department’s Bureau of Investigation analysed it in this way: “The attitude of many Japanese towards the trial is acquiescence to it as something that was bound to happen because Japan lost the war.

Rather than focusing on the war responsibility of the defendants resulting from their war crimes, criticism is concentrated on their responsibility for leading the nation into defeat and bringing shame and misery. That is, rather than responsibility for waging the war, the people are problematizing their leaders’

responsibility for losing it.” The report continued: “The coolness of the Japanese people towards the trial, if that can be considered their true sentiment, is also related to the fact that the Emperor’s war responsibility is not being questioned. Moreover, even if there is deep opposition to the abdication of the Emperor, at the very least the people consider the Emperor morally responsible for the war.”

The report went on to affirm that, “For a time after the end of the war, the Japanese people clearly demanded that the war responsibility of former leaders who lead their country into a tragic war be exposed. The Japanese people publicly censured the militarists and their supporters, and on occasion, even the role played by the Emperor during the war became the subject of wide-ranging debate. At present, however, the demand to clarify war responsibility is slowly being replaced by the belief that national unity is indispensable for the rapid reconstruction of the country” [2]

The same report suggests that as the Cold War between East and West intensified, the U.S. halted the war crimes tribunal and began to emphasize economic development over the pursuit of Japanese war responsibility. Japanese popular responses also began to shift in this direction. But it should not be forgotten that this report was based on an analysis of newspaper bulletins at a time when GHQ was censoring all publications. It should also be kept in mind that GHQ in principle forbade criticism of the Tokyo Tribunal whether from the left or right, and that public opinion was moulded by the censors to suit GHQ. The materials in the Prange Collection at the University of Maryland, (which holds Japanese newspapers, publications, and films produced during the Occupation) reveal that most rightwing criticism of the Tokyo Tribunal was censored. Conversely, the pioneer human rights activist and lawyer Fuse Tatsuji and others at their symposium reported in Jiyu

konwakai (Talk on Freedom) called for appointment of a Japanese prosecutor and pointed out the Emperor’s war responsibility. Chofumi Tsura, a journalist and historian who attended that symposium, commented that “it is absurd that the Japanese colonial rule of Taiwan and Korea is not being tried at the Tokyo Tribunal.” He commented not only on the war responsibility of the Emperor but also on the war responsibility of the Japanese people themselves. His article about the symposium was completely deleted by the censors. The Occupation forces did not permit even the kind of speech that might be considered by today’s standards legitimate criticism. The case of Jiyu konwakai is but one example among many.

### **The shameful behaviour of the Japanese**

Six years after the conclusion of the Tokyo Tribunal in August 1955, the Japanese government surveyed 3000 men and women on “The attitude of people towards war responsibility” (64.7% response rate). During the interval between the Tokyo Tribunal and the survey, the ‘reverse course’ had occurred, the Korean War began, and the San Francisco Peace Treaty was ratified, but it is clear from the survey that subjective self-awareness surrounding the Tokyo Tribunal had grown more warped and degenerate. To the question “Political and military leaders during the war were punished by the victor nation through a military court: do you think it natural for this to happen after having started a war? Do you think it inevitable considering Japan lost the war?” 19% responded that they thought it was ‘natural,’ 66% answered that they thought it ‘inevitable,’ and 15% said that it was ‘unclear.’ Furthermore, to the question “Even if Japan lost, do you think that the Tokyo Tribunal was an abysmal way to resolve matters?” 63% of people answered that they thought it was “utterly appalling” (hidosugiru) while only 31% answered “I don’t think so” [3]



The mitigation of the sentences of war criminals and the agitations for parole symbolized the popular reaction to the Tokyo War Crimes Tribunal. After the Peace Treaty went into effect, ‘Sugamo Prison’ had its name changed to Sugamo Detention Centre. Utsumi Aiko from Keisen University points out that “the parole-for-war-criminals movement was driven by two groups: those from outside who had ‘a sense of pity’ for the prisoners; and the war criminals themselves who called for their own release as part of an anti-war peace movement. The movement that arose out of ‘a sense of pity’ demanded ‘just set them free (tonikaku shakuho o) regardless of how it is done’. The situation heated up to such an extent that expressions like ‘if you are Japanese, sign!’ became a catch phrase.”



Sugamo Prison, 1947

More than ten million people supported the 1952 campaign petitioning for the release of war criminals. In the face of this surge of public opinion, the government commented that “public sentiment in our country is that the war criminals are not criminals. Rather, they gather great sympathy as victims of the war, and the number of people concerned about the war crimes tribunal system itself is steadily increasing.” Not only that, but visits to Sugamo to express support for the inmates by entertainers including dancing troupes, rakugo

storytellers, and manzai comics, as well as ‘Sugamo visitations’ (Sugamo mode) by prefectural friendship societies, boomed. “The cold stare directed at war criminals transformed into a sympathetic gaze on them as war victims; they even began to be referred to as war heroes ... and little by little the sense of war responsibility eroded” [4]

This trend amounted to forgetting about Article 11 of the San Francisco Peace Treaty in which Japan accepted the verdicts of the Tokyo Tribunal and the B and C level tribunals.



Four Japanese officers await trial for war crimes at Labuan Island, December 1945.

Yasukuni Shrine visits became the symbol of this loss of memory, not only for the people but also for the government. We cannot talk of great gaps in post-war history without understanding this forgetfulness. The popular attitude towards the Tokyo Tribunal that tried the A-class war crimes was from beginning to end lacking in subjective self-consciousness, and even today provides grounds for the criticism of the people of Asia about Japan’s ‘inability to deal with the past.’

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[1] Awaya Kentaro, *Tokyo Saibanron*. Tokyo:

Otsuki Shoten, 1989.

[2] Quoted in Yoshida Yutaka, *Nihonjin no sensokan*. Tokyo: Iwanami Shoten, 1995.

[3] Cabinet and Prime Minister's Office Deliberative Council, *Sengo junen no kaiko to tenbo: kokumin no seijiteki iken*, 1956; Quoted in Yoshida Yutaka, *Nihonjin no sensokan*.

[4] Quoted in Sugamo Purison. Tokyo: Yoshikawa Kobunkan, 2004.