

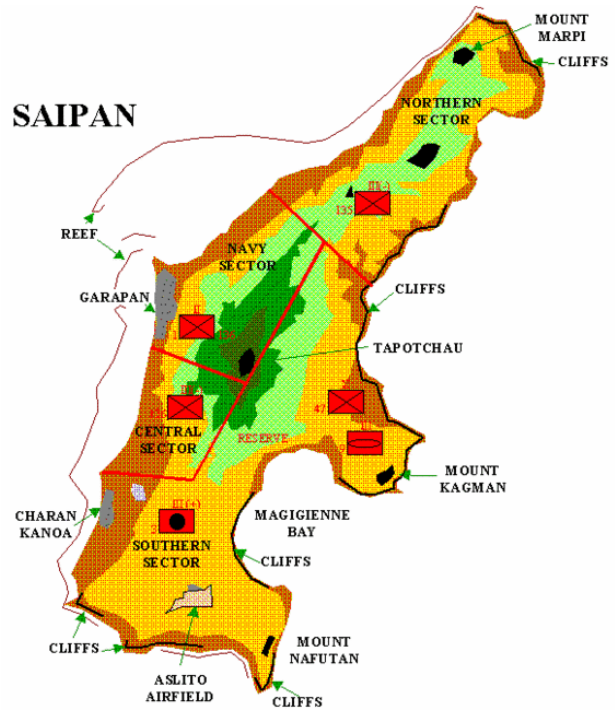
Japanese War Dead Skulls from Saipan at UC Museum: Calls For Return of the Remains

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The Battle of Saipan in the Mariana Islands, fought between June 15 and July 9, 1944, was among the most bitterly contested of the Asia-Pacific War. With Japanese forces dug into caves and determined to fight to the death, casualties mounted. According to the US Military History, some 24,000 Japanese soldiers were killed and 5,000 committed suicide while 2,949 Americans died and 10,364 were wounded. According to historian John Toland, 22,000 Japanese civilians, as well as an unspecified number of islanders also died, some by compulsory suicides.



THE DEFENSE

Japanese defenses on Saipan

The skulls and bones of Japanese war dead from the World War II Battle of Saipan are being kept at UC Berkeley in apparent violation of the Geneva Conventions for the protection of war victims, The Chronicle has learned.



The skulls are kept in a vault beneath the Hearst Gymnasium for Women building

The remains of several Japanese soldiers or civilians removed from the island of Saipan in 1945 by a Navy doctor are housed on storage shelves maintained by the Phoebe A. Hearst Museum of Anthropology on the UC Berkeley campus, museum officials have confirmed.



Aisle E is one of the museum corridors where human remains are stored

The admission has sparked the fury of international law experts and anthropologists, who say the university has a legal and ethical duty to return the remains to Japan.

Three sets of skeletal remains with skulls, and various bones of three additional Japanese war dead without skulls, are stored in wooden containers in vaults beneath the Hearst Gymnasium swimming pool.

International law experts say the United States is violating the Geneva Conventions by allowing the museum to possess and do scientific research on the remains of Japanese who committed suicide - some who may have jumped off cliffs rather than surrender in the American invasion of Saipan.

U.S. military regulations, including the Uniform Code of Military Justice and the Commanders Handbook on the Law of Naval Operations, call for the honorable treatment of war victims in accordance with the Geneva Conventions, a series of international treaties that encompass the laws of war and specifically prohibit pillaging of the dead.

UC Berkeley executives say they thought they had legal authority to keep the remains in the public institution's vast collection, which also includes about 10,000 remains of Native Americans. However, after The Chronicle contacted them about the Saipan remains, they now say they are looking into the matter.

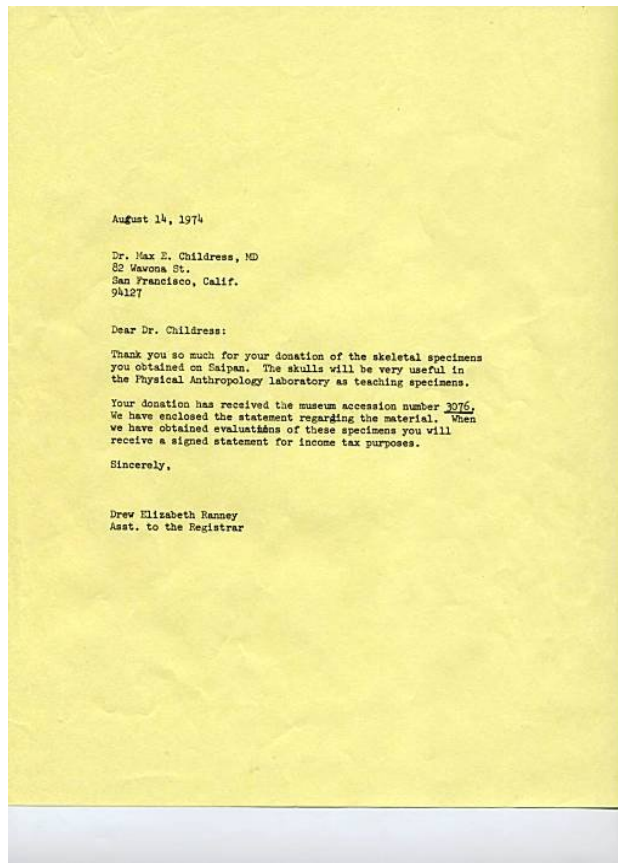
Museum officials note that its cache of human remains from overseas is a valuable resource for osteology - the scientific study of bones. Judson King, the museum's interim director, said the collection of human remains is treated with sensitivity.

"We handle them with a lot of respect," King said. "We've certainly made efforts to have the

storage facilities be as respectful as possible."

'Ill-gotten goods'

But experts on international law and anthropology are outraged. They question whether Navy officials and museum curators ever attempted to repatriate the skulls and bones, which were collected in 1945 by Dr. Max E. Childress, a lieutenant commander in the U.S. Naval Reserve medical corps.



A letter from UC's assistant registrar thanks Dr. Max E. Childress

"Is this ethically correct? No, because these are historical remains and war booty. They're ill-gotten goods," said UC Berkeley medical anthropology Professor Nancy Scheper-Hughes. "They are somebody's relatives that can be identified very easily with due diligence. Why don't they do it?"

She said the remains should be handed over to Japanese authorities.

"It's common decency. You don't hang on to historical remains of enemy combatants in a decent museum. It's not Ripley's Believe It or Not. It's not a freak show," Scheper-Hughes said.

Geneva violations?

International law experts say the handling of the Japanese dead in this case violates the Geneva Conventions of 1929 and 1949, ratified by the United States, Japan and nearly 200 nations.

"I've never heard of anyone ever keeping the remains of deceased enemy combatants," said international law Professor Dennis Mandasger of the Naval War College. "In the normal course of events, some nations bury the dead on the battlefield, and other nations like the United States work to bring back the combatants. ... How would a parent or spouse feel if the remains of a spouse or son were stuck in a museum in Tokyo?"

Yoram Dinstein, a professor emeritus at the University of Tel Aviv and a leading scholar on the laws of war, said that under the 1929 Geneva Convention, there is a duty to ensure that the dead are honorably interred.

"I don't think that keeping skulls and bones of the dead in a museum is in harmony with that," Dinstein said.

Dinstein noted similar provisions in the 1949 treaty and said: "In my opinion, once this comes to light, the obligation is on the U.S. government to abide by its international undertakings."

Cynthia Smith, a Defense Department spokeswoman, said the Navy will look into the matter. "This was a 1945 case," she said. "This is going to take some time."

Tens of thousands of civilians and Japanese soldiers were killed during the U.S. invasion of Saipan that began June 15, 1944. Over the next three weeks, aerial bombardment, shelling by warships and the landing of Marines overwhelmed the Japanese.

Mass suicides

To avoid surrender to American troops, thousands of Japanese soldiers and civilians committed suicide, many jumping off cliffs to their death. One cliff became known as Suicide Cliff, another ledge where suicides occurred was called Bonzai Cliff.

The museum's card catalog describes the Saipan remains, listed as items 12-11061 through 12-11066, as "Japanese who committed suicide during the American invasion." But it is unclear how Childress, who died about five years ago, obtained the remains. It is also unclear whether these victims were combatants or civilians.

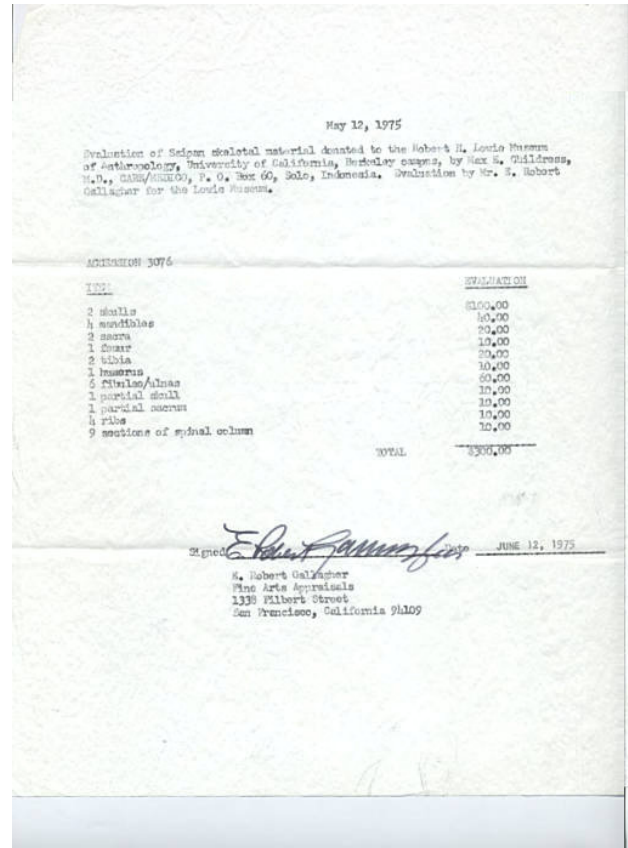
Childress obtained a one-sentence note in November 1945 from a colleague of the same rank that provided him low-level approval to remove the remains from Saipan "for the purpose of osteological research."

However, senior military leaders, concerned that U.S. personnel might collect Japanese skulls as keepsakes during the war, had laid down rules against it. In 1942, the commander in chief of the Pacific Fleet ordered "stern disciplinary action" against anyone taking enemy body parts as souvenirs. In 1944, the Joint Chiefs of Staff ordered commanders to adopt strict rules to prevent the taking of skulls as war trophies.

'Scientific purposes'

Childress kept the Saipan remains in his private collection for nearly 30 years before donating them in 1974 to the Hearst Museum.

"They were given to the museum for scientific purposes," King said, adding they were used in 1995 and 1998 in osteological research funded by federal grants.



An appraiser assigned a value of \$300 to items that included the remains of Japanese war dead that Dr. Max E. Childress donated to the museum in 1974.

UC officials denied a request from The Chronicle to tour the storage areas where the remains are kept, saying they are off-limits except to researchers, museum staffers and tribal members. UC Berkeley Chancellor Robert Birgeneau and Professor Tim White, the museum's curator of osteology, declined to comment.

Recovering human remains from overseas is a sensitive issue. U.S. officials have cried foul when nations have failed to return the remains of U.S. military forces.

The Defense Department's Joint Accounting Prisoners of War-Missing in Action Command has undertaken field trips to World War II battlefields, including Saipan, to search for the remains of U.S. war dead. When human remains are determined to be "probable Japanese," the agency's standard procedure is to work with the Japanese Consulate to have the remains returned to the government of Japan. Saipan is the largest island in the U.S. commonwealth of the Northern Mariana Islands.

Giving proper burial

Similarly, Japanese government agencies have made expeditions to islands in the Pacific to recover the remains of Japanese war dead so that they can give proper burial to those victims.

Izumi Yamanaka, a spokeswoman at the Japanese Embassy in Washington, said of the remains being kept at UC Berkeley: "I don't think we have any official statement regarding the issue."

Asked whether the museum has other Japanese human remains, King said: "There may be. I don't have enough familiarity to say that."

UC's collection of bones

The collection of human remains at the Phoebe A. Hearst Museum of Anthropology at UC Berkeley includes skulls and bones from:

- Angola
- Canada (Native American)
- Caroline Islands
- China
- Ecuador
- Egypt (ancient)
- England
- Ethiopia
- Fiji (excavated burials)
- Java
- Jordan

- Italy/Etruscan (ancient)
- Mexico (ancient)
- The Netherlands
- New Caledonia
- New Hebrides
- Northern Mariana Islands (remains from Saipan and Tinian)
- Peru (ancient)
- Philippines
- Saudi Arabia
- Sudan
- Uganda
- United States (Native American/possible early settlers)

State lawmakers have called upon the University of California to immediately return to Japan the skulls and bones of Japanese war victims from World War II's Battle of Saipan that are being stored in an anthropology museum on the UC Berkeley campus.

They also asked UC officials to issue a formal apology to the Japanese government for not only keeping the Saipan remains in the museum's vast collection of skulls and bones, but also for using the remains in scientific research.

House Speaker Nancy Pelosi, D-San Francisco, has also voiced concern and made inquiries about the remains.

"What they've been doing is absolutely horrific," said state Sen. Gloria Romero, D-East Los Angeles, who chairs the Senate Education Committee. "These were human lives with families and children. They're not simply artifacts for some experiment."

UC Berkeley Chancellor Robert Birgeneau and UC President Mark Yudof declined to comment.

International law experts assert that the United States is violating the Geneva Conventions for the protection of war victims and customary international law obligations codified by the International Committee of the Red Cross. The

Geneva Conventions, which call for the honorable interment of the dead, specifically prohibit the pillaging of human remains.

Drew Hammill, a spokesman for Pelosi, said she has made inquiries to the Defense Department.

"The speaker has grave concerns about this issue," Hammill said.

Defense Department lawyers are working with the Navy and the State Department to examine the matter, said Pentagon spokeswoman Cynthia Smith.

"There's a lot of coordination that needs to go on to get to the ground truth here," she said.

"Now that this has come to light, UC should have a respectful and expedited process to return the families' remains to the native country. To do otherwise would be unconscionable," said state Assemblyman Anthony Portantino, D-La Cañada Flintridge (Los Angeles County), who chairs the Assembly Higher Education Committee.

State Senate President Pro Tem Darrell Steinberg, D-Sacramento, said UC should return the remains to Japan immediately. "For any Californian, think how you would feel if this was your grandparent," Steinberg said.

It is unclear whether the remains were of Japanese soldiers or civilians. Thousands of soldiers and civilians committed suicide during the invasion of Saipan - jumping off the island's

cliffs into shark-infested waters rather than surrender to American forces.

"Here we have supposedly one of the most prestigious institutions, and they operate in such wanton disrespect for basic humanity. It's just incredible," said state Sen. Leland Yee, D-San Francisco, a frequent critic of the university's policies and practices.

Tadayuki Mizutani, a first secretary at the Japanese Embassy in Washington, said the United States and Japan have worked closely in returning human remains from World War II that have been found on islands in the Pacific.

Mizutani would not comment on this particular case, but said: "If my father fought in World War II and I had found that his bones were (in California), I would want the bones repatriated."

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