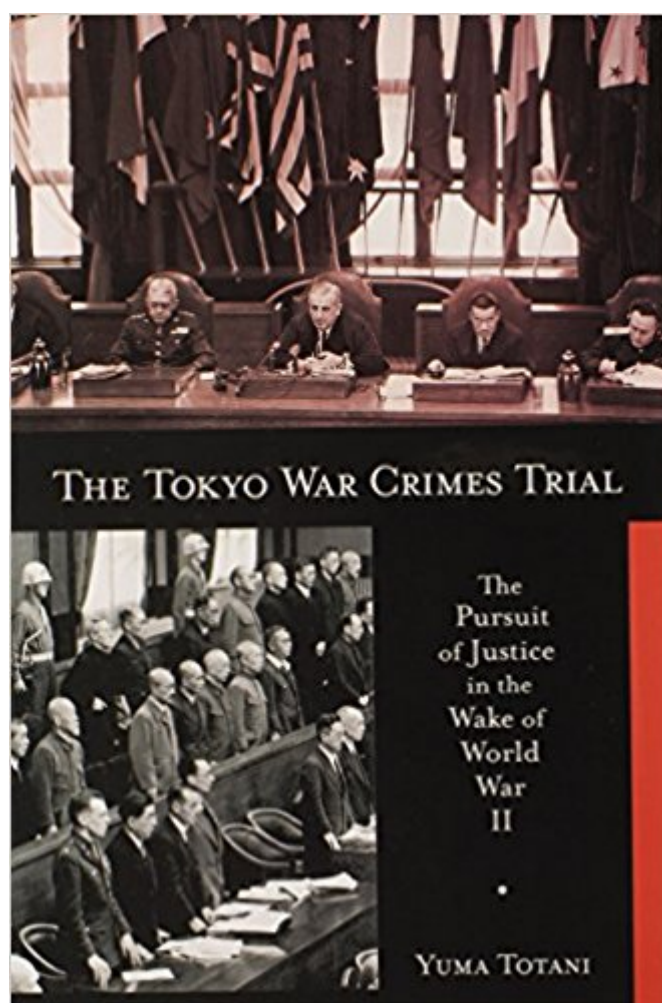


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# The Tokyo War Crimes Trial: The Pursuit Of Justice In The Wake Of World War II (Harvard East Asian Monographs)



## Synopsis

This book assesses the historical significance of the International Military Tribunal for the Far East (IMTFE) — commonly called the Tokyo trial — established as the eastern counterpart of the Nuremberg trial in the immediate aftermath of World War II. Through extensive research in Japanese, American, Australian, and Indian archives, Yuma Totani taps into a large body of previously underexamined sources to explore some of the central misunderstandings and historiographical distortions that have persisted to the present day. Foregrounding these voluminous records, Totani disputes the notion that the trial was an exercise in “victors’ justice” in which the legal process was egregiously compromised for political and ideological reasons; rather, the author details the achievements of the Allied prosecution teams in documenting war crimes and establishing the responsibility of the accused parties to show how the IMTFE represented a sound application of the legal principles established at Nuremberg. This study deepens our knowledge of the historical intricacies surrounding the Tokyo trial and advances our understanding of the Japanese conduct of war and occupation during World War II, the range of postwar debates on war guilt, and the relevance of the IMTFE to the continuing development of international humanitarian law.

## Book Information

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## Customer Reviews

The significance of this book is not whether the Tokyo trials established the guilt of Japanese wartime political leaders for initiating an aggressive war, and their culpability for the horrific war

crimes committed by Japanese military personnel against innocent civilians and Allied military personnel. While these are important, the real import of The Tokyo War Crimes Trials is its systematic, yet nuanced analysis of the prevalent Japanese view--one that persists to this day--that the Tokyo tribunals were illegitimate because the legal process was corrupted for ideological and political reasons...This excellent book belongs on the bookshelf of every historian interested in legal history generally and war crimes in particular. (Fred L. Borch Journal of Military History 2009-01-01)

Yuma Totani is Assistant Professor of History at the University of Hawaii at Manoa.

Yuma Totani's *The Tokyo war crimes trial: the pursuit of justice in the wake of World War II* (2008) is solidly based upon new archival research in Japan, the US, and Australia. An unusual feature is that the more numerous war crimes trials that were held outside of Tokyo across the Pacific and East Asia are not neglected. Totani finds that the Tokyo Trials were not simply an example of "victor's justice," but they were beset with complications that did not affect the Nuremburg Trials. Among these complications were inadequate administrative resources and personnel, overwhelming logistical hurdles, and cultural differences. In particular, she shows how the Japanese defendants and public did not truly understand the newly imported concept of "innocent until proven guilty." Totani's archival research also demonstrates how little influence General Douglas MacArthur had, all of the important decisions being made in an often inattentive Washington. The value of the Emperor in controlling the Japanese population immediately after the war outweighed any thought of putting him on trial in the short term. Then, later, the question of his indictment seems to have been lost in the shuffle of all of the other concerns that beset Cold-War Washington. The Tokyo war crimes trial is a well-written, extensively researched, balanced account of an issue that is still agitated by strong emotions.

Anyone seeking a purely legal insight on the oft-ignored Tokyo WW2 war crimes trials will be quite happy with this book. Those of us seeking insight into the victims, perpetrators, judges etc. involved in this oriental Nuremburg will be sadly disappointed. The legal issues revolve around the flaws involved in framing ex-post facto crimes to fit the vanquished's presumed guilt. "Crimes against Humanity/Peace" never existed when the acts involved took place but that never stopped the often equally culpable Allies from using them as a pretext for judicially lynching the losers of WW2. Besides, politics necessitated that Stalin be allowed to sit in judgement, that Hirohito be absolved, that 'useful' Nazis and Japanese be 'stolen' and given immunity in return for their

services. The author blew his chance to humanize the proceedings, instead opting for a mentally challenging but ultimately dry legalistic analysis. There are no personal reminiscences, no description of the state of mind of the defendants, the conditions of the Tokyo court or the prisons holding the defendants, no reactions of the defendants to the verdicts, no description even of the executions. Lots of discussion from law journals about Judge Pal's dissent which made the daft Indian into an unlikely Japanese hero! But even that peters out in a swamp of article/counter-article. All in all, as lifeless as only a Harvard law professor could be.

THE TOKYO WAR CRIMES TRIAL: THE PURSUIT OF JUSTICE IN THE WAKE OF WORLD WAR II  
IYUMA TOTANI HARVARD UNIVERSITY ASIA CENTER, 2008 QUALITY SOFTCOVER, [...],  
PHOTOGRAPHS, 352 PAGES, ABBREVIATIONS, NOTES, WORKS CITED, INDEX  
By any objective standard, Japan and Germany during World War II engaged in many actions that were far more inhumane, far more contrary to natural and man-made law, than what had occurred during World War I. In Axis-occupied territories, and among the Allies, sentiment spread for the trial and punishment at the war's end of German and Japanese "war criminals." The consensus among the Allies, now called the United Nations, was expressed by Lord Wright, and Australian and the first chairman of the UN War Crimes Commission (UNWCC), which was formed in London in 1943 by seventeen nations, including such countries as China, Australia, the United States, New Zealand, and India. Early in 1945, UNWCC produced a paper that spelled out the nature of war criminality. In their analysis of the war in the Pacific, the Allies held that Japan's outrageous actions didn't consist alone of individual and isolated incidents but were deliberately planned and systematically perpetrated throughout the Far East and Pacific. Tokyo, and not just its commanders in the field, was responsible for the atrocities committed by Imperial Japanese forces. The UN set out to prove that Japan had devised, put in motion, and/or directed criminal plans that resulted in waging aggressive war and oppressive occupation of various territories. On balance, the Tokyo and Nuremberg trials may have been the only method of dealing with Japanese and Nazi actions toward the people of occupied countries and POWs. For the first time, the general public has an accounting of the crimes committed by Japanese leaders whose imperialistic desires led to the invasion of China in the 1930s and the bombing of Pearl Harbor in 1941. The world today recalls only dimly some of the atrocities that occurred then—the Bataan Death March, for example. But who recalls Sandakan, North Borneo, where 2,000 British Commonwealth POWs were herded off to camp and only 6 survived the march! And who was responsible for the deaths of more than 1,000,000 slave laborers, or the reigns of terror unleashed against other millions of Asiatic people in

Japanese-occupied areas? Today, those convicted and executed for war crimes in Tokyo have been enshrined. Current Japanese textbooks treat the war as if it barely existed. THE TOKYO WAR CRIMES TRIAL: THE PURSUIT OF JUSTICE IN THE WAKE OF WORLD WAR II is both gripping and consuming. Totani describes the evidence for a Japanese conspiracy to commit an aggressive war against China and then against the United States and its allies in the Pacific. This book is a necessary reminder of a dark, half-forgotten chapter of human history. Lt. Colonel Robert A. Lynn, Florida Guard Orlando, Florida

When I purchased this book, I had a mental model of a book congruent to most on the International Military Tribunal - Nuremberg. Instead of receiving a book that detailed the crimes of those individuals that were the defendants in Tokyo from 1946-1948, I found that I had purchased a book that detailed the process involving the trials. This book should be interesting to someone attempting to research criminal procedure and process. I was looking for something that was more biographical in nature, and thus was very disappointed.

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