

**CURES Report**

*Continuities and Discontinuities in modern German and Japanese History*  
*Some preliminary remarks (PART II)*

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**The Military Tribunals in Nuremberg and Tokyo**

A comparison of the military tribunals in Germany and Japan can easily illustrate the change in the Allied occupation policy. In the Nuremberg Military Tribunal in Germany<sup>10</sup>, the accused were not merely 24 individuals, but also six organizations including the Government of the Third Reich, the leadership of the Nazi Party NSDAP, the SS, the SA, the secret police Gestapo, the General Staff of the German Army as well as its Supreme Command (OKW). Of the 24 individuals, only three were acquitted, six were sentenced to imprisonment, with sentences ranging from 15 years to life. The rest – Göring, Ribbentrop, Keitel, Kaltenbrunner, Rosenberg, Jodl, Seyß-Inquart and others – was sentenced to death. In the following tribunals during the next years, smaller Nazi-criminals, members of SS and secret police, were accused. 118 of them were sentenced to imprisonment, 24 more were sentenced to death. Of course, after Germany got back its sovereignty, some former members of the Nazi party were rehabilitated and some attained even posts in public life again. But no one with a Nazi past could ever attain high positions in postwar Germany, unless he could hide his past. After the end of occupation government there was a short phase, in which

prosecution of war criminals slowed down. However, international pressure on the occasion of the famous Eichmann-trial in Israel and some other spectacular trials caused the German government to strengthen its efforts once again and still in these days war criminals are being arrested and prosecuted.

In the Tokyo International Military Tribunal<sup>11</sup> only seven war criminals – six military officers and the former Prime Minister Hirota Kôki – were sentenced to death, 16 to lifetime imprisonment, 2 more to imprisonment for 7 and 20 years respectively. Subsequent prosecutions were not rigorously pursued either. Of course, numbers do not say a lot and one could argue that on the whole Japanese war crimes can not be compared to Nazi atrocities in the Holocaust<sup>12</sup>. However, the fact that the war crime tribunals were not vigorously continued is the only possible explanation for the high positions reached in postwar Japan by previously influential wartime politicians.

**Kishi Nobusuke and Albert Speer**

From the German perspective, the case of Kishi Nobusuke is particularly astonishing<sup>13</sup>. Kishi was influential in the Japanese administration in the puppet state of Manchukuo and later became Minister for Trade and Industry – and as such responsible for war materials – in the Tôjô wartime cabinet. After the end of the war, Kishi

was arrested as a class A war criminal, but not convicted and thus released in 1948. Rehabilitated in 1952, he joined the Liberal Party (Jiyûtô) in 1953 and started a new political career which culminated in his rise to the post of Foreign Minister in 1956 and to Prime Minister in 1957. To neighbouring countries, it can not have made a very good impression that a member of the Tôjô government, moreover the member who was responsible for planning and organizing the production of the arms, with which their countries were subjugated, was now responsible for Japan's foreign policy and later for the general policy of a Japan, emerging to become an economic superpower. For this reason, it is not astonishing that mistrust long prevailed in Japan's relations with its neighbours and that no basic reconciliation could be reached as Germany did with most of its former enemies.

Compared directly with Germany, Kishi could best be seen as an equivalent to Germany's Minister for Arms and Ammunition, Albert Speer<sup>14</sup>. The architect Speer won the admiration of Hitler, who had failed as architect and artist in his younger days. Speer thus rose fast in Nazi hierarchy. In 1937, he was given the post of 'General Construction Inspector for the new Reichs-capital', which should be given the name 'Germania' after the completion of monumental construction plans in 1950. Speer showed his talents as an effective organizer and could rise even further to control most of the German economy after the death of Fritz Todt in 1942. As head of the Ministry for Weapons and Ammunition, he reorganized and centralized the German war-economy even further and can be called the real architect of German *total-war-economy*. It is probably true, what Speer said

about his own talents to Hitler in 1945: 'Without me, the war would have been lost already in 1942 or 1943'<sup>15</sup>. Compared to an index of arms production in 1940 as 100, German production of war goods reached its peak in 1944 with an index of 226, in some fields even as much as 460 – in spite of the loss of control of vast areas due to the turning of the war in 1942 and in spite of the increasing bombing raids on German cities and industrial installations, which could be compensated by building new factories in subterranean bunkers. Thus, Speer – as the organizer of German economy and industry – became in fact one of Nazi Germany's mightiest man, often said to be second only to Hitler<sup>16</sup>.

Speer was accused in Nuremberg and sentenced to 20 years of imprisonment, which was widely criticized as too lenient a decision. What contributed to the lenient decision was the fact that Speer was one of the few accused who admitted their guilt and felt remorse. After the war, Speer was one of the few former Nazi authorities who adopted a critical point of view of the Nazi regime and tried not to defend their deeds. However, it is unthinkable that a man like Speer could attain a high position in postwar Germany, no matter how great his political talents might have been. Everybody who had such a high post in Nazi Germany was a *persona non grata* and there was no discussion about this fact. Of course, Nazis were rehabilitated in Germany after the end of the tribunals, but it was common sense not to let these persons obtain influential posts in government, bureaucracy or economy.

#### Continuities in bureaucratic attitudes

Similar to Kishi's case is the case of Hatoyama Ichirô, a politician who supported the Military in

an incident in 1930 in its strive for political autonomy (*Tôsui-ken Kanpan Mondai*)<sup>17</sup> and in 1933 – as Education Minister of the cabinet under Admiral Saitô Minoru – forced the resignation of Kyoto University professor Takigawa Kôshin who was accused of spreading communist and thus dangerous thoughts. Right after the war, Hatoyama was forbidden by the Allied occupation forces to form a cabinet in 1946, but was rehabilitated in 1951. Three years later he became one of the founders and the first president of the conservative 'Democratic Party' (*Minshutô*) and as such Prime Minister, an office which he could hold until the end of 1956.

There is another case which shows the continuity of Japan's politics and bureaucracy, namely the case of the diplomat Sugihara Chiune, who saved the life of almost 6,000 Jews in Lithuania in World War II, disobeying direct orders from his superiors and issuing transit visas<sup>17</sup>. Sugihara had been Japan's vice-consul in the Lithuanian capital Kaunas since 1939 and was frequently approached by Jews, requesting transit visa to Japan to be able to escape from German territory. But Sugihara was only authorized to issue transit visas to persons who could present a valid visa for the country of destination and moreover enough money for the trip. Most of the Jews, of course, did not have either such a visa or any money. Sugihara inquired three times to the Foreign Ministry in Tokyo asking for a permission under the given circumstances. The reply was simply 'Follow the Rules!'.<sup>18</sup>

But Sugihara didn't. He decided to issue transit visas on his own authority, knowing about the fate waiting for the Jews if he turned them down. Sugihara issued almost 6,000 transit visas, saving as many lives. On his return to Japan,

Sugihara received no reward for his efforts, he was simply fired by the Foreign Ministry in 1947 for ignoring the guidelines.

From a German point of view, this conduct is hard to understand. Somebody like Sugihara, who had the courage and the moral firmness to stand up against a brutal dictatorship, should be considered a hero. But in Japan, even after the war, bureaucratic regulations were obviously of more importance than moral standards. Considering the latest studies about social behaviour in Nazi Germany by 'ordinary Germans'<sup>18</sup>, it can be said that it was just the kind of men like Sugihara, that Germany lacked in the era of Nazi dictatorship. People were following orders, ridding themselves of the necessity of thinking about moral standards, since the order-issuing authority had done that for them. The Sugihara-case has become widely known only in the last years. It has taken almost 50 years, a movie like 'Schindler's list' and protests from Israel to make the Japanese bureaucracy – in this case the Foreign Ministry, which is often said to be even one of the most liberal parts of this bureaucracy – restore Sugihara's name. It was too late for Sugihara himself though. He died in 1986. This case should make us reconsider the moral standards in Japanese politics and bureaucracy and the attitude towards regulations in Japan's bureaucracy, especially in view of the recurring incidents involving Japanese bureaucrats and politicians in the last months and years on the one hand and their continuing high-handed conduct on the other.

#### Epilogue : 'Pride' and Responsibility

Just after this article was finished, the controversy about the movie 'Pride-unmei no

toki' reached its climax. 'Pride' depicts the war criminal Tōjō Hideki as a patriot and loving family-man, interprets the Pacific War as a war of self-defense and stresses the Japanese contribution to the Indian Independence Movement.

China criticized the movie as a 'glorification' of Japan's wartime past. The Labor Union of the movie company Tōei founded the 'Society to criticize the movie *Pride*' and demanded to stop the movie in the theaters, because it denies Japan's responsibility for the war and shows an extremely one-sided portrait of Tōjō. "Have you ever seen any movies that praise Hitler?", asks the film critic Yamada Kazuo, one of the organizers of the 'Society to criticize the movie *Pride*' rhetorically<sup>20</sup>. The Los Angeles Times says that the movie could strengthen anti-Japanese feelings in the United States (May 12, 1998). The Far Eastern Economic Review points out the connection of the movie and the 'History-textbook controversy' and stresses its damaging influence on the "mainstream audience"<sup>21</sup>.

For years, a group of conservative intellectuals has been demanding the revision of Japan's history textbooks to remove the truth about Japanese wartime atrocities. The leader of this group, Professor Fujioka Nobukatsu from Tokyo University, thinks that the 'masochistic view of Japanese history'<sup>22</sup> can only have negative effects on the education and self-confidence of Japanese school-children and should be revised. In the conservative newspaper *Sankei Shimbun* he wrote on June 28, 1996: "Using government funds to pay for textbooks so full of hatred against our own country and forcing them on schoolchildren represents a grievous violation of the people's right to education." On December 2, he co-

founded the 'Society to think about new history textbooks'. Fujioka and his compatriots now of course support the movie 'Pride' as a contribution to the restoration of Japan's national self-confidence.

Even in the English language newspaper *Japan Times*, a former managing editor of the *Mainichi Shimbun* called Ryūichirō Hosokawa insists that the "Japanese need a good dose of 'Pride'"<sup>23</sup>. He cites the colonization of many parts of Asia as the reason for the Japanese policy of expansion, since "Japan was Asia's only independent nation." It can be conceded to Hosokawa's narrow world-view that he obviously reduces Asia to the Far East thus forgetting about independent states like Turkey, Persia or Saudi-Arabia. But even in the Far East, Siam was able to retain its independent status, along with China and Mongolia, even though these states were semi-colonized in the era of Imperialism before World War I. However, it is obvious that Japan was not "pushed into a corner where it was forced to start a war in self-defense", as Hosokawa puts it. Japan always had the option to give up its aggressive policy, which did show consistency, even though "16 Cabinets took power from 1928 to 1945" as Hosokawa stresses. Even it is true that these cabinets can not always be made responsible for Japan's expansion policy, Hosokawa obviously forgets that there were more factors in Japanese politics than cabinet politics. It was indeed the Imperial Army who was a major factor in the continuation of Japan's aggression on the continent by ignoring cabinet guidelines and executing their own policies, like for example the famous case of the Manchurian Incident of 1931 which led to the resignation of the Cabinet of Wakatsuki Reijirō.

This conservative and revisionist tendency in Japanese historiography is very regrettable. And

now, as the Far Eastern Economic Review stresses, "this movie ['Pride'] is the first to make the rightist point for a mainstream audience."<sup>24</sup> It is even more regrettable, because the movie oversimplifies the importance of the question of whether or not it is legitimate for Japan to be 'proud' of its history or if it has to be 'ashamed'. This is far too simple a way of seeing things. The question should be more focused on the responsibility of Japan towards the victims of its wartime atrocities. Of course, Japan obviously believed to have its reasons for starting the 15-years-war in East Asia. However, 'reasons' can also be found which explain how the Nazi dictatorship was possible in Germany and why this country again could be driven into a devastating World War under the leadership of Adolf Hitler. The Allied Powers had good reason for not allowing any mentioning of the Versailles Treaty during the Nuremberg trials. But this does not reduce postwar Germany's moral obligations towards the victims, even though Germany after 1945, as mentioned above, completely – and more completely than Japan – broke with its past and built a totally new political system in order to demonstratively put distance between the Bonn Republic and Germany's Nazi past. Of course, Germany still has a lot of problems to solve and a lot has to be done for certain groups of victims. The question for Japan should not be 'pride' or 'shame', but pride coming from responsibility for a past which can not be undone. In regard to the question of the textbook revision, the German example shows that this is possible. German textbooks are full of the wartime atrocities committed under the Nazi rule, but there is no evidence that German school-children suffer from a loss of pride in their country's history

because of this education.

Obviously the members of the 'Society to think about new history textbooks' never made the effort to give any attention to the German example. Nishio Kanji, another member of the 'Society to think about new history textbooks' states: "There is a commonly accepted myth that Germany has rightfully apologized for its past and Japan has wrongfully failed to do so. This myth is convenient not just for victors who dropped atomic bombs but also for the Germans. It allows them the comfort of putting Japan's war crimes in the same category as the crimes against humanity committed by Nazi Germany."<sup>25</sup> Obviously Nishio lacks even the fundamental knowledge of German historiography. No serious German historian or otherwise would ever put "Japan's war crimes in the same category as the crimes against humanity committed by Nazi Germany". The 'Historians' Debate' quoted above in this article focuses on the question of comparability between German atrocities with the atrocities committed by Stalin or Pol Pot. Japan's war crimes never played a role in this debate, it was hardly even mentioned. Actually this shows a blatant gap in the research concerning fascism, at least in European historical science. Japan is left out far too much in this research. But even though the Japanese war crimes were – from a German point of view – on a completely different level than the genocides committed by Nazi Germany, this does not concern the victims at all. Japan should also unreservedly face its past and take responsibility for it. Only then can relations in Eastern Asia develop as they did in Europe.

Apart from one's opinion about the contents of the movie, it is the author's wish to not make too much uproar about a movie of such a low quality.



The author is not a film critic, but the near three hour long movie is so overcomplicated and jargon-filled that one would need to be an expert in International Law and Modern Japanese History to follow it. Moreover, too many time leaps add to the confusion especially in the first 40 minutes. After that the filmmakers used too many plot lines in the movie: one showing Tōjō as the accused politician in the trial; one showing him as the caring and loving family man, husband and grandfather; one connecting the fate of the Hotel employee Tachibana with the Indian Independence Movement; one showing the moral dilemma of the Indian judge Radhabinod Pal during the tribunal; and one questioning the legitimacy of an International Military Tribunal in International Law as such. As a personal conclusion, the author can only stress he was lucky to be given a free ticket for the movie, since anything else would have been a waste of money.

## REFERENCES

- 10 Taylor, Telford: *The Anatomy of the Nuremberg Trials. A Personal Memoir*. New York (Alfred E. Knopf) 1992.
- 11 Kajima Noboru: *Tokyo Saiban. Chūkō Shinsho* 1971.
- 12 The German 'Historikerstreit' (Historians' debate) showed the difficulties and dangers of 'comparing' war crimes and how much damage such a debate can bring especially in the eyes of the victims. Since for sure, the Holocaust was the 'worst crime of the 20<sup>th</sup> century, if not in world history' as the famous German historian Heinrich August Winkler puts it. See Heinrich August Winkler: *Auf ewig in Hitlers Schatten? Zum Streit über das Geschichtsbild der Deutschen* [Forever in Hitler's shadow? The historical identity of the Germans]. In: 'Historikerstreit', op. cit., pp. 261.
- 13 Hara Yoshihisa: *Kishi Nobusuke*. Iwanami Shinsho 1995.
- 14 Dülffer, Jost: *Albert Speer – Management für Kultur und Wirtschaft* [Albert Speer – Management for culture and economy]. In: Smelser, R. and R. Zitelmann (eds.): *Die braune Elite. 22 biographische Skizzen*. Darmstadt 1990. pp. 258–272.
- 15 Cited in Dülffer, op. cit., p. 270.
- 16 See Dülffer, op. cit., p. 265.
- 18 Asahi Shimbun 13. 10. 1994, p. 1 (evening edition).
- 19 Bauman, Zygmunt: *Modernity and the Holocaust*. Cornell Univ. Press 1992; Goldhagen, Daniel Jonah: *Hitler's willing executioners: Ordinary Germans and the Holocaust*. New York 1996; Sofsky, Wolfgang: *Die Ordnung des Terrors. Das Konzentrationslager* [The establishment of terror: the concentration camp]. Frankfurt am Main 1993.
- 20 *Far Eastern Economic Review*, May 21, 1998, p. 49.
- 21 See *Far Eastern Economic Review*, May 21, 1998, pp. 46–49.
- 22 Fujioka Nobukatsu: *Jigyaku Shi-kan' no Byōri* [An Analysis of masochistic historical views in Japan]. 1997 and other works of the same author.
- 23 See *Japan Times*, June 2, 1998.
- 24 *Far Eastern Economic Review*, May 21, 1998 p. 49.
- 25 Quoted in Irie Yoshimasa: *The History of the Textbook Controversy* (Japan Echo vol. 24, No. 3, August 1997).

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