

Nakahara
War Crimes

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PETER M. NAKAHARA
GEORGE HINOKI

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Mr. Thomas T. Sakamoto

Saratoga, CA 95070

Re: War Crimes Trials

Dear Tom:

One of the important functions served by the Nisei Military Intelligence Language specialists following World War II was in connection with the conduct of War Crimes Trials.

War Crimes Trials were segregated into Class A and Class B Trials. The Class A Trials were the trials of war criminals described as policy makers. These trials involved General Hideko Tojo, General Oshima and others who formulated and implemented the aggressive and brutal policies of the military. The Class A Trials were conducted in Tokyo. The Class B Trials were the trials of field commanders or individuals of lesser rank who actually carried out acts of brutality in violation of the Rules of Warfare implemented by the Geneva Convention in the field.

Each court conducting a war crimes trial had an Official Court Interpreter (this consisted of an Official Court Interpreter who translated English into Japanese and Japanese into English and his assistant), a Defense Monitor or Monitors (whose duties were to check the accuracy of the Official Court Interpreter from the standpoint of the Defense), and a Prosecution Monitor (whose duties were to check the accuracy of the Official Court Interpreter from the standpoint of the Prosecution).

For a short period of time I was a Defense Monitor and subsequently became an Official Court Interpreter for both the Class B and Class A War Crimes Trials.

One case involved 26 members of a Tokusentai (Special Combat Unit or Japanese Marines), stationed on a small island off Okinawa. An American reconnaissance plane was shot down off Okinawa. The members of the Tokusentai rescued the two officers and an enlisted man who crashed into the ocean. This was the first time the Tokusentai had ever captured any American men. The two officers were beheaded and the enlisted man was tied to a tree and 24 members of the Tokusentai engaged

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in bayonet practice. A Japanese medical officer testified for the prosecution that when the 24th man bayoneted the American he gasped, indicating he was still alive at the time. On the basis of this evidence, the 24 men participating in the bayoneting, the adjutant who ordered the bayoneting and the commanding officer of the Tokusentai were all charged with murder, found guilty and executed. The Adjutant testified at the time of trial that he was told by the commanding officer: "Tekito naru shochi wo tore." The defense contended that the Adjutant took it upon himself to order the execution of the Americans when he was told: "Tekito naru shochi wo tore," which must have meant something less than execution. The defense contended that if the commanding officer wanted the men killed he would have stated: "Shukei ni seyo." The term "Tekito naru shochi" meant something less than death. A Japanese naval officer, as a witness for the prosecution testified that in time of war, "tekito naru shochi" mean execution.

I was not the Official Court Interpreter for this case, but was a Defense Monitor. The Official Court Interpreter, after a conference, translated the words, "Tekito naru shochi wo tore" "carry out the execution of the prisoners". I did not agree with the interpretation but I was only one of the Defense Monitors and was overruled.

In another case, General Tamura was being tried as a Class A War Criminal for the treatment of United States prisoners of war held in prison camps throughout the Japanese mainland. General Tamura was Chief of the Prisoner of War Administration Bureau and purportedly responsible for the treatment of prisoners of war held in the Japanese mainland. The head of the International Red Cross in Japan and a member of the royal family testified as follows: "Furyo shuyosho kanri kyoku chokan wa naichi ni okeru kaku furyo shuyoshocho yori juyo naru johō wo seikyu seru kengen wo yushi. I was the Official Court Interpreter. I translated that statement as follows: "The Chief of the Prisoner of War Administration Bureau had the authority to demand vital information from the head of the prisoner of war camps throughout the Japanese mainland." No Prosecution or Defense Monitor questioned that interpretation. However, General Tamura stood up and indicated that I had misinterpreted the witness's statement. General Tamura insisted that the word "seikyu" meant that he could "request" vital information but not "demand" vital information. Of course, the wording had an effect on the responsibility of General Tamura. After a conference I changed the interpretation from "demand to "request".

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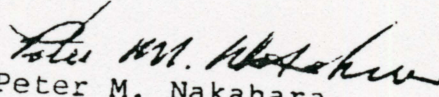
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In the same case a Japanese General testified as follows: "Nihon no seifu wa Geneva Joyaku ni junyo suru koto wo kyoyaku shita." I interpreted that phrase as follows: "The Government of Japan agreed to abide by the terms of the Geneva Convention."

Neither the Prosecution nor Defense Monitors corrected that interpretation, but General Tamura again stood up and contended that my interpretation was incorrect. He asserted that the proper interpretation should be as follows: "The Government of Japan agreed mutatis mutandis (subject to the circumstances of the time) to abide by the terms of the Geneva Convention." Following a conference, I agreed to change my interpretation as requested by General Tamura.

These incidents illustrate not only the difficulty of proper interpretation of the Japanese language but the importance of accuracy because of life and death consequences. General Tamura received a sentence of eight (8) years in Sugamo Prison.

Sincerely,


Peter M. Nakahara

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