

Reflections on Modern Japanese History
In the Context of the Concept of “Genocide”

Gavan McCormack

Professor of Japanese History
Research School of Pacific and Asian Studies
Australian National University
Canberra ACT
Australia 0200
gavan@coombs.anu.edu.au

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Introduction

The twentieth century was marked by nothing so much as the intensity of state-sponsored violence and terror. Historians struggle to come to terms with this by making generalizations, weighing and measuring, setting events to a scale. Genocide, understood in broad terms as the attempt to wipe out whole peoples, has been allocated the polar position among such crimes, and among genocides, the holocaust, understood as the attempt to exterminate the whole of the Jewish and Romany peoples (among an even broader range of categories), the place of absolute and unqualified evil.¹ A prominent thread in the literature is that which insists that the only true case of genocide is the Nazi, because only the Nazis tried to achieve the total annihilation of an entire people.² However, it is reasonably clear now that in the evolving construction of the crime of genocide, the “classic” case of the Holocaust has been slowly extended to include at least three major examples: the “Aghet” massacre of Armenians by the Turkish empire between 1914 and 1923, the Khmer Rouge mass murder of Vietnamese,

¹ Though crimes were committed against many groups, from the “six million Jews who were murdered in German concentration camps,” to the “countless citizens of the Soviet Union and Poland,” the Sinti and Romany gypsies, the homosexuals and mentally ill, and all those killed for religious or political beliefs, as well as the German people themselves, first and foremost the members of the resistance, the term “Holocaust” is commonly applied to the first of these. (The list here taken from President Richard von Weizsäcker, Speech to the German Bundestag, 8 May 1985.)

² Steven R. Welch, “A Survey of Interpretive Paradigms in Holocaust Studies and a Comment on the Dimensions of the Holocaust,” paper delivered to Workshop on “Comparative Famines and Political Killings,” Genocide Studies Program, Yale University, and History Department University of Melbourne (August 1999) (<http://www.yale.edu/gsp>).

Cham Muslims and other minorities and finally of urban Khmer between 1975 and 1979 in Cambodia, and the massacre of the Tutsi people in Rwanda in the 1990s.³ In that same vein, the Report of the Preparatory Commission for the International Criminal Court, in drawing up in July 2000 a systematic set of criteria by which acts of genocide might be identified, was also furthering the process of converting genocide from a unique evil to a particular, but possibly widespread, kind of state crime.⁴

The question addressed in this paper is whether the notion of genocide can be applied to the policies and actions undertaken by imperial Japan against its neighbor countries during the first half of the 20th century? Though the focus is modern, it is also necessary to consider some older moments which still cast a long shadow over relations between Japan and its neighbors.

There are obvious difficulties. Nobody accuses the Imperial Japanese Government or Army of a design to wipe out the people of the United States or Britain or the (Dutch) East Indies or elsewhere, much less of any such design to extirpate the Chinese (or other Asian) people. As for Korea, under the Japanese imperial regime there was no state of war, and economic development and population growth were both rapid. Prima facie at least, whatever Japan was doing in China and Korea, it seems difficult to describe it as genocidal, and as a matter of fact, until Iris Chang's book -- *The Rape of Nanking – The Forgotten Holocaust of*

³ Christian P. Scherrer, "Preventing Genocide: The Role of the International Community," Summary of a report to the Stockholm International Forum on the Holocaust (26-28 January 2000) (<http://preventgenocide.org/prevent/scherrer.htm>).

⁴ <http://www.un.org/law/icc/statute/elements/elemfra.htm>

World War II -- the question of “genocide” had rarely if ever been considered.⁵ Chang for the first time explicitly equates Nanjing and “The Holocaust,” Japanese military atrocities and the Nazi “final solution.” Her book, however, though widely sold and reviewed in the United States, had little impact elsewhere and was widely criticized by scholars for its blockbuster, sensationalizing approach. Although directing fresh international attention to Nanjing, it seems to have exercised little lasting influence over the question of legal or philosophical construction of the events.⁶

However, the definition of genocide adopted in 1948 by the United Nations (and continued in the work of the Preparatory Commission for the International Criminal Court in 2000) is actually very broad, encompassing “acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.”⁷ Although the target group must be identifiable by “national, ethnical, racial or religious” criteria, which means that the killings that occur in revolutionary or counter-revolutionary contexts, for political reasons, are not covered, nevertheless the qualifying phrase “or in part” opens the definition to quite wide

⁵ (New York, Basic Books, 1997). For a comment by this author, see *The China Journal*, Issue 43 (January 2000): 228-31. For a recent volume of critical essays on Nanjing: Joshua Fogel, ed., *The Nanjing Massacre in History and Historiography* (Berkeley: University of California Press, 2000). See also Timothy Brook, ed., *Documents on the Rape of Nanking* (Ann Arbor: University of Michigan Press, 1999).

⁶ As several Japanese scholars have noted, there is a certain similarity in tone and content between Chang’s book and the 1997 volume by the Japanese neo-nationalist cartoonist, Kobayashi Yoshinori: both simplified, self-righteous, emotional, stressing national stereotypes, and hugely popular in their respective countries.

⁷ Acts including killing or causing serious bodily harm to members of such group, or inflicting conditions calculated to bring about its physical destruction, to prevent births within the group, or to forcibly transfer children out of the group. See “Convention for the Prevention and Punishment of the Crime of Genocide,” adopted by Resolution 260 (111) A of U.N. General Assembly (9 December 1948) (<http://www.preventgenocide.org.law/convention/text.htm>).

potential application. There would seem to be at least a strong *a priori* case for considering events in Nanjing, and elsewhere, under such a rubric. There would likewise seem to be a strong case for considering acts of the United States government at various times during this century genocidal. Was not the bombing of Hiroshima and Nagasaki, for example, designed to kill the citizens of those cities because they were part of the Japanese national group? To this problem we will return.

Everyone, including all post-1945 Japanese governments, agrees that crimes were committed by imperial Japan. Where the differences arise is when it comes to locating those crimes on some comparative frame of criminality. Neither government nor non-government organizations in Japan see Japanese criminality as genocidal. The result is that the killing of six million people in the European context is regarded as more seriously criminal than that of approximately ten million in Asia, the one genocidal, the other not. Although explicit moral or legal justification is rarely given, since the suffering of the victims on all sides is equal and absolute a greater measure of evil *intent* is implicitly attributed to the European side.⁸ Such a claim is subjective and unverifiable.

If the fabric of genocide is woven firstly out of the holocaust of the 1930s and 1940s, and secondly out of the Armenian, Cambodian, and Rwandan atrocities of the 1910s, 1970s, and 1990s, then the case for extending it to incorporate Japan must argue plausibly that the Japanese record in the 1930s and 1940s is legally and morally on a par with the Nazi, Khmer Rouge, Turkish, and Rwandan genocides, and it must also argue that it was more repugnant than the

⁸ Foreign visitors to the U.S. have to fill in series of forms, including one which asks as to their possible involvement in Nazi crimes, but apart from a brief, non-specific reference to countries allied to Nazi Germany, the U.S. government shows no interest in possible Japanese or other perpetrators of crimes against humanity, including genocide.

other famous examples, including the American, of twentieth century state violence. That presents difficulties. Excluded from consideration are some extremely violent and atrocious acts, including Stalin's slaughters of the 1920s and 1930s and Mao Zedong's of the 1950s to 1970s, both of them because they were mass killings for *political* rather than for "national, ethnical, racial or religious" reasons, and therefore not genocidal. Even more difficult is the fact that the kinds of killings for which major Western countries have been responsible, in colonial wars or in counter-revolutionary and counter-national liberation struggles, are excluded from the genocidal frame. If Japan is to be seen as genocidal because of *its* colonial and imperial crimes, then the question of the liability of the major Western powers to such charges stemming from their colonial (or post-colonial) record would also have to be reopened, not to mention the violent assault of the powers of the New World upon the aboriginal inhabitants of the New World, continuing till recent times with policies aimed at the destruction of aboriginal cultures by many advanced industrial states (including Australia).⁹

In East Asia, in place of the term "genocide" the commonly used terms for great, state-sponsored killings have been terms meaning "great massacre" or "great slaughter" (*gyakusatsu* or *daigyakusatsu*). The literal Japanese term for "genocide" -- "*minzoku zetsumetsu*" (composed of characters meaning, literally, "racial extermination" or "national extermination"), is reserved, whether in this unfamiliar compound or in its Romanized Japanese

⁹ The forced removal of aboriginal children from their families by Australian governments until relatively recent times has been described as genocidal under Article 11 (e) of the 1948 Convention. See Roland Wilson, *Bringing Them Home; Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families* (Sydney: Human Rights and Equal Opportunity Commission, 1997). The Australian government has angrily rejected the charge.

form – “*jenosaido*,” for discussions of Nazi war criminality or “ethnic cleansing.”¹⁰

Of course, even Japanese nationalists and neo-nationalists concede that Japan may have committed “excesses.” What they describe as “Japan’s theocratic state under the emperor as high priest” may once have fought “a slightly high-handed patriotic war,” but they believe it did not commit “crimes against humanity” such as would warrant its inclusion with Nazi Germany in the category of “historically unprecedented terror state” or “grotesque sex crime state”; Japan, they insist, is neither outlaw nor monster.¹¹ Its crimes were “ordinary” ones, not the extraordinary crimes of genocide. Not only in relation to the Holocaust, but also in comparison with the U.S. bombing of Hiroshima and Nagasaki (and other Japanese cities) in 1945, or many other 20th century crimes, they argue that what Japan did was relatively trivial. In terms of subsequent world history, it seems true enough. Gregory Clark recently observed, “The Dutch in postwar Indonesia, the French in Indochina and Algeria, and the U.S. and Australia in Indochina all behaved as badly as Japan did in Southeast Asia,” and yet “[n]one of these governments,” he points out acidly, has shown “any great willingness to apologize and make amends.”¹²

Clark’s point is one which is heard often in Japan. Any case for declaring Japan one of the handful of twentieth century genocidal states must meet the objection that it does so by

¹⁰ The Japanese term for genocide is written ____ The Chinese term uses slightly different characters, *zhongzu miejue* (____), but with essentially the same meaning.

¹¹ Gavan McCormack, “Nationalism and Identity in Post-Cold War Japan,” *Pacifica Review* 12, No. 3 (October 2000): 249-65, at p. 250.

¹² Gregory Clark, “Japan has no monopoly on obscuring past,” *The Japan Times*, 6 November 2000.

employing double standards to justify the exemption of major Western countries from the same list. Western (especially U.S.) demands for Japanese admission and apology for war and atrocity responsibility that are not matched by any similar sensitivity to the war crimes committed by the U.S. and its allies are bound to be seen as hypocritical. As Sakai Naoki observes, there is a notable lack of symmetry in the way that U.S. atrocities at Son My and My Lai recede in the American collective memory while those committed by the Japanese at Nanjing and elsewhere do not.¹³ All late 20th century discussion of war crimes, responsibility, and punishment has to address the sort of double-think that assumes such criminality is absent on the part of the West, especially the United States. In this context I note with interest the recent attempt to revive the case for prosecution of Henry Kissinger before the International Criminal Court on charges of genocide and crimes against humanity.¹⁴ The credibility of the newly-established tribunal, to which President Clinton committed the United States in one of his last acts as president in December 2000, must depend on its demonstrating that it takes as seriously evidence of crimes against humanity by powerful figures in the Western world as it does by those who represent discredited and often collapsed or collapsing regimes of the Third World.

To resume this introductory comment, the following are the major problems involved in any move to add imperial Japan to the select “black-list” of genocidal powers of the twentieth century:

¹³ Sakai Naoki, Takahashi Tetsuya, Sun Ge, and Dai Jinghua, “Sensō no kanjō,” *Sekai* (November 2000): 190-205, at p. 194.

¹⁴ Christopher Hitchens, *The Trial of Henry Kissinger* (London and New York: Verso, 2001).

1. In East Asia, neither defenders nor critics of Japanese imperialism, colonialism and militarism, nor scholars who specialize in interpreting and understanding it, use the term.

2. In the China War context (1931-1945) where casualties were huge, for genocide to be proven it would have to be shown that those casualties were not the consequence of “conventional” military operations as commonly conducted by other countries at the time, but part of a design to “destroy, in whole or in part, a national, ethnical, racial or religious group.”

3. In the Korean context, Japanese colonialist policy was undoubtedly designed to destroy “Korea” as a “national group” by assimilating it within Japan. However, such measures by other twentieth century colonialist regimes have not elsewhere been held genocidal. There has been, so to speak, a colonialist exemption, and if that exemption is to be now closed both logic and morality demand that it be closed against all colonialist powers, not just Japan. In the overall context of the century, the use of the term “genocide,” carrying as it does extreme legal and moral opprobrium, to describe acts committed by imperial Japan but not to describe any acts committed by the Western powers must be problematic. If Japan was genocidal in China or elsewhere in Asia, what then shall we say of the French in Algeria or Indochina, the Americans in Korea and Indochina and the Gulf, the Russians in Chechnya?

In what follows, let me consider the record of Japanese colonialism and war in relation to Korea and China (including the crime of mass mobilization of women throughout Asia for purposes of sexual slavery), with brief reference also to two special cases of the Japanese

treatment of POWs and engagement in bacteriological or chemical warfare, to consider the possible relevance of the concept of “genocide” as a category of interpretation and understanding.

China

The total Chinese casualty figure in the war with Japan that began with Japanese aggression in the Northeast of the country in 1931 and spread through the rest of it from 1937 is impossible to know. Dower summarizes the evidence to conclude that “in the end it is necessary to speak of uncertain ‘millions of deaths.’” He goes on: “Certainly it is reasonable to think in general terms of approximately 10 million Chinese war dead, a total surpassed only by the Soviet Union.”¹⁵

The best known, and most infamous, episode in this long war was unquestionably the events of December 1937 in Nanjing, referred to by apologists as an “incident” and by others as a “massacre,” “great massacre,” or “rape” (the latter only rarely, and then in the romanized form rather than the Sino-Japanese term “*gōkan*”). In theory, at least, there would seem little difficulty in formally representing Japanese actions in Nanjing as genocidal under the terms of the U.N. definition since it was a case of killing members of a national group, with intent to destroy them “in whole or in part” because they were members of that group. The subjective experience of the residents of Nanjing (and of countless other cities, towns and villages in China subject to the operations of the Imperial Japanese Army) involved no less terror than was

¹⁵ John Dower, *War Without Mercy: Race and Power in the Pacific War* (New York: Pantheon, 1986), p. 296.

experienced by the Jewish victims of Nazism or the other victims of recognized genocidal violence. But it could not be considered genocidal if what happened was a series of regrettable, tragic consequences of war attendant upon the temporary break-down of discipline (as nationalists and neo-nationalists argue), or if genocide is by definition a term specific and exclusive to Europe (as critics have assumed).

What can be said of Nanjing now is the following: the Japanese army landed at Hangzhou Bay in late November, entered the Chinese walled city of Nanjing on 12 December, conducted victory celebrations there on 17 December, and continued “mopping up” and “pacification” campaigns in neighboring districts through January of 1938. Chinese victims, both military and civilian, were many. Precise numbers cannot be known, but the Nanjing Museum’s figure of 300,000 seems improbably high, inflated perhaps by righteous patriotic outrage, while conservative Japanese estimates of thirty to forty thousand are almost certainly too low, deflated by (misplaced) patriotic righteousness. The question of numbers is of course a serious one and historians rightly strive to clarify the record, but with a very few absolute denialists excepted, the emerging Japanese consensus would seem to be that around 200,000 Chinese people were killed, of whom perhaps half were “prisoners-of-war,” and that the killings were either deliberate or else a spontaneous and prolonged outburst of unplanned brutality by Japanese forces, in either case with responsibility borne by the Imperial Japanese Army command and therefore the Japanese government.¹⁶ The evidence is unequivocal that many

¹⁶ This assessment is owed to Professor Yoshimi Yoshiaki, personal communication, Canberra, 4 November 2000.

innocent people were killed.¹⁷ Strictly speaking, therefore, the 1948 definition would seem to cover such events but in fact, except for Chang, it has not been invoked. The event is variously seen (by nationalists and neo-nationalists) as part of the tragedy of war, or (by critics) as a “massacre,” or a “great massacre.”

More than sixty years after the event, the question of whether a massacre occurred in Nanjing in December 1937, and if so of what scale and character it was, is still debated in Japan. But some progress has undoubtedly been made, especially in this past decade. The idea that “Japan” in general somehow is still in “denial” mode over Nanjing, or that its school history texts still ignore it, is no longer true. Thanks to the long struggle of journalists like Honda Katsuichi, scholars like Ienaga Saburō (who fought the question of censorship of history texts in the court system for three decades), and many professional historians, a consensus has emerged on the broad outlines of the horror of 1937-38, and the “denialists” have plainly lost ground.

In the 1990s, Prime Ministers and the Emperor apologized for Japan’s colonialism and aggression and referred to the massive suffering inflicted on millions of people. Textbooks were revised to incorporate, however briefly, reference to Nanjing, “Comfort Women,” and other aspects of the war.¹⁸ Various spokespersons for the government issued statements confirming official recognition that many non-combatants were killed during the capture of

¹⁷ For a recent Japanese summary of the evidence, see Nankin jiken chōsa kenkyūkai, ed., *Nankin daigyakusatsu 13 no uso* (Tokyo: Kashiwa shobō, 1999).

¹⁸ Gavan McCormack, “The Japanese Movement to ‘Correct’ History,” in Laura Elizabeth Hein and Mark Selden, eds., *Censoring History: Citizenship and Memory in Japan, Germany and the United States* (New York: M.E. Sharpe, 2000), pp. 55-73.

Nanjing.¹⁹ In September 1999 the Tokyo District Court likewise held that the atrocity known as the Nanjing Massacre definitely happened. According to the judgment, the scale of the devastation could not be known, but it was an act of indefensible, imperialist, colonial planned aggression against the Chinese people, in clear breach of international law, and the damage and suffering it caused beyond question, for which Japan should apologize sincerely to the Chinese people.²⁰ It was a landmark decision, even though the court went on to declare that, while the victims deserved an apology from the government of Japan, they had no legal entitlement to redress. Some fifty cases seeking redress for wartime suffering are currently before the Japanese courts. The process may be belated, slow and sometimes equivocal, but Diet, judiciary, media, and education circles are grappling in one way or another to come to terms with the horrors of the war. However, genocide has to date formed no part of the debate, in or out of the courts, and while in Germany over 10,000 cases of Nazi war criminality have been tried in German courts (with 6,000 guilty verdicts being handed down), in Japan the notion of criminal responsibility, if considered at all, has been treated in the most abstract way.

While attention focuses on Nanjing, much of the rest of the war is forgotten. Yet the war as a whole was characterized by mayhem, slaughter, rape and arson, and the wave of violence that swept across cities and countryside around Nanjing from November 1937 to January 1938 was not qualitatively different from the rest of Japan's war on China between 1931 and 1945. Indeed the sad fact is that China as a whole was Nanjing writ large; and that

¹⁹ Nankin jiken chōsa kenkyūkai, *Nankin daigyakusatsu hiteiron 13 no uso*, pp. 1-2.

²⁰ Gavan McCormack, "Nationalism and Identity in Post-Cold War Japan," *Pacifica Review* 12, No. 3 (October 2000): 249-65, at p. 252.

what was different about Nanjing was that there were many observers, including foreigners, who were able to report it. In particular the countryside of North China was punctuated with mass graves, “ten thousand people pits” (*wanrenkeng/banjinkō*), or “people reducing kilns” (*lianrenlu/renjinro*); countless villages were burned to the ground and their population either killed or driven off into walled compounds, and countless women were raped. For Chinese historians, therefore, and also for many Japanese historians, Nanjing was part of a broad movement which, in terms of deliberation and quantity, and in the context of these huge campaigns to drain the water from the pond in which the guerrillas swam, was “total war” (though never actually declared a war, and thus prosecuted free of the inhibitions demanded by the international law of war), ruthlessly prosecuted by modern, mechanized, forces against a largely civilian, often peasant population, with immense casualties. Particularly from 1940 in North (and Central) China the official Japanese policy of rooting out resistance by a series of “absolutely extinguish, pacify and punish” operations, designed to concentrate the population in militarized encampments and to turn the open countryside into “unpopulated zones” (*mujin chiku*), meaning free fire zones, was understood as a policy of “three alls” (“*sankō sakusen*”), meaning “kill all, burn all, loot all.”²¹ These North China campaigns certainly merit consideration under the rubric of genocide, alongside the better-known horrors of Nanjing, but once again, the case is rarely put in those terms.

Furthermore, although the Japanese poured huge forces into China, because it was no war, but merely an “incident,” no provision or plan was made for taking or holding prisoners,

²¹ Himeta Mitsuyoshi and Chen Ping, *Mo hitotsu no sankō sakusen* (Tokyo: Aoki shoten, 1989), especially at pp. 133-34. And see Gavan McCormack, *The Emptiness of Japanese Affluence* (New York: M.E. Sharpe, 1996, 2001), chapter six, “Remembering and Forgetting: The War, 1945-1995,” pp. 225-84.

many of whom were ill-treated, often tortured or killed. In terms of the 1948 U.N. Convention, such acts had no legal or military justification, and therefore might be construed as committed with “intent to destroy” part of a “national group,” i.e., those members of the “national group” who dissented from the Japanese agenda.

This phase of the Japanese war in China constitutes a major link in the history of 20th century counter-guerrilla warfare that began with the U.S. efforts to crush nationalist resistance in the Philippines after the war with Spain at the beginning of the century and ended with the Russian attempts to crush Chechnyan resistance.²² The case for viewing such counter-guerrilla operations as genocide, rather than as covered by “military exigency” seems plain enough. As Jean-Paul Sartre observed to the Russell Vietnam War Crimes Tribunal, “the only anti-guerrilla strategy which will be effective is the destruction of the people, in other words, the civilians, women and children,” i.e., torture and “genocide,” exactly what he and others believed the tactic adopted by the United States in Vietnam.²³ For Japanese crimes falling under this category to be seen as genocidal, much twentieth century history of like actions would have to be reassessed too.

Korea

Strictly speaking, the search for the criteria of genocide in Japan’s pre-war regime would almost certainly concentrate on a country with which Japan was never at war: Korea. That is

²² On the former, John R. M. Taylor, *The Philippine Insurrection against the United States*, 5 volumes (Pasay City: Eugenio Lopez Foundation, 1971).

²³ Jean-Paul Sartre, “On Genocide,” Russell Vietnam War Crimes Tribunal (<http://www.homeusers.prestel.co.uk/littleton/v1217sar.htm>).

because it is here that the evidence for a systematic attempt to destroy a national group, the Korean nation (by assimilating it), is plain. In Korea, there is no Auschwitz or Dachau, no Nanjing or Harbin, but the independence of the Korean kingdom was extinguished in 1910 and Korea was destroyed as “a national group.” An Chung-Kun, the Korean patriot who in 1909 assassinated the Japanese Regent and thus precipitated the transition, is hailed and commemorated by Koreans in both North and South as a national hero; in Japan he is reviled as a terrorist. The Japan-Korea relationship is pivotal in modern East Asian history, but cannot be understood without reference to the deep roots of the modern relationship: the sixteenth century.

The Sixteenth Century

The debate on genocide proceeds from the assumption that only “modern” events should be considered, and that it would serve no purpose for the destruction of Carthage, for example, to be declared genocidal. Yet in East Asia the burden of pre-modern history weighs heavily on the present. As the 16th century Japanese historian, Mary Elizabeth Berry, has remarked,

I have wondered whether the scale of twentieth century atrocity has reduced the gravity of our response to the past. Perhaps our attention to the institutional brutalities of modern states has also led us to slight pre-modern brutality.²⁴

Japan experienced a long period of violence and civil war from around 1467 to the beginning of the 17th century. In the late 16th century, the coalition of forces led by the warlord (to give him a modern designation) Toyotomi Hideyoshi, victorious in the civil war, proceeded

²⁴ Mary Elizabeth Berry, *The Culture of the Civil War in Kyoto* (Berkeley, Los Angeles and London: University of California Press, 1994), p. xv.

to demilitarize the country, seizing swords and other weapons and melting them down. But the violence and turmoil had their own momentum, for which mere stability was no satisfaction. While pacifying Japan, Hideyoshi therefore resolved to conquer China and establish a new world order. Whether or not Berry is right that he craved above all “homage,” not control, his ambition disrupted first Korea, then China and indirectly the world.²⁵

When Korea refused to recognize and defer to the new order, Hideyoshi in 1592 launched a war against it. Eventually he lost, but his forces, around 160,000 men in all, armed with modern (matchlock) firearms and seasoned from generations of warfare, inflicted deep wounds and only withdrew from a second phase of warfare, in 1598, after his death. In terms of period, this was certainly “pre-modern,” but it pitted large armies, equipped with “modern” firearms and discipline, in a systematic attempt to conquer a neighbor state; it was “modern” in the degree of its mobilization of people and resources. Was it also genocidal?

Hideyoshi rewarded his commanders in proportion to the number of enemy they could show they had slaughtered. They could prove the numbers by delivering back to headquarters in Japan the noses of those killed. Heads might have been more satisfactory, and in the case of commanders were required, but they were heavy and difficult to transport, ears were complicated since people had two, but noses were an irrefutable, distinctive, and conveniently small human attribute. Hideyoshi’s forces were assigned quotas -- three Korean noses for each Japanese soldier.²⁶ Pickled in great barrels, they were despatched back to Japan, where they were duly counted and rewards meted out accordingly. One meritorious Japanese clan, the

²⁵ Mary Elizabeth Berry, *The Culture of the Civil War in Kyoto*, p. 216.

²⁶ Kim Hong-kyu, ed., *Hideyoshi, Mimizuka, yonhyakunen* (Tokyo, Yuzankaku, 1998), p. 66.

Nabeshima, sent back 29,251 noses, but thousands of others were sent back by other commanders with no overall count surviving. Various counts point to a figure between “not less than 100,000” and about 200,000 noses being brought back from Korea to Japan.²⁷ Several tens of thousands were buried in front of the Great Buddha hall at Hōkōji Temple in Kyoto, where to this day the “*Mimizuka*” (literally “Ear Mound”) remains, a place now partially swallowed by suburbs, before which it is hard to stand without feeling the blood chill.

Like Nanjing much later, there would be a wide discrepancy in detail, especially numbers, but not in the essential facts of the slaughter.²⁸ The burial mound was throughout pre-modern and modern Japanese history till very recent decades a celebrated place of pilgrimage, a monument to Hideyoshi’s triumphs and his clemency (for having the defeated enemy given a Buddhist repose).²⁹ And at Fujisaki Shrine in Kumamoto, Katō Nagamasa is commemorated and the autumn festival is known as “*Boshita-sai*,” probably short for “*Chōsen o horoboshita*” (or “the devastation of Korea”).³⁰

Korean culture as of the late 16th century was in many, perhaps most (save warfare) respects, more developed than Japan’s. Consequently it was not just noses that Hideyoshi and his commanders plundered. The living were also seized in large numbers, most famous being

²⁷ Kim Hong-kyu, *Hideyoshi, Mimizuka*, p. 74, for the lower figure and Kim Pong-Hyon, *Hideyoshi no Chōsen shinryaku to gihei tōsō* (Tokyo: Sairyōsha, 1995), p. 378, for the higher figure. Both, however, are in broad agreement and careful to stress the impossibility of knowing accurately.

²⁸ Kim Pong-Hyon, *Hideyoshi no Chōsen*, pp. 375-78.

²⁹ Kim Hong-kyu, *Hideyoshi, Mimizuka*, pp. 78 ff.

³⁰ Nukii Masayuki, *Hideyoshi to arasotta Chōsen bushi* (Tokyo: Rokkō shuppan, 1992), p. 184.

the potters. After fourteen or so generations, their descendents still retain a distinctive identity and remember their Korean origins. Not only potters, but doctors, printers, artisans in wood and metal, paper makers, scroll makers, painters, dyers, weavers and spinners, garden designers and experts, and scholars, were seized and brought back to Japan, along with printing presses, the “high tech” items of their time, many cultural treasures and, perhaps the greatest prize, Korea’s young women. How many of them were seized is impossible to know, but an estimate of fifty to sixty thousand,³¹ in a total figure of “no less than 100,000” Koreans transported to Japan, has been suggested in various scholarly accounts.³² Other Koreans were sold as slaves, or exchanged for guns, silk, or other prized foreign goods, either directly or via third country slave traders, to many countries, some finishing up as far away as Portugal.

It seems to me in short that a case might be made for considering this war “genocidal,” but the fact is that it almost never is discussed in these terms. The reasons might be either spatial or temporal: perhaps “genocide” is a European cultural construct, or perhaps considerations of “genocide” are guided by a statute of limitations, so that events of seventy years ago (Nazism) and (perhaps) of ninety-odd years ago (Armenia), may be accepted as part of the debate, but not earlier, and events of 400 years ago in Korea must be disqualified from consideration. But it is not easy to formulate any moral principle to justify such distinctions. If genocide is to be reconstituted as a universal, cross-cultural and cross-temporal criminal phenomenon, then these events surely deserve consideration.

After the Japanese withdrawal from Korea, the adoption of a policy of national isolation

³¹ Kim Pong-Hyon, *Hideyoshi no Chōsen*, p. 382-89, passim.

³² Kim Hong-kyu, *Hideyoshi, Mimizuka*, p. 127.

ushered in two centuries of peace. However, because the legacy of violence and brutality was not critically addressed, Hideyoshi was eulogized as the commoner who rose from the ranks, and modern Japan was destined from the 19th century to revive both his dreams of continental empire and his ruthless methods of accomplishing them. There was no debate in Edo Japan on all this, no regrets save over the mission having ended in defeat and withdrawal.

The Twentieth Century

From 1910 to 1945 Korea was known to the world as Japan's colony of Chōsen. The land passed into the hands of mostly absentee Japanese landlords, the harvest was appropriated to relieve the food problems in Japan, driving many to the brink of starvation. Policies adopted to incorporate, assimilate, and thereby extinguish Korea as a separate political, national identity were adopted, including the imposition on Korea of subordinate political status (Japanese rule), of Japanese state Shinto religion, and of Japan's emperor and his imperial ancestors as gods, of Japanese names to replace Korean names, and of Japanese as its national language. Speaking Korean was punished, the work on a Korean dictionary stopped and (in 1942) the members of the Korean Institute of Linguistics all arrested (twenty of them dying in prison). "Love the country" (i.e., Japan) days were instituted in schools, shrines to the Japanese imperial family gods were turned into focal points in all towns, flag wavings and recitals of Japanese imperial rescripts were instituted. Ultimately, as the system of total mobilization was adopted from 1942, around a million young Korean men were mobilized to work the mines and construction sites in Japan itself, and quite a few thousands directly into low-ranking positions in the Japanese military itself, while tens of thousands of young Korean women, most of them

between the ages of sixteen and nineteen, were mobilized as “Comfort Women” to sexually service the Imperial Japanese Army.

Korea’s separateness, its history and memory, traditions and religion, were crushed, its language, its people’s names, and many of its bodies, especially those of its youth, appropriated. However, the attempt to extinguish Korea as a separate identity, culture and state, and to absorb it within Japan, was not even considered criminal by the International Military Tribunal for the Far East that sat in Tokyo from 1946.³³ That tribunal included the major colonial powers of the time, and however harsh and brutal to the contemporary conscience, in the records of colonialism it is hard to find anything unique about Japanese practice. Although bitterly resented by Koreans to this day, the policies and acts associated with the forced assimilation of Korea have rarely been considered in “genocide” terms.

Furthermore, as Takahashi Tetsuya notes, the category of crime against humanity, first addressed in the judgment at Nuremberg, later held so serious that immunity from prosecution due to passage of time was removed, and then developed into a fundamental concept in the various trials leading up to the International Criminal Court’s tribunals on Yugoslavia from 2000, was not addressed in Tokyo.³⁴ There, such crimes were not distinguished from “ordinary” crimes of war or against peace. The sexual slavery of women, for example, was not treated as criminal. Indeed the Allied Occupation forces relied on a very similar process of mobilization of young women to provide sexual outlets for their soldiers in peace as had the

³³ The enslavement of Dutch women was the subject of prosecution in separate trials conducted by Dutch authorities in Batavia in the East Indies (Indonesia).

³⁴ Takahashi Tetsuya, “Rekisho to sabaki,” *Sekai* (December 2000): 98-107.

Japanese army during war.³⁵ It took nearly five decades after the war ended before the first victim of the “Comfort Women” system, a Korean, in 1991 came out to speak of her experiences and demand justice. In Tokyo in December 2000 a “Women’s International War Crimes Tribunal on Japan’s Military Sexual Slavery” was conducted by women’s groups from throughout the region.³⁶ One Japanese scholar has observed that, in a sense, the suffering of the women victims of these crimes has been even deeper than that of survivors of the Holocaust, because it has been compounded by a sense of shame that has lasted through their entire lives.³⁷ The societies and governments of East Asia share a complicity in the crime by having participated in its cover-up and enforcing silence and guilt on the women victims for fifty years.

Had the Tokyo tribunal addressed the category of crimes against humanity, the criminality of the “Comfort Women” system, and for the “enslavement” of the Korean people (in the words of the 1943 Cairo Declaration), would have been plain. The deep reluctance on the part of spokespersons of the Japanese state to concede wrong, let alone criminal responsibility, for its Korean record has long bedevilled Japan-Korea relations. Between Japan and South Korea a Cold War accommodation was reached under U.S. pressure in 1965, in which war responsibility issues were elided and emphasis placed on restoring of economic links. Negotiations towards a settlement between Japan and North Korea are even now being

³⁵ On this latter point, Tanaka Toshiyuki, “Naze Beigun wa jūgun ianfu mondai o mushi shitanoka,” *Sekai* (September 1996): 174-83, and (October 1996): 270-79. A longer English version is forthcoming in his Routledge book to be published in 2001: *Japan’s Comfort Women: Sexual Slavery, War and the U.S. Cover-up*.

³⁶ <http://www.jca.apc.org/vaww-net-japan/>

³⁷ Takahashi Tetsuya, “Rekishi to sabaki,” at p. 100.

negotiated.

The systematic attempt to crush Korea's political, cultural, and religious identity might seem directed at "the destruction of a national, ethnical, racial or religious group," but the record of Japanese colonialism in Korea is complex. To stop at the repressive aspects of the colonial system would be to neglect the fact that considerable economic growth was also accomplished. The context in Korea was one of imperialism but not war, and the Japanese system relied on securing the consent of a substantial element of the Korean elite. Population grew. Korea was "modernized" and industrialization pursued -- a rare phenomenon in a colony. Furthermore, of no small significance, while resistance was crushed, sometimes brutally, the people were not on the whole subject to mass killings. Order prevailed. It may be that the process was all oriented towards the strengthening of the Japanese imperial system, but a huge social and economic transformation took place all the same.³⁸ Whether historical understanding would be advanced by insisting that Japanese colonialism be categorized along with the crimes of Nazism and the Khmer Rouge may be doubted.

Two Special Cases: POWs and "Germ Warfare"

However the operations of Japanese armies in neighboring Asian countries be characterized, a "genocide" discussion should probably also take into account two special cases: the treatment of Prisoners-of-War, and the cultivation of weapons of mass and indiscriminate killing, chemical and bacteriological, with a view to their employment for genocidal purposes,

³⁸ Gavan McCormack and Stewart Lone, *Korea Since 1850* (Melbourne: Longman Cheshire, and New York: St. Martin's Press, 1993).

even if the intent was not executed.³⁹ A case could be made that Japan's crimes against POWs during the Second World War were extreme, and such a case has often and eloquently been argued.⁴⁰ The death rate among prisoners of the Japanese was many times higher than that among prisoners of the Nazis, although much lower than in the case of other theatres -- such as the Russian and German prisoners on the eastern front in World War II.⁴¹ It is also at least plausible that there was a plan to murder all POW survivors if Japan was defeated, and that the plan was not implemented only because of the suddenness of the final events and the breakdown of Japanese army command.⁴² Certainly many POWs believed they were destined for a "final solution" when the time came. Daws concludes from his study that

[t]he Japanese were not directly genocidal in their POW camps. They did not herd their white prisoners into gas chambers and burn their corpses in ovens. But they drove them toward mass deaths all the same. They beat them until they fell, then beat them for falling, beat them until they bled, then beat them for bleeding. They denied them medical treatment. They starved them....They sacrificed prisoners in medical

³⁹ By this I mean that the genocidal dimension was not implemented. Chemical and biological warfare were both conducted by Japan in China in a limited, essentially experimental way.

⁴⁰ Gavan Daws, *Prisoners of the Japanese: POWs of World War II in the Pacific* (New York: William Morrow, 1994); Yuki Tanaka, *Hidden Horrors: Japanese War Crimes in World War II* (Boulder, CO: Westview Press, 1996).

⁴¹ The death rate in the case of Australian prisoners was 3 percent for those held by Germany and 36 percent for those held by Japan. However, for German and Russian prisoners on the eastern front in World War II, it was 45 and 60 percent respectively. Hank Nelson, "Prisoner-of-War Death Rates: Some Comparisons," in Gavan McCormack and Hank Nelson, eds., *The Burma-Thailand Railway: Memory and History* (Sydney: Allen and Unwin, 1993), pp. 162-65.

⁴² See "Saigo no shodan" (Final disposal) in Yui Daizaburō and Kosuge Nobuko, *Rengokoku horyō gyakutai to sengo sekinin* (Tokyo: Iwanami bukkuretto, No 321, 1993), pp. 37-38.

experiments. They watched them die by the tens of thousands from diseases of malnutrition like beriberi, pellagra, and scurvy, and from epidemic tropical diseases: malaria, dysentery, tropical ulcers, cholera. Those who survived could only look ahead to being worked to death. If the war lasted another year, there would not have been a POW alive.⁴³

But the POWs were by definition a multi-national, multi-ethnic group.⁴⁴ Even had they all been killed, it would therefore have amounted to a massacre, a slaughter but not genocide. Furthermore, most agree now that the treatment of Asian POWs in Southeast Asia was substantially worse than that of Europeans, while for the Chinese, the war brought a wide range of possible outcomes: slaughter, capture and imprisonment (but as prisoners in ordinary prisons, not POW camps protected by international law), or even incorporation as part of “puppet” forces fighting on the Japanese side. When the war in China ended, there were no prison camps to be thrown open, few prisoners to be liberated. Whether the cause of subjecting state violence to legal sanction would be advanced by having the label of genocide attached to the treatment of the relatively small numbers of Western prisoners but not to the treatment of the masses of the people of Asia seems doubtful.

As for the problem of chemical and bacteriological warfare preparations, and partial or experimental deployment, the considerable literature on this could be summarized by saying that many atrocities were committed by Unit 731 in Harbin and its sub-branches elsewhere in

⁴³ Daws, *Prisoners of the Japanese*, p. 18.

⁴⁴ Daws, *Prisoners of the Japanese*, passim; see also Nelson and McCormack, eds., *The Burma-Thailand Railway*.

China.⁴⁵ Research and development work designed to manufacture racially or ethnically discriminatory pathogens to wipe out particular peoples was conducted, and in the process many lives were lost. The grand campaign to which it was oriented was never launched, however, so that it amounted perhaps to conspiracy for genocide, or planning towards genocide, rather than the thing itself (although some thousands of people nevertheless fell victim to it). To my knowledge, however, none of the experts who have worked on these matters chooses to characterize these crimes as genocidal. In any case it is necessary to recall that superpower strategy, to the end of the twentieth century and even at the beginning of the twenty-first, has been based on the development and stockpiling of weapons capable of destroying not only particular peoples but all people. Such plans may not be considered as genocidal, however, because the crime as defined in 1948 did not include the planning or working towards indiscriminate or general human slaughter, only cases in which members of a particular “national, ethical, racial or religious group” are targeted.

The “Genocidal Complex”

To the extent that the historical record makes possible the identification of some elements of a “genocidal” or “proto-genocidal” mindset, understanding the history becomes one condition for blocking, or at least contesting, its repetition. Robert Lifton has argued that the possibility of genocidal violence becomes high in situations of what he calls “extreme historical trauma, confusion and chaos,” in which there emerges “a group with a revitalizing ideology that

⁴⁵ See the various works of Tsuneishi Kei’ichi, the authority on this subject, or in English, Sheldon H. Harris, *Factories of Death* (London and New York: Routledge, 1994).

becomes genocidal by feeding on an impulse to destroy what I call the designated victim.”⁴⁶ It is an analysis which seems to fit well the circumstances of the European Holocaust and also the circumstances in Turkey, Cambodia, and Rwanda, but much less obviously those of 1930s and 1940s Japan where social and political order never broke down. However, what is characteristic of the “revitalizing ideology” is the way that a line is drawn between inside and outside, “us” and “them,” so that the “designated victim” can be identified and victimized, “our” society cleansed.

The process of establishing the inside and outside of national identity involved in the pre-modern and modern Japanese case to an unusual degree the construction of “Japan” as a superior, unique, divine, blood and history-united people, different from their neighbors and destined to rule over them. The way that the line was drawn reflected a sense of vulnerability and crisis, and undoubtedly facilitated from time to time the direction of large-scale, state-directed Japanese violence against neighbors. This mentality remains strong. Japan has had consistent difficulty in conceiving of a common “Asian” identity and destiny, resorting instead to atavistic notions of unique and superior “Japanese” identity, constructed around the institution of the emperor. Though Lifton’s “extreme historical trauma,” of the depth that was experienced in Turkey, Germany, Cambodia, and Rwanda, has not been known in modern Japan, the ideology of Japanese superiority and uniqueness, codified in the prewar and wartime years part as “*kokutai*” or “national polity,” persists.

Even as internationalization of the economy and political and social engagement with

⁴⁶ Robert Lifton, quoted in Paul Grondahl, “Writer studies why we hate,” *Times Union*, 2 November 2000 (<http://www.timesunion.com>).

the region and the world reaches unprecedented levels, so, in contrapuntal tension, does the insistence on Japan's uniqueness, as a "monoracial society" and a "natural community" ("shizen kyōdōtai"), unlike polyglot countries such as the United States, mere nations "formed by contract."⁴⁷ The representation of Japan as a blood-defined nation, a "land of the gods centred on the emperor,"⁴⁸ superior and distinct, on which conservative bureaucrats and politicians continue to insist, has marked similarity to the rhetoric of "ethnic cleansing" elsewhere in the world. The movement to construct a "bright" Japan, and a "proud" Japanese identity is backed by prominent corporate as well as political and intellectual figures. Its capacity for mass mobilization is evident in the recent campaigns for text-book revision, and for the reinstatement of imperial symbols.⁴⁹ Inside the National Diet, members who insist on the justice of the war's cause and firmly oppose any apologies organize groups with names such as the "Dietmembers League for a Bright Japan" and the "Dietmembers League for the Passing on of a Correct History," whose formulations match those by nationalist and rightist leaders such as Joerg Haider in Austria and Jean-Marie Le Pen in France.

If there is a "proto-genocidal" or "ethnic cleansing" sort of mind in Japan, it is not manifest in active discrimination against racial minorities (at least on a scale comparable with

⁴⁷ Words used by Nakasone Yasuhiro, Prime Minister in the mid-1980s and Japan's elder statesman through the end of century. (See Gavan McCormack, "Kokusaika: Impediments in Japan's Deep Structure," in Donald Denoon, Mark Hudson, Gavan McCormack and Tessa Morris-Suzuki, eds., *Multicultural Japan – Palaeolithic to Postmodern* (Cambridge: Cambridge University Press, 1996), pp. 265-86, at pp. 275-76.

⁴⁸ Prime Minister Mori Yoshiro's formulation, 15 May 2000. See Gavan McCormack, "Introduction" to Second Revised Edition, *The Emptiness of Japanese Affluence* (New York: M.E. Sharpe, 2001).

⁴⁹ Gavan McCormack, "Nationalism and Identity in Post-Cold War Japan."

Europe), and it certainly does not include any idealization of the peasant soul.⁵⁰ To the extent that contemporary Japanese identity politics is characterized by a powerful trend towards return to the formula of pre-modern and imperial Japan, the debate over “identity” thus has profound implications.

Conclusion

Fifty-five years after the end of its various wars and the liquidation of its colonial empire, Japanese courts have yet to arraign, much less convict a single person for any war crime. The many war crimes trials that followed World War II meted out a lot of punishment -- though in the Japanese case nearly all at the lower, field levels rather than at the level of command and real responsibility -- but signally failed to settle the issues of guilt and responsibility to the satisfaction of the Japanese community, even less of those who were actually punished. Paradoxically, the war crimes trials which, virtually uniquely, seem to have accomplished moral regeneration in the guilty were those conducted in China at the direction of Zhou Enlai. There, a thousand Japanese soldiers were imprisoned and, instead of punishment, simply encouraged to recall and record the details of their lives and deeds as soldiers, including their participation in mass killing, rape, and pillage in the course of the extermination

⁵⁰ Thinking here of Ben Kiernan’s hypothesis that the two qualities intrinsic to genocide are persecution of minority races and idealization of the peasant population. (Quoted in Lisa Asato, “Genocides share common aspects,” “Ka Leo On line”) (<http://www.kaleo.org/1999/11/30/1news.html>). See also Ben Kiernan, “Sur la notion de génocide,” *Le Débat* (Mars-Avril 1999) (<http://www.yale.edu/gsp/Debat-Kiernan.htm>).

campaigns.⁵¹ What is unique about this group is the fact that their spell in Chinese prisons between 1945 and 1956 seems to have stirred their conscience in a profound way that lasted, for many at least, a lifetime, and served as a powerful voice in Japanese society for truth and reconciliation. Yet in official Japan, those responsible for both Japan's aggressive ventures into Asia, in the 16th and 20th centuries are to this day seen as heroes.

The search for judicial machinery to restrain and punish acts of genocide continued after World War II, but the record has been mixed. When genocide, as widely agreed, occurred in Cambodia and Rwanda in the 1970s and 1990s respectively, the major powers in the United Nations (including the United States) insisted on the Khmer Rouge retaining its seat in the United Nations in the one case and stood aside, declining any intervention while nearly a million people were slaughtered, in the other. End of century initiatives included, at the public level of states and international institutions, the establishment of the International Criminal Court and the opening of various trials under its auspices, and at the level of civil society the conduct in Tokyo in December 2000 of the "Women's International War Crimes Tribunal on Japan's Military Sexual Slavery." This latter was a "tribunal" in the tradition of the Russell Tribunal of 1966-67 on U.S. war crimes in Vietnam. Organized by women from various groups of civil society throughout the region, it was designed to redress the long failure of official Japan to concern itself with war crimes and the failure of the international community adequately to address crimes against women in particular. It formally heard evidence on the

⁵¹ The Chūgoku Kikansha Renrakukai (Association of Returnees from China). See <http://www.tyuukiren.org>. For a recent example, Hoshi Toru, "Chūgoku e 'kikyō' shita Nihonjin senpantachi," *Shūkan kinyōbi* (13 and 20 October 2000): 52-55 and 30-31. See also the 1990 documentary film produced by NHK and entitled "1064 Nin Senpan no Jihaku" (Confessions of 1064 war criminals). The psychoanalyst Noda Masaaki has written a penetrating analysis of the mind of these soldiers: *Sensō to zaiseki* (War and criminal responsibility) (Tokyo: Iwanami shoten, 1998).

“Comfort Women” system practiced by Imperial Japan, and took some steps towards assigning responsibility for it, most notably by finding Japanese emperor (and commander-in-chief) Hirohito, guilty. It was an important step towards the restoration of justice, human rights and dignity to the victimized women, and a pressure on the international community to end the cycle of impunity for violence against women in wartime and conflict situations. But even in this “citizen’s tribunal,” representing the voice of civil society from throughout the region, and making a great, late century contribution towards elucidating the problems of war, violence and gender, neither the victims, nor their legal representatives, sought recourse to the law of genocide.

The problem of drawing up a taxonomy of state-led mass killing in the twentieth century is no mere academic pursuit. More than in any other sector of criminal law the goals of punishment and deterrence are major social policy objectives. State-sponsored violence was a scourge of the twentieth century. But it is far from clear that advances in the identification, prosecution and punishment of the specific crime of genocide will serve to neutralize or block it in the twenty-first. The bedrock of the problem may be twofold. On the one hand, the crime of genocide, originally conceived and in the courts and history texts reserved for the crimes of Nazism against the Jewish people, has only slowly been expanded from the special, unique evil of the Nazi slaughter of the Jews to a general and universal category of war crime. The process does not move smoothly, and the legal and moral reasons for singling out one particular form of state violence, genocide, from others such as politicide, gynocide, etc., is not clear. On the other hand, the twentieth century is too rich in precedents of “victor’s justice,” where the acts of the defeated were declared utterly depraved (and genocidal) while similar acts on the part of the

victor were justified. Both of these problems cast a shadow over the effort to achieve generalized justice and to punish and deter all forms of state violence.