



Contributions to the Allied Occupation Effort in Japan

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INTRODUCTION

During the period of the Occupation of Japan, I worked as an MIS member, and then as a civil servant, in three main areas:

1. The Washington Document Center
2. The War Crimes Trials
3. General Headquarters — SCAP, Legal Section.

1. WASHINGTON DOCUMENT CENTER, TOKYO

When World War II ended, I was stationed at Camp Ritchie in Maryland, working in the Pacific Military Intelligence Research Section (PACMIRS). Early in September 1945, a group of us PACMIRS boys found ourselves crowded around a list, posted on the bulletin board. There were three detachments of about twenty men each. Right at the first column at the top was my name, and under it, the names of twenty men who were to be in my charge. The next column designated M/Sgt Matsumura as the NCO in charge, and M/Sgt Dave Itami was the man in charge of the third group. We were part of a new group, the Washington Document Center (WDC) and would be sent to Japan. I wondered how would I react? How would the Japanese react to me and the other US soldiers with Japanese faces? I could only ascertain by going there.

Our first group of sixty WDC personnel left Camp Ritchie in November, but by the slowest means available. After stops in California, Hawaii, Johnston Atoll, Kwajalein, and Guam, it was the end of November before we finally landed in Japan. I was apprehensive.

We landed at Atsugi Air Base and took a slow, bumpy, twenty-mile ride northwest to Tokyo. We were let off at the NYK building, right in front of Tokyo Station. Along the road on the opposite side of the station was the Imperial Palace moat. I remember looking across, along the moat to the stone abutments. There, I was aghast to see, was a row of young Japanese girls, all painted and looking eerily white. Obviously, all of them, hundreds of them, were sitting there in the cold winter night, waiting to be picked up by us GIs. I was appalled. I checked into my barracks with an uneasy heart.

The next day, I took a ride on the electric commuter train that circled the center of metropolitan Tokyo. Most of the roofs at each station were blown off or were about to collapse, but the trains ran with fanatic regularity.

My first glimpse of Tokyo, true to what I had read in the newspapers, revealed that there was nothing left. The great metropolis was literally reduced to ashes and rubble. Here and there were clusters of houses that survived the bombing, standing like lonely islands among a sea of debris. Nearby the train stations, there were lean-tos made of burnt planks, corrugated tin, and straw. They looked shabbier than pigpens, but they were makeshift human habitations. I could see faces looking out from some of them, as the train passed by.

Getting off the train, we strolled around to see the neighborhood. Most of the people were boys, men, and old women. We were told that most of the young girls and women had been evacuated to the countryside to protect them from the ravages of American soldiers. These people on the streets looked like zombies. Their clothes were tattered, with patches on patches. Their plight almost brought tears to my eyes, as so many of them looked so much like my own parents or family friends back in Denver.

Later, we had a chance to visit some Japanese homes. I noticed that the homes were literally stripped bare. If a family had two pots or pans, one was donated to the government. Similarly, everything made of metal—tools, bowls, cups, ancient bronze mirrors, incense burners, objects of art, religious relics, anything—was turned over to the government to be made into weapons and bullets for the defense of the country. Even gems, diamonds, rubies, and other precious stones were turned over for the national cause.

I thought of those girls I saw the first day in Tokyo at the moat, and I realized they were sacrificing themselves to help their families in their desperate fight for survival. I felt



guilty for condemning them.

During the ensuing months, I came into contact with many Japanese of all walks of life, made friends, and exchanged visits. My language skill was an invaluable asset. The Japanese were amazed at an American GI speaking their language with native fluency. They appreciated our understanding of their culture.

In these instances, I was able to observe them, and assess them. At the same time, I was able to assess myself to analyze how I considered myself, an American with a Japanese face among the Japanese, and among Americans.

Our assignment with the WDC was to search out any book, pamphlet, or writing on Japanese military information, particularly to ascertain their knowledge of US military matters. We collected all sorts of written materials and books written in Japanese, translated the title and author's name of each book, gave a one-line description of the contents, packed the materials, and shipped them off to Washington D.C.

This assignment took our team to the now defunct Japanese Ministry of War, General Staff Headquarters and other military establishments. In the process of our search, we learned that many of the important documents had been whisked away in secrecy to points outside the known military facilities.

The War Department at Ichigaya, where the military tribunal for the trial of the Class A type war criminals were held, had a huge underground hideout 100 feet below the building. Our descent into the dungeon, escorted by Col. Miyama, was an exciting experience. We also learned of a huge underground Imperial Palace somewhere in the mountain area, built in case the Emperor had to be evacuated. Another team was dispatched to investigate this facility.

Some materials were evacuated to various rural prefectures to safeguard them from fire and bombing. Tracing them, our team went into the hinterlands of Nagano Prefecture around the city of Uyeda.

The most interesting cache was that located beneath the Imperial Palace in Tokyo where the Japanese Army had its headquarters. I had the opportunity to read the battle plan of the Japanese Army. The plan spelled out how to handle the expected Allied invasion of Japan. It called for the Japanese to fight down to the last man, woman, and child. People



were to resist with whatever means they had. Citizens were to whittle bamboo poles to a point and impale American parachutists as they floated to the ground. This scenario, we know, was not played out. The actual events in Hiroshima and Nagasaki were horrific, yet they brought an abrupt end to the hostilities, and no further civilian deaths had to occur.

Our work progressed smoothly, better than we expected because of the willingness of the Japanese authorities to cooperate with us and to render assistance in every way possible. The scheduled work was accomplished within the time allowed and we were ready to return to the States by the end of March 1946.

While I was busy summing up my last report, I learned that the War Crime Defense Section in Yokohama was looking for bilingual individuals to be investigators, interpreters, and lawyers for the defense of Japanese War Criminals. My buddies and I met with the chief of the Defense Section, Major Phillips. After inquiring into our backgrounds he said “You fellows are God-sent. You are just the type of persons we need.” He also considered my abilities as a bilingual attorney to be an invaluable asset. At the end of the Meeting, he said, “You are all hired. When can you start?”

We lost no time in processing ourselves for discharge, changing over from military status to civilians—Federal civil service employees. I did, however, continue to draw upon my military experience, and to work with some of the same people.

2. WAR CRIMES TRIALS

When Japan formally surrendered aboard the Battleship Missouri, on September 2, 1946, she had accepted the terms of unconditional surrender, including the provision from the Potsdam Proclamation regarding the trial of war criminals, calling for stern justice. General MacArthur, in his capacity as the Supreme Commander for the Allied Power, promulgated an executive decree commonly known as the Tokyo Charter, but officially named, “Charter of the International Military Tribunal for the Far East,” dated April 26, 1946.

Under this Charter, the types of war crime offenses were divided into the following three classes:

Class A: Crimes against peace, namely, the planning preparation, initiation, or waging of



war. This category included the leaders of the war.

Class B: Conventional war crimes, namely violations of the laws or customs of war. This category encompassed soldiers running POW camps.

Class C: Crimes against humanity, namely, murder, extermination, enslavement, and other inhumane acts. There were no category C prisoners in Japan

Other war crimes trials were also held in other countries, such as the Philippines.

The Class A War Crimes Trials opened in Tokyo in May with much media attention and clamor, but the Class B Trials had opened earlier, quietly in Yokohama. I was assigned to the defense of the class B prisoners, to work under the Staff Judge Advocate's Office of the Eighth Army.

By the time I joined the war crimes trials in March of 1946, about one thousand Japanese suspects had already been arrested and placed behind bars at Sugamo Prison in Tokyo.

I was handed a copy of the "Proclamation by the Supreme Commander for the Allied Powers" of January 19, 1946, and the previously mentioned "Charter of the International Military Tribunal for the Far East". Studying these basic organic documents, I could see that the trial procedure to be followed was very different from the procedures I had been taught in Law School. During the trials, I relied heavily on fundamental Constitutional principles and rights, on war crimes trials research as it became available, and my knowledge of Japanese culture.

Several of my clients, especially those who had caused American deaths, were found guilty and executed. For other clients I was able to show mitigating circumstances. For example, one Japanese officer accused of torturing American soldiers had, in fact, provided acupuncture treatments for the prisoners' injuries. We were able to convince the court by having an acupuncturist give a demonstration on a Nisei MIS subject. We were also able to show, in several instances, that the meager food rations fed to the American prisoners were the same meager amounts that the Japanese soldiers themselves ate toward the end of the war. In those cases, the accused were sentenced to prison terms or acquitted. Later, when the Occupation ended, and the Japanese government returned to power, it released the war crimes prisoners.



Upon the completion of the war crimes trials, the organization was disbanded and the personnel dispersed. Providentially, a position opened up with the Legal Section GHQ, SCAP.

3. GENERAL HEADQUARTERS – SUPREME COMMANDER FOR THE ALLIED POWERS (GHQ SCAP)

In the autumn of 1949, I went to work under Dr. Oppler, Chief of the Legislation and Justice Division in the Legal Section. Our office was assigned the task of the legal and judicial reform of Japan, which touched upon all phases of legal affairs of the country.

The new Japanese Constitution had already been completed. It was adopted in November 1946, and became effective in May 1947. Since it had been introduced by an outside government the USA, part of the task of our Legal Section was to explain the meaning of various laws to the Japanese. Our office also had to evaluate the hundreds of other lesser laws for their validity and compatibility with the new Constitutional system. Any new legislation had to be cleared with us. If we said, “No,” the proposed law could not be enacted. I was overwhelmed with the awesome power of my position. To be sure, we had definite guidelines to follow, and our decisions were based on sound considerations.

The Japanese legal system was undergoing a period of trial and error, and re-education. In this connection, our Legal Section provided much mentorship. We spent much of our time responding to their requests for seminars, meetings, and lectures, The Judicial Research and Training Institute which trained and produced lawyers, government attorneys, and judges, had a regular curriculum in this area, with lecturers provided by our Legal Section. The Justice Ministry had its on-the-job training, and the Bar Association organized continuing legal education for the lawyers. Our Legal Section supplied the speakers and lecturers to explain how law enforcement worked, trials were conducted, and penal and correctional institutions were managed and operated in the United States.

In all this, the serious language gap was skillfully bridged by the Nisei linguists who were transferred over from the MIS or other intelligence services. Most had no special legal background, but they brought with them intensive training in the Japanese language on top of their already accomplished knowledge of Japan. With the on-the-job acquisition of legal terminology they became an excellent conduit through which all the legal expertise flowed from the Legal Section to the Japanese. Without their linguistic



services, the reformation of the legal and judicial system of Japan could not have been accomplished. In fact, I do not think it is an exaggeration to say that the whole program of the Allied Occupation of Japan could not have been carried out so smoothly or successfully without the presence of over 3,000 Nisei linguists who were employed by various Occupation agencies throughout Japan.

CLOSING

After the Occupation, I went to work for the Office of Staff Judge Advocate, Far East Air Force as Attorney Advisor. In 1956 the office became part of the HQ Fifth Air Force.

When I retired in 1974, the Emperor of Japan conferred upon me the Imperial Order of the Sacred Treasure, Third Class, for my work on the Japanese judicial system. The commendation read:

“His Majesty the emperor of Japan has conferred upon you the Imperial Order of the Sacred Treasure, Third Class, in recognition of your meritorious services extending as long as nearly thirty years, during which time you greatly contributed to the improvement of the Japanese judicial and other systems and also to the proper and smooth implementation of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between Japan and the United States of America, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan as well as to the promotion of friendly relations between our two countries....”

More than this, on a personal level, I most treasure the friendships I made with the people with whom I worked over the years—both American and Japanese. Even after I retired, I kept up a correspondence with most of them and their families. I feel that my work was not just a job but a rich collection of experiences and friendships.

