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Bill of Rights in Action

Summer 2002 (18:3)

Victims of War

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The "Rape of Nanking"

At the beginning of World War II, Japanese soldiers committed many atrocities against POWs and civilians in Nanking, China. After the war, a war crimes trial focused on who was responsible for these acts.

For much of human history, the idea of "war crimes" did not exist. Victorious armies often slaughtered defeated enemy soldiers and civilians as well. About a hundred years ago, however, most major nations in the world began to agree on certain "rules of war."

In 1899 and 1907, at a city called The Hague in the Netherlands, the world powers agreed to prohibit the killing or mistreatment of prisoners of war and civilians. In effect, these [Hague Conventions](#) made it illegal under international law for soldiers and their commanding officers to carry out acts that came to be called "war crimes."

Japan was one of the nations that signed and ratified the Hague Conventions. Japan was fast becoming a modern and industrialized country with a military force patterned after those of Europe. Following the example of European colonial powers, Japan went to war against China in 1894 to gain control of some Chinese trading ports. In 1905, Japan defeated Russia in a war over possession of ports in the Chinese territory of Manchuria. It was the first Asian nation to defeat a European power.

By the early 1930s, Japanese military and political leaders believed that it was Japan's destiny to acquire China. They thought that Japan's economic survival depended on control of Chinese agricultural lands and other resources.

Meanwhile in China, revolutionaries had overthrown the last emperor and were trying to unify the country under the leadership of [Chiang Kai-shek](#). The Japanese viewed these events as a threat to their plans for dominating China as a virtual colony. In response, Japan seized all of Manchuria in 1931.

In 1937, two years before Hitler started World War II in Europe, and four years before Japan attacked Pearl Harbor, the Japanese launched another invasion of Chinese territory. This time, they occupied the Chinese capital city, Peking (now spelled Beijing). In addition, they sent a major force to attack [Shanghai](#), China's largest city (located near the mouth of the Yangtze River).

Outside Shanghai, the Japanese, under the command of General Matsui Iwane met heavy resistance from Chiang Kai-shek's army. The battle raged on for several months, killing thousands on both sides. Finally, in early November 1937, Chiang ordered his army to retreat 250 miles inland along the Yangtze River to Nanking (now spelled Nanjing), the new Chinese capital. General Matsui's troops pursued the Chinese, who soon began to flee in panic.

Although Matsui issued orders forbidding mistreatment of the Chinese people, Japanese soldiers felt vengeful. They had endured fierce fighting in the battle for Shanghai. Japanese troops executed many Chinese soldiers who had surrendered. They also killed draft-age men, whom they suspected of being enemy soldiers disguised as civilians. Because the Japanese military high command in Tokyo had failed to establish an adequate supply system for their troops, soldiers began stealing food from the countryside. This led to further abuses of Chinese civilians.

The Fall of Nanking

As Japanese troops moved closer to Nanking, Chiang Kai-shek, Chinese government officials, and many civilians left the city. Chiang, however, ordered his generals and about 100,000 soldiers to remain and defend the Chinese capital.

In early December 1937, Japanese air strikes and artillery bombarded Nanking. In battles outside the city, Chinese troops proved no match for the Japanese.

The Japanese demanded that if the Chinese did not surrender Nanking "all the horrors of war will be let loose." Chiang Kai-shek refused to permit the surrender of the capital, but finally ordered the defenders to evacuate. Panic gripped the city. Chinese soldiers and civilians desperately tried to flee Nanking before the Japanese arrived.

When the Japanese surrounded Nanking on December 12, they trapped tens of thousands of Chinese soldiers and about 200,000 civilians in the city. Although most foreigners had fled Nanking, a group of about 25 American and European businessmen, doctors, nurses, college professors, and Christian missionaries remained. In the weeks leading up to the fall of Nanking, they formed a committee to organize a two square mile "International Safety Zone" within the city.

The purpose of the Safety Zone was to shelter and protect the Chinese civilians still living in Nanking. The Safety Zone Committee elected an unlikely leader—John Rabe. He was a German businessman who also headed the Nazi Party in Nanking. Even so, Rabe worked tirelessly and put his life in danger to shelter and save the lives of many Chinese.

When Japanese troops finally marched into Nanking on December 13, 1937, thousands of civilians crowded into the Safety Zone. The Safety Zone Committee decided to also admit stranded Chinese soldiers. The Japanese never fully agreed to honor the Safety Zone, but allowed the committee of foreigners to feed and house the people seeking refuge there.

The Execution of POWs

Thousands of Chinese soldiers had surrendered before the Japanese entered Nanking. Once in the city, Japanese troops rounded up any Chinese soldiers they found in house-to-house searches and in the Safety Zone.

Since defeated Chinese soldiers had the custom of exchanging their military uniforms for civilian clothes, the Japanese also arrested many draft-age males not in uniform. Undoubtedly, this group included many civilians—policemen, firemen, city employees, hospital workers, servants, and others.

The Japanese faced the problem of what to do with these POWs (prisoners of war). A feeling of vengeance against the Chinese ran strong among Japanese troops. The Japanese had difficulty feeding their own soldiers, let alone tens of thousands of Chinese POWs. The Japanese also saw the POWs as a security risk. They didn't have a camp to hold the POWs. They thought the POWs threatened the safety of the Japanese soldiers as well as a planned victory parade in Nanking led by General Matsui.

The Japanese army had no clear POW policy. Division commanders in Nanking took matters into their own hands and ordered the execution of the POWs under their control. The Japanese shot some by firing squad and bayoneted others to death. In some cases, the Japanese lined up POWs in groups from 100-200 on the banks of the Yangtze and machine-gunned them. Some Japanese officers used their swords to behead POWs.

About 40,000 Chinese POWs and civilian draft-age men probably perished within a week or so. The Japanese had committed the first major war crimes of World War II. But the worst was yet to come.

"Cases of Disorder"

Atrocities (brutal acts) against the people of Nanking began as soon as Japanese troops entered the city. Unlike the POW executions ordered by Japanese army division commanders, most atrocities against Nanking's civilians were criminal acts done by undisciplined soldiers.

Japanese soldiers beat people, robbed them at gunpoint, and murdered them almost randomly. The soldiers stabbed people with bayonets, mutilated them with knives, and even ran over them with tanks. The soldiers vandalized, looted, and burned public buildings and private homes. They even destroyed animals for no reason.

For more than a month, Japanese soldiers roamed the city hunting for women to rape. The soldiers raped women and girls on the street, in stores, and in homes before horrified family members. The victims ranged in age from 10 to over 60. Even pregnant women were sexually assaulted. Gang rapes and kidnappings for the purpose of rape occurred. Raped women were sometimes mutilated or killed. The rapists killed children and even infants simply because they got in the way. Japanese soldiers frequently invaded the International Safety Zone in search of women. On several occasions, John Rabe, the leader of the Safety Zone Committee, stopped sexual assaults by displaying his Nazi swastika armband. The soldiers did not want to get into trouble with a country that they knew was a friend of Japan.

During the weeks of terror in Nanking, the Safety Zone Committee sent letters and eyewitness reports of the atrocities to Japanese diplomats, hoping they could stop the rampaging soldiers. Called "Cases of Disorder," these reports detailed what was happening to the people of Nanking.

The Safety Zone Committee recorded this account of a case that took place on January 15, 1938:

Many Japanese soldiers arrived [at a Chinese temple], round[ed] up all the young women, chose 10, and raped them in a room at the temple. Later the same day a very drunken Japanese soldier came, went into one room demanding wine and women. Wine was given, but no girls. Enraged, he started to shoot wildly, killing two young boys, then left . . .

Who Was Responsible?

General Matsui was the overall commander of Japanese military operations in Central China. Headquartered in Shanghai, he did not personally witness the terrible events that unfolded in Nanking. A few days after Japanese forces occupied the Chinese capital, however, Matsui entered the city to lead a victory parade. Finding out about some of the atrocities that Japanese soldiers were committing, he ordered that, "Anyone who misconducts himself must be severely punished."

After General Matsui returned to Shanghai, the atrocities against the people continued in Nanking. Army division commanders did little to stop them.

In Shanghai, General Matsui issued new orders, stating that the "honor of the Japanese Army" required punishment for the illegal acts of soldiers. Again, the Japanese commanders in Nanking were unwilling or unable to control their troops. Only after Matsui returned to Nanking in early February 1938, six weeks after the fall of the city, did order and discipline improve among the occupying troops.

Even today, great controversy arises over the number of victims in the "Rape of Nanking." Official Chinese figures put the number at 300,000. Some in Japan deny the massacre took place. But today Japanese textbooks, which for years did not mention Nanking, estimate that 200,000 were killed. The latest research indicates that Japanese troops probably killed at least 50,000 to 100,000 POWs and civilian men, women, and children. Many thousands more were rape victims and others who were injured but survived.

Who, then, was responsible for these atrocities?

As they did at **Nuremberg**, Germany, the victorious Allies conducted war crimes trials in several Asian nations after the war. At Nanking, a war crimes tribunal convicted and hanged three Japanese army lieutenants for beheading hundreds of Chinese POWs. The Nanking tribunal also tried and executed one

Japanese general who commanded troops in Nanking.

In Tokyo, more than two dozen Japanese political and military leaders also faced a war crimes tribunal. General Matsui was indicted for "deliberately and recklessly" ignoring his legal duty "to take adequate steps to secure the observance and prevent breaches" of the laws of war (the Hague Conventions). In his defense, General Matsui said that he never ordered the POW executions. He also argued that he had directed his army division commanders to discipline their troops for criminal acts, but was not responsible when they failed to do this.

The majority of the judges at the Tokyo tribunal ruled that Gen. Matsui was ultimately responsible for the "orgy of crime" because, "He did nothing, or nothing effective to abate these horrors."

A dissenting judge, Radhabinod Pal from India, disagreed with the majority. He concluded that the commander-in-chief must rely on his subordinate officers to enforce soldier discipline. "The name of Justice," Pal wrote in his dissent, "should not be allowed to be invoked only for . . . vindictive retaliation." American military authorities hanged General Matsui on December 27, 1948.

For Discussion and Writing

1. Do you agree or disagree that there should be international laws to punish persons for committing "war crimes"? Why?
2. Who do you think was responsible for the Nanking war crimes? Why?
3. Do you agree or disagree with the conviction and execution of General Matsui? Why?

For Further Information

The Laws of War The texts of international treaties establishing laws of war. From the Avalon Project at Yale Law School.

Scarred by History: The Rape of Nanking Summary from BBC News.

The Nanking Atrocities An extensively researched site with written commentary, photographs, and video. Master's thesis in year 2000 of Kajimoto Masato, Graduate School of Journalism, University of Missouri-Columbia.

WWW Memorial Hall of the Victims in the Nanjing Massacre (1937-1938) Large collection of links to articles, photographs, and videos.

Basic Facts of the Nanking Massacre and Tokyo War Crimes Trial From the WWW Memorial Hall.

Commemorating the 60th Anniversary of the Nanking Massacre A photographic exhibit from Princeton University.

Three articles on the massacre from the 1999 *Columbia East Asia Review*:

A Japanese Historiography of the Nanking Massacres Traces the changing viewpoints of Japanese toward the massacres. By Takeshi Yoshida

Nanjing Massacre: A History Written in Blood and Flesh By Jennifer Mak.

Nanking (Nanjing) Massacres Links from the Center for Holocaust and Genocide Studies.

Book Reviews of *The Rape of Nanking: The Forgotten Holocaust of World War II* by Iris Chang:

Breaking the Silence A review of the book and an interview with the author.

Bearing Witness From the New York Times Book Review.

The Horror From the *Atlantic Monthly*.

Critical Review By Robert Entenmann, Department of History, St. Olaf College, for H-Net Reviews in the Humanities & Social Sciences.

Forgotten Holocaust Interview with Iris Chang by David Gergen on PBS's NewsHour.

Japanese Imperialism and the Massacre in Nanjing A book by Gao Xingzu, Wu Shimin, Hu Yungong, & Cha Ruizhen. Translated from Chinese into English by Robert Gray.

Case Study: The Nanjing Massacre, 1937-38 From Gendercide Watch, a group concerned with acts of gender-selective mass killing around the world.

Primary Sources:

All Captives Slain An eyewitness report by F. Tillman in the *New York Times*, December 18, 1937. From the Modern History Sourcebook.

Excerpts From the Diaries of Minnie Vautrin and John Rabe Two eyewitness accounts.

The Good Nazi *New York Times* book review of *The Good Man of Nanking: The Diaries of John Rabe*.

Some in Japan continue to deny that the Nanking Massacre occurred. Here are three web sites related to this:

Shudo Higashinakano (Professor of Intellectual History, Asia University, Tokyo) The professor denies the Rape of Nanking ever took place.

The Rape of Nanking: An Undeniable History in Photographs A response to the deniers.

Collective Amnesia: Japan's Crusade to Forget Links to articles on some Japanese attempts to deny war crimes. From the Global Alliance for Preserving the History of World War II in Asia.

A C T I V I T Y

Crimes of War

What acts during a war should be punishable as crimes of war?

1. Form five small groups. Each group should be responsible for one of the following categories:
 - A. Prisoners of war
 - B. Civilian men, women, and children
 - C. Public buildings
 - D. Private homes
 - E. Captured terrorist suspects

2. Each group should develop a list of specific acts against its category that should be considered punishable crimes of war.
3. Each group should post its acts and explain why they should be included as war crimes. Members of the other groups may ask questions or argue that certain acts should not be war crimes.
4. The class may vote to add or delete particular acts in order to end up with a comprehensive list of crimes of war.

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