



Yamashita's Ghost: War Crimes, MacArthur's Justice, and Command Accountability (Modern War Studies)

By Allan A. Ryan

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"I don't blame my executioners. I will pray God bless them."

So said General Tomoyuki Yamashita, Japan's most accomplished military commander, as he stood on the scaffold in Manila in 1946. His stoic dignity typified the man his U.S. Army defense lawyers had come to deeply respect in the first war crimes trial of World War II. Moments later, he was dead. But had justice been served? Allan A. Ryan reopens the case against Yamashita to illuminate crucial questions and controversies that have surrounded his trial and conviction, but also to deepen our understanding of broader contemporary issues—especially the limits of command accountability.

The atrocities of 1944 and 1945 in the Philippines—rape, murder, torture, beheadings, and starvation, the victims often women and children—were horrific. They were committed by Japanese troops as General Douglas MacArthur's army tried to recapture the islands. Yamashita commanded Japan's dispersed and besieged Philippine forces in that final year of the war. But the prosecution conceded that he had neither ordered nor committed these crimes. MacArthur charged him, instead, with the crime—if it was one—of having "failed to control" his troops, and convened a military commission of five American generals, none of them trained in the law. It was the first prosecution in history of a military commander on such a charge.

In a turbulent and disturbing trial marked by disregard of the Army's own rules, the generals delivered the verdict they knew MacArthur wanted. Yamashita's lawyers appealed to the U.S. Supreme Court, whose controversial decision upheld the conviction over the passionate dissents of two justices who invoked, for the first time in U.S. legal history, the concept of international human rights.

Drawing from the tribunal's transcripts, Ryan vividly chronicles this tragic tale and its personalities. His trenchant analysis of the case's lingering

question—should a commander be held accountable for the crimes of his troops, even if he has no knowledge of them—has profound implications for all military commanders.

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Editorial Review

Review

“The most penetrating and disturbing analysis yet written of the most important war crimes trial to emerge from the U.S. war with Japan. It’s impossible to read this historical account without reflecting on how the United States has pursued the current war on terror.”—Michael Schaller, author of *Douglas MacArthur: Far Eastern General*

“A very clear analysis that thoroughly explores the trial’s historical and legal aspects.”—Ronald Spector, author of *In the Ruins of Empire: The Japanese Surrender and the Battle for Postwar Asia*

“A winner! A superb work that’s highly readable and very timely.” --Thomas W. Zeiler, author of *Unconditional Defeat: Japan, America, and the End of World War II*

About the Author

Allan A. Ryan clerked for Supreme Court Justice Byron R. White, was a U.S. Marine Corps judge advocate, and was Assistant to the Solicitor General of the United States. As director of the Justice Department’s Office of Special Investigations, he was the chief prosecutor of Nazi war criminals who had escaped to America. He teaches the law of war at Boston College Law School and Harvard University and is author of *Quiet Neighbors: Prosecuting Nazi War Criminals in America*.

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