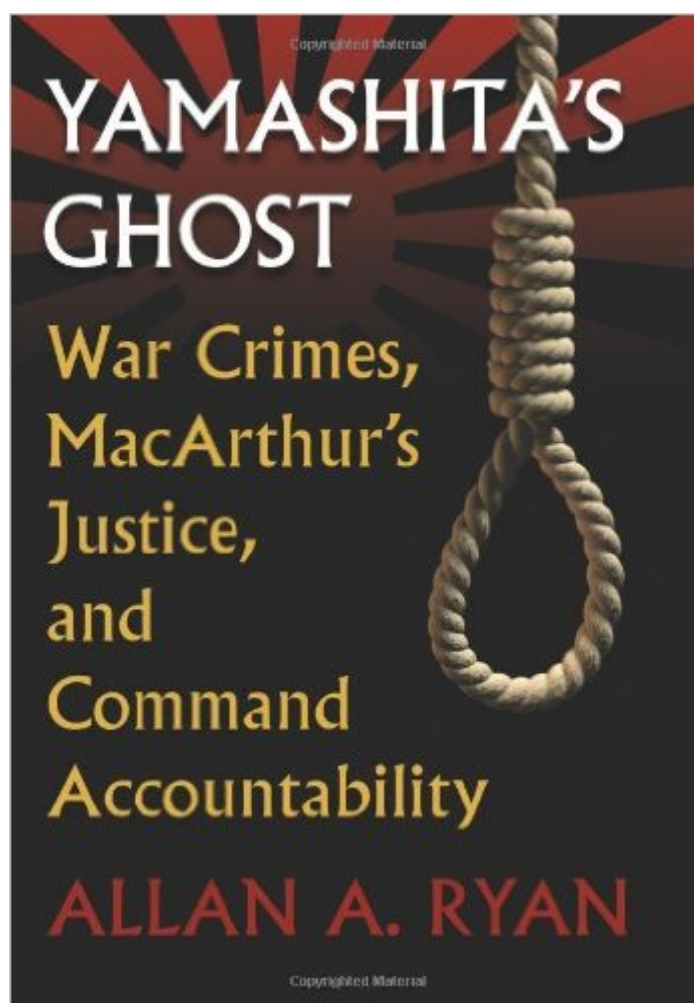


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# Yamashita's Ghost: War Crimes, MacArthur's Justice, And Command Accountability (Modern War Studies (Hardcover))



## Synopsis

"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.

## Book Information

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## Customer Reviews

I am a long-time, amateur World War II buff, and former JAG Officer who has defended and prosecuted hundreds of Courts-Martial. I have also read many dozens of books on WWII, but have never heretofore attempted to review one. This book is different. Let me begin by observing that although the dust jacket tells us that Mr. Ryan is apparently a former U.S. Marine, and Supreme Court clerk, and chief U.S. prosecutor of Nazi war criminals, and law school professor - his book is definitely not "professorial". The best way I can describe it is to call it a "yarn-well-told" by an engaging and erudite raconteur ... rather than an impenetrable historical/legal tome (which it could easily have been). Ryan takes a breathtakingly broad and complex canvas and paints it, brush-stroke by brush-stroke, for the ordinary reader. That is this book's greatest asset, and beauty. It takes the reader from General Yamashita's early and honorable victory over the Brits at Singapore; through the horrific atrocities in Manila in early 1945; through his trial and conviction and its review by the U.S. Supreme Court; to, finally, his execution in early 1946. But that is not all. Ryan then develops the seldom-explored concept of military "Command Accountability" from Yamashita, to Nuremberg, through the Mai Lai Courts-Martial, and on to the ongoing International Criminal Tribunal for the former Yugoslavia ("ICTY"). He takes us from Mac Arthur, to Telford Taylor, to Bosnia, to Abu Ghraib .... but he does not foolishly attempt to do this seamlessly. He presents his facts in well-defined small bites for the average reader - piece by piece, event by event. And he does so with lawyer-like precision, but shaman-like enlightenment. His yarn is, quite simply, compelling.

Allan Ryan, one of those rare scholars who has led a life of action and commitment, has given us a serious and important book, which is also a great read. His research from all sources, especially first hand accounts, delivers a rather complete understanding of the personalities who drove or were affected by the events of those days of violence and passion which marked the liberation of the Philippines from the Greater East Asia Co-Prosperity Sphere. Yamashita was transferred in to attempt to increase the cost of an American invasion to cause us to negotiate a peace. He had almost no communication with his units, had not had time to mark them with his expectations, and

often later discovered that his orders of restraint had been disobeyed. He ordered that Manila be abandoned by his forces, but in fact it was ravaged. But he was the commander. Ryan's prose provides the intimacy that draws out the helpless anguish of those caught in the dreams of glory and the arrogance of General MacArthur and his court of vanity. Ryan's anger arises out of his deep sense of fairness and honor confronting the reality man allows, if not creates, and draws in any reader who has ever come upon such a brutal disregard of truth and justice. Those who have fought in any war, whatever their rank, will see elements of their story in this drama. MacArthur rushes an honorable but defeated commander before a military commission of subordinate generals, none with experience in law and none having any doubt what verdict MacArthur requires of them.

*Yamashita's Ghost* (published 2012) is the work of author Allan Ryan, and describes the war crimes trial, conviction and execution of Japanese General Tomoyuki Yamashita, who commanded Japanese forces in the Philippines from October, 1944 (the month the Americans landed at Leyte) until the end of the war. Ryan's legal background includes service as a Marine Corps judge advocate, and a teacher of the law of war at Boston College Law School and Harvard University. Yamashita's trial took place in Manila, in the months immediately after the war ended. Ryan does more than recount the history of the Yamashita war crimes trial, though; he traces the history of the law of war up to WW2, and in the succeeding decades in cases such as the Nuremburg and Tokyo trials, the My Lai case from the Vietnam War, and others. During the time of Yamashita's command in the Philippines, many atrocities were committed by Japanese forces throughout the islands. The most notorious of these was the murder of thousands of residents of Manila during the battle for that city in February, 1945. In response to these atrocities, General MacArthur commanded that Yamashita be put on trial regarding his accountability as overall Japanese commander. Yamashita was not to be tried for ordering the atrocities, or for not stopping them once he knew about them, but simply, "failing to control his troops." This meant that in order to be convicted, Yamashita did not even have to know that the atrocities happened, but simply that he should have known. Ryan emphasizes that this broad standard of command responsibility was without precedent at the time, and was one by which American commanders might one day themselves be measured.

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