

# THE DECEPTION IN GERMAN PRESIDENT VON WEIZSÄCKER'S 1985 ADDRESS

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I heard the following anecdote from an acquaintance, and thought it interesting enough to share: At a recent gathering in Berlin, Japanese and Germans were talking about war. One of the main topics was, as usual, the crimes of the Nazis. A Japanese university professor who teaches German began listing Japan's crimes, possibly to ingratiate himself with the Germans. He said that the Japanese had committed crimes that were just as appalling as those of the Germans, citing the POW camps in Japan and the Nanking massacre. When he had finished, a Jew spoke up: "It is true that there were concentration camps in the United States, in England and in Japan. But no other nation has malevolently and methodically established concentration camps designed to exterminate an entire ethnic group, as Germany did." The Japanese, crestfallen, retreated into silence.

There seem to be many Japanese like him these days. The media have harassed us so much over the years about our failure to demonstrate sufficient remorse for World War II, especially when compared with the Germans. As a result, more and more of us feel compelled to apologize at every encounter with a foreigner, like Pavlov's dogs: "Japan is just as guilty as Germany. Please forgive us."

However, the anecdote I cited demonstrates the importance of ensuring that any debate involving comparisons is premised on an explicit awareness of the differences, as well as the similarities.

## **An epidemic of uncritical thinking**

In the summer of 1993, Prime Minister Hosokawa Morihiro issued a statement — an apology for a war of aggression. The statement provoked yet another flood of newspaper editorials about war responsibility, the payment of compensation to individuals and other, similar topics. I had the opportunity to compile and read many of those editorials, as well as journalists' essays, letters to the editor and the like. I was quite surprised to discover that the majority of these pieces compared Japan with Germany.

Among them were quite a few articles reproving Japan and mentioning (then) German President von Weizsäcker's famous 1985 address. An oft-quoted sentence from that speech was "[A]nyone who closes his eyes to the past is blind to the present." It was usually followed by remarks to the effect that Germany had paid 100 billion marks in reparations to the Jews and other ethnic groups. Some authors mentioned the fact that by the end of 1988, Germany had expended 65 times more than Japan on reparations, in terms of the per-capita contribution. Almost all of them castigated the Japanese government for dereliction of duty and insufficient contrition for the war.

Here are some examples.

On May 5, 1985, German President Weizsäcker delivered a heroic speech in the

Bundestag during a ceremony commemorating the 40th anniversary of Germany's defeat in World War II. In it he issued a warning: "[A]nyone who closes his eyes to the past is blind to the present." Has a Japanese prime minister or Cabinet member ever spoken out about Japan's war responsibility, or issued an explicit, sincere apology to the nations that were victims of Japanese aggression? Every time these subjects are broached, our leaders equivocate. They even remove references to them from textbooks if they cast Japan in a bad light.<sup>1</sup>

In an address commemorating the 40th anniversary of Germany's defeat in World War II, German President Weizsäcker said, "All of us, whether guilty or not, whether old or young, must accept the past. We are all affected by its consequences and liable for it." Germany's introspection has borne fruit in the tracking down and prosecution of war criminals, the payment of reparations to Jews, the pursuit of peaceful diplomacy, and the admission of a great many immigrants. In contrast, the Japanese perceive themselves as victims, especially with respect to the atomic bombs dropped on Hiroshima and Nagasaki. But they tend to obfuscate their nation's role as offender. Our political leaders express regret for past mistakes, but those gestures seem insincere to people outside Japan, because of our government's flawed historical perspective, as well as its unresponsiveness.<sup>2</sup>

In any discussion of relations with neighboring nations, the difference between Germany and Japan is certain to be mentioned. Japan has been accused of failing to compensate sufficiently for its wartime past. This is the reason why our diplomatic platform is so insecure.<sup>3</sup>

When I contemplate the Japanese government's failure to conduct a thoroughgoing fact-finding investigation into Unit 731's lethal human experiments and the comfort women in Korea and Southeast Asia after all these years, anger wells up inside me. German President von Weizsäcker has made an earnest plea for world peace, demonstrating remorse for past mistakes and declaring that "anyone who closes his eyes to the past is blind to the present."<sup>4</sup>

After the war, the Japanese were told by our government that all 100 million of us must atone for the war, because we shared responsibility for it with those who set it in motion and those who were drafted to fight in it. We were never told, however, exactly how we were supposed to atone for the war. In contrast, (then West) Germany has been paying reparations to the Jews and other victims of Nazism — a total of ¥6 trillion — for decades. Japan has paid only some ¥600 billion in reparations to Asian nations.<sup>5</sup>

The writers of all the excerpts cited have made the assumption that the alliance formed between Japan and Germany prior to the war somehow renders the two nations comparable;

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<sup>1</sup> "Koe" (Voice) [letters to the editor], *Asahi Shimbun*, 03 September 1989.

<sup>2</sup> Editorial in *Mainichi Shimbun*, 08 December 1991.

<sup>3</sup> *Asahi Shimbun*, 27 February 1993.

<sup>4</sup> *Asahi Shimbun*, 20 August 1993, evening edition (Osaka).

<sup>5</sup> *Asahi Shimbun*, 04 September 1993.

they take no other factors into consideration. They completely ignore the differences in motivations for, the purposes of, and the results of the war, not to mention the political climate in which each nation found itself after the war. This epidemic of uncritical thinking reminds me of the aforementioned Japanese professor.

Moreover, there is another important point to consider. In their conduct of the war in China and other arenas, the Japanese did commit war crimes (inhuman acts against prisoners of war and noncombatants). However, what about the Final Solution — the plot to exterminate every Jew in Europe? The Final Solution was certainly a crime, but why has no one suggested that, given its enormity of scale and its methods, it was not a war crime at all?

There is also the disgraceful, misguided notion of using German reparations to the Jews as an example when claiming that Japan has not sufficiently compensated the Koreans. The colonization of the Korean peninsula began in 1910, before the outbreak of World War I. If comparisons must be made, then make them with India under English rule, Indochina under French rule, or Indonesia under Dutch rule.

In other words, we must engage in a *conscious* process, one that would involve identifying both the similarities and the differences. On that basis, we should decide what must be done, as well as what does not need to be done. Indiscriminate thought betrays a paucity of intellect. Perhaps all of this can be traced to the impoverished sense of self peculiar to the Japanese: we want the world to believe we are decent human beings, so we castigate ourselves for our moral failings and apologize for anything and everything, whether or not an apology is warranted.

### **Germany's failure to acknowledge collective guilt**

Of course, Japan's offer to pay reparations to individuals at this particular time is not without political reasons. The (West) Germans' payment of additional reparations was a political imperative. To survive, they needed to rebuild their nation, a process that depended upon trade with their neighbors. Japan too has a political imperative, as the focus of our trade shifts from the U.S. to Asia, which may have prompted Mr. Hosokawa's statement. The business community supports the statement 100%, for obvious reasons. The nations of Asia know exactly what Japan is up to. Japan's newspapers and the intellectuals who support them dwell on the moral aspects of the issues, making it impossible to move past them. They are so hell-bent on accusing their own country of what they mistake for immorality that they cannot look at the issues realistically. Thus, they fail to realize that their beloved President von Weizsäcker is a politician, not a religious leader. They also overlook the fact that, prudent in the extreme, von Weizsäcker does not apologize to any nation in his speech. They do not realize that by inserting language that blames individuals for the crimes, in an exercise of exquisite caution, he absolves the Germans of collective guilt, rescuing them at the brink of the abyss.

If the Germans truly regretted the extermination policy launched against the Jews, and if they were truly to atone (here I'm applying moral logic in the extreme), they would have to acquiesce to the eradication of the German people. The horror of that possibility is evident in the desperately defensive words uttered about there being no collective guilt. On that point, the idea that the German people would be better off dead if Germany's plan to subjugate the

world failed must certainly have been in Hitler's mind when he issued the suicidal declaration of war against the United States. Hitler's words and actions were consistent from beginning to end. That is the history of which von Weiszäcker speaks. I sense fear, much more than supplication, in von Weiszäcker's speech. Memories of the past are now nightmares that continue to terrify the Germans.

Von Weiszäcker said, "There is no such thing as the guilt or innocence of an entire nation. Guilt is, like innocence, not collective, but personal."<sup>6</sup> The notion of acknowledging collective guilt is unbearably frightening. The vast majority of Germans share von Weiszäcker's opinion that guilt is personal. Accordingly, the guilty individuals are Nazi Party leaders and those who perpetrated the crimes under their orders. Hidden between the lines is the understanding that none of this has anything to do with me (or us). Von Weiszäcker is therefore absolving millions of (West) Germans, former Nazis, and restoring to them the status of upstanding citizens. The hunt for high-profile Nazi leaders, e.g., Eichmann, which extended as far as South America, was taken up by Israelis and other foreigners. But it never reached the executive or judicial branches of the German government. Totalitarian crimes are those perpetrated by the executive, judicial and legislative organs of a nation. Unless the investigation extends to those organs, the German attempt to take responsibility for the past will never succeed. In other words, punishing certain individuals (Nazi Party leaders and their henchmen) is like cutting the tail off a lizard, but leaving the head untouched. It was nothing more than a desperate tactic on the part of the Germans to keep their race alive. Von Weiszäcker's declaring that there is no such thing as collective guilt reveals the subtle psychology behind this survival strategy.

Japan did not create war criminals, as Germany did. There are those who claim that we were irresponsible in failing to do so. But Japan didn't cut the lizard's tail off and leave the head untouched. Japan discerned that it was impossible to draw a clear line between the masterminds of the war and the citizenry. In a sense, Japan admitted to collective guilt. That is what the "100 million people atoning for the war" concept meant. It was emphatically not, as our newspapers reported, a cowardly evasion of responsibility. In contrast, the Germans didn't take action until they were goaded by other nations. Their response was to make scapegoats of a few Nazi leaders, and to add Article 139 to their Constitution, which guarantees that Nazi war criminals will be prosecuted, thus protecting 99% of all Germans from prosecution (and implying that the Nazis and Germans were two different entities). This dispassionate response was far more cowardly (and far more immoral) than that of the Japanese.

Over the years, Japan has recognized collective guilt in some ways, and pleaded collective innocence in others precisely because Japan's actions were radically different from those of Germany. Unlike Germany, Japan has never even contemplated, much less planned or perpetrated a holocaust — an absolutely unforgivable crime, atonement for which would require the annihilation of the Japanese people.

Thus, von Weiszäcker's address is a seemingly conscientious baring of the heart, but its fabric

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<sup>6</sup> "Speech by Richard von Weiszäcker, President of the Federal Republic of Germany, in the Bundestag during the Ceremony Commemorating the 40th Anniversary of the End of the War in Europe and of National Socialist Tyranny," May 8, 1985. <http://econ161.berkeley.edu/TCEH/Weiszacker.html>

is actually cautious political logic. He was not speaking only from an ethically sentimental point of view, as the Japanese think he was. Nevertheless, Japan's newspapers have attacked our nation, incessantly and always from the same tack, for not having done what the Germans did, i.e., purchase redemption. The attacks have proved successful, since due to their sheer monotony, they have found a permanent residence in the "minds" of the unthinking. We can see this is true by observing the strenuous efforts of Prime Minister Hosokawa and House of Representatives Speaker Doi in recent years to compete with the Germans by owning up to crimes on a scale never committed by Japan.

## Postscript

Three months after this essay was published, the same magazine carried an article entitled "Nazis Not Eradicated" by Yagi Shigeru, a journalist who lived in Germany for many years. That article could very well have been a supplement to my essay. Yagi based his reportage on detailed information obtained locally. Since the content is so important, I would like to cite relevant portions.

After the Nuremberg Trials, the United States handpicked Nazis (mainly scientists and intelligence agents) deemed potentially useful to the American Cold War effort, and granted them pardons. The work of punishing Nazi war criminals was entrusted to Germany. Parallel to the Nuremberg Trials was an investigation whose purpose it was to draw up a list of public officials to be removed from office. The work began in earnest, but when the number of names on the list reached the 11 million mark, the investigators threw up their hands. Since the population of Germany was six million at the time, if one excludes women, children and the elderly, then one out of two adults had some sort of Nazi affiliation. Common sense tells us that every German was a Nazi collaborator. Therefore, every German was guilty of war crimes to a greater or lesser extent. And if even the persons compiling the list of public officials to be ousted were Nazis (which they were), it was absolutely impossible to decide who was going to judge whom.

In 1946, a year after World War II had ended, 60% of respondents to a German public opinion survey agreed that the Nazis had committed errors, when provided with a list of those errors. Moreover, despite the fact that the actions of the Nazis who murdered the Jews or sentenced them to death in Nazi courts were all recorded in writing, it was impossible to try them.

Article 211 of the German Criminal Code defines a murderer as "whoever kills a human being out of murderous lust, to satisfy his sexual desires, from greed or otherwise base motives, treacherously or cruelly or with means dangerous to the public or in order to make another crime possible or cover it up."<sup>7</sup> However, none of the motives listed applies to the slaughter of the Jews. The methods used to kill them at Auschwitz were unbelievably brutal. The murderers were the servants of a murderous nation, and the crimes were perpetrated in an organized, "mass-production" manner. That notwithstanding, there was no legal basis on which to prosecute those murderers.

West Germany (Federal Republic of Germany) was one of the signers of the Convention on Prevention and Punishment of Genocide, approved by the United

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<sup>7</sup> *Criminal Code (Strafgesetzbuch, StGB)*, <http://www.iuscomp.org/gla/statutes/StGB.htm>.

Nations General Assembly in 1948, the spirit of which was reflected in Article 220a of the German Criminal Code. However, according to Article 103 of the German Constitution, the law cannot be applied retroactively: “An act may be punished only if it was defined by a law as a criminal offense before the act was committed.” Therefore, Nazi war criminals are protected from prosecution by the German Constitution. What makes life even more comfortable for Nazi war criminals is the fact that according to the German Criminal Code, any act committed in accordance with laws in force during the Nazi regime and sanctioned by those laws, cannot be condemned, even a crime against humanity. Even the likes of Adolf Eichmann, who masterminded the mass deportation and extermination of the Jews of Eastern Europe, and Klaus Barbie, the Butcher of Lyon, could simply not be tried in Germany.

Judges in the courts were particularly helpful to Nazi leaders by handing down death sentences against innocent men and women. Not one of them was ever convicted of a crime. Quite the contrary: some of them resurfaced as judges in the courts of the Federal Republic of Germany. Others became chief prosecutors or presidents of judges’ associations, having exchanged their Nazi judicial robes for Federal Republic robes without skipping a beat.

It is true that trials were held in Frankfurt and Dusseldorf in connection with atrocities. However, they were conducted in accordance with the prevailing law during the Nazi era. The criminals actually tried were the lowest-ranking members of the extermination machine — the people who worked at the death camps. The charges were punching or kicking victims, or being rough with children as they “escorted” them to the gas chambers — ridiculous charges, it would seem, since their victims could derive no satisfaction from them.

Judges who effectively murdered millions of Jews, gypsies, prisoners of war, political prisoners and members of the anti-Nazi resistance movement. Overseers of the deportations and incarcerations in the death camps. Designers of the gas chambers. Architects of laboratories where experiments were performed on human beings. Scientists who engaged in barbaric biological research. None of these criminals were tried or convicted because of the retroactive loophole.<sup>8</sup>

Another noteworthy source is Peter Przybylski’s *Zwischen Galgen und Amnestie. Kriegsverbrecherprozesse im Spiegel von Nürnberg*, which is useful for its description of the facts. The book was published in 1979. Although the author feigns ignorance of the corruption that marred the administration of justice in the former East Germany, if readers keep that flaw in mind, they will be rewarded with detailed explanations of how the former West German judiciary hindered the prosecution of Nazi war criminals after World War II, and set numerous murderers free.<sup>9</sup>

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<sup>8</sup> Yagi Shigeru, “Nazis Not Eradicated” in *Shokun*, February 1994.

<sup>9</sup> Peter Przybylski, *Zwischen Galgen und Amnestie. Kriegsverbrecherprozesse im Spiegel von Nürnberg* (Between the gallows and amnesty: War crimes trials in light of Nuremberg) (Berlin: Dietz Verlag, 1979).

## **Hitler's slaughter: the destruction of civilizations**

Since the days of Alexander the Great and Napoleon, every nation that has waged war has committed war crimes. Japanese military personnel of yesterday and American military personnel of today are not exceptions to this rule. However, as I demonstrated earlier, what sets the crimes of Nazi Germany apart is the fact that they were not war crimes. They were the crimes of a peculiar system called totalitarianism. This factor opens up a yawning divide between Japan and Germany in the 1930s.

It was not the nation of Germany that possessed and employed a terrorist apparatus replete with paramilitary units to which special duties were assigned (the stormtroopers that later became the SS (Schutzstaffel) and other units), a secret police force, and concentration camps. It was the Nazi Party — in effect, a nation within a nation, a secret world in which criminals held sway. Under Nazism, relationships between individuals and a nation, the likes of which had never before been seen in human history, were formed. Japan under militarism should never be compared to Nazi Germany. The only regime comparable to Nazi Germany was Stalinism, which arose in the 1930s and outlived Nazism. Hitler and Stalin learned from each other, and the two forms of totalitarianism absorbed aspects of each other to the point of indistinguishability.

Here in Japan, even today, far too few people know the truth about the crimes of the Nazi regime. Hitler's mass extermination program was, in a sense, the destruction of civilizations, not a war crime. His crimes began where one would expect a war crime to end. If we define Nazi crimes as war crimes (some examples of which are the mass murder of prisoners of war, strategic aerial bombing of residential areas and the sinking of hospital or passenger ships), we are closing our eyes to the very special nature of Hitler's crimes.

In *The Meaning of Hitler*, Sebastian Haffner neatly classifies the crimes of the Nazis into five categories:

1. The first mass extermination order issued in writing by Hitler targeted sick Germans. Approximately 100,000 persons, among them 70,000-80,000 patients in sanatoria and nursing homes, 10,000-20,000 physically handicapped persons, all Jews housed in mental institutions, and approximately 3,000 physically and mentally handicapped children ranging in age from one to 13 years, were killed by executive order. This order was canceled after two years.
2. Gypsies were captured, first in Germany, and then in the Eastern European nations under German rule. They were transported to death camps, where all of them perished. There are few sources attesting to these crimes. The plight of the Gypsies did not arouse much sympathy; all that is known for certain is that up to 500,000 of them were murdered. Of the approximately 250,000 Gypsies living in Germany in 1939, only about 5,000 were alive in 1945.
3. During the five years beginning with Germany's occupation of Poland, the Germans systematically slaughtered Polish intellectuals and political leaders. Educated Poles (priests, teachers, university professors, newspaper reporters and entrepreneurs) fell victim to Nazi tyranny in their own country, where there were no laws to protect them.

During the first winter of the war, the commander in chief of the occupying German forces expressed his dismay at the behavior of his own men behind the battle lines, describing them as “creatures with abnormal instincts, like savages on the rampage.” The carnage was motivated by the desire to destroy the civilizations of peoples with a long cultural history. The Germans decided that non-Germans in Eastern Europe needed only a four-year elementary-school education. They needed to be able to count to 500 and to write their names. Otherwise, they were required only to obey the Germans. Another reason for the slaughter was the selection of Poland as a proving ground for a plan to massacre or enslave every Russian. We don’t know exactly how many Polish intellectuals were murdered. During the six-year-long war, Poland lost approximately six million of its people, but about three million of them were Jews. No more than 300,000 Poles died in battle. If we subtract the 700,000 who fled their native land or died of natural causes, we are left with two million people. About half of them must have succumbed to the Nazi campaign to methodically exterminate Polish intellectuals.

4. The planned extermination or enslavement of Russians was implemented for two or three years after the Germans occupied that vast nation. The number of victims is unclear. The occupying forces thought Hitler would not countenance the reluctance to get their hands dirty they had shown in Poland. Therefore, they exhorted their underlings as follows: “We are not fighting a war to preserve our enemies. This is a war of annihilation!” Very few prisoners of war captured by the Germans survived. For instance, according to a document dated May 1, 1944, 5,160,000 Russian soldiers were captured, 1,170,000 of whom were still alive. The Germans executed 473,000 of them, and 3,000,000 more starved to death in prison camps. However, the torture of prisoners of war is indeed a war crime. The purpose of such acts cannot be construed as the conduct of war. Moreover, there was no excuse for the escalation of senseless murders that might even jeopardize German prospects of victory. The wholesale, unspeakably brutal extermination of Russian leaders was entrusted not to the Armed Forces, but to four task forces that specialized in murder. But the number of victims is not known, except that it was greater than the number of victims in Poland.
5. Hitler’s largest-scale massacre was the slaughter of the Jews, which is so widely known that there is no need to provide details. However, the author places particular emphasis on one fact: Hitler made his decision to implement the Final Solution after ascertaining that Germany could not emerge victorious from World War II.

Prior extermination operations had been executed far away from Germany, deep in the heart of Eastern Europe. Furthermore, mass shootings had been the method of choice, however time-consuming. As far as the German public was concerned, the Jews had simply been deported. At that point, Nazis were attempting to deceive the public, meaning that political considerations were still important. After December 5, 1941 — at about the time when the Japanese attacked Pearl Harbor — the Germans were very close to Moscow. But Russian troops launched a massive counterattack, routing the Germans. Hitler’s dreams of victory were shattered. However, he never contemplated a political resolution. With lightning speed, he changed his plan. If he couldn’t defeat Russia, there



was no way to make peace with England. Then why not declare war on the United States?<sup>10</sup>

On December 11, Germany did declare war against the U.S., but not to show solidarity with Japan. According to the Tripartite Pact concluded among Japan, Germany and Italy, Germany had no obligation to participate in the war against the U.S. because Japan was the attacker, not the attacked. It is difficult to fathom Hitler's state of mind at that time. Since going to war with the U.S. was a suicidal act that made German defeat a certainty, he should have been racking his brain to *avoid* such a war. He conducted his ethnic extermination campaigns in remote areas of Eastern Europe in a cautious attempt to hide them from England and the U.S.

### **Did Japan commit crimes against humanity?**

On January 20, 1942 the Wannsee Conference began. On that day and thereafter, Nazi leaders planned the extermination of all the Jews in Europe, Germany included, in death camps. It was at this meeting that the decision was made to execute the Final Solution. Soon after the conference, the gas chambers and crematoria began operating. The Nazis no longer felt the need to worry about adverse reactions from the British or Americans. Again, one cannot know what Hitler was thinking at this point. Haffner believes that Hitler was resigned to the obliteration of Germany if he could not emerge victorious. Perhaps because he took pleasure in murder, or because his hatred of the Jews was so strong, Hitler may have anticipated even more satisfaction from the Final Solution than from triumph in war. Whatever the case, the apocalyptic moment had arrived. Hitler was forced to decide between world hegemony for Germany and the eradication of all the Jews. The former option was unachievable, and therefore abandoned. Hitler devoted all his energy to the Final Solution.<sup>11</sup>

Haffner's interpretation is certainly open to argument, but it is common knowledge that Hitler was immensely enthusiastic about the Final Solution. Perhaps the extermination of all the Jews in Europe actually was an objective much dearer to him than winning the war. The crimes of Hitler and Nazi Germany were committed during a war, but they were assuredly not war crimes.

The objective of war is victory, not the commission of crimes. War and crimes are not necessarily concomitant. Numerous crimes may be committed during a conflict without being connected with it. After World War II ended, in peacetime, a host of crimes were committed by the totalitarian regimes of Stalin and Mao: surveillance of ordinary citizens, forced migration, persecution, imprisonment and murder.

It is true that during World War II, Japan implemented a national mobilization system. Japan also expanded its military influence in Asia. Yes, Japan harbored imperialistic ambitions. But did Japan commit crimes against humanity (a category that made its first appearance as the cause of action at the Nuremberg Trials, and which was not at that time recognized by

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<sup>10</sup> Sebastian Haffner, *Anmerkungen zu Hitler* (The meaning of Hitler) (Frankfurt: Fischer, 1981).

<sup>11</sup> *Ibid.*

international law), that would compare with the ethnic extermination or mass murder perpetrated by Hitler and Nazi Germany? Was the Greater East Asian War waged for the purpose of destroying civilizations? I will not deny that Japan wanted to protect its interests against the nations of Europe and the U.S., and had designs on China. During that era, it was difficult to make a clear distinction between defense and aggression. I won't insist that Japan had absolutely no aggressive intentions. But nations asserted themselves in different ways at that time, which could be likened to the economic competition of today. The reasons behind sweeping American and European encroachment into Asia did not change between the prewar and postwar eras.

## Postscript

An article by *Sankei Shimbun* commentator Yasumura Kiyoshi appeared two months after my essay, in the same publication. An excerpt follows.

You need only compare the Nuremberg Trials with the Tokyo Trials to discern the fundamental differences between Nazi Germany and Japan. The Allies prescribed three categories of crimes: crimes against peace, crimes against humanity and war crimes. Previously, international law had not afforded any protection against crimes in the first two categories. Therefore, the retroactive application of the law governing crimes against peace and crimes against humanity was, essentially, unjust. More important, no charges of crimes against humanity were ever levied against Japan.<sup>12</sup> The Japanese never committed any act even remotely resembling the Nazi crimes against the Jews.<sup>13</sup>

But in the 1930s, two totalitarian systems arose in Germany and Russia: secret police and concentration camps. In Germany, these two entities were controlled by the Nazi Party. As Hannah Arendt writes in *The Origins of Totalitarianism*, the two states assumed forms the likes of which had never been seen in human history, founded as they were on principles at odds even with autocracy, dictatorship and despotism.<sup>14</sup> In its militaristic phase, Japan may have had a system resembling fascism, but for better or for worse, no aspect of it is comparable with its German counterpart in any way.

Now that World War III (commonly known as the Cold War) has ended, we should be comparing the two totalitarian regimes that provoked that 20th-century conflict. Instead, the victors of the previous war, World War II, continue their anachronistic harangue, extolling the virtues of British and American democracy over Japanese and German fascism.

The Russians, Chinese and Cambodian supporters of Pol Pot would do well to heed von Weizsäcker's message. The terror that emanates from his words is so ominous that only an ethnic group that has experienced the Holocaust or genocide could comprehend it. To most Japanese, it seems like tedious moralistic sermonizing. It certainly seems dull to me. We cannot understand the speech because we have not had those experiences. Those of us who

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<sup>12</sup> Shimizu Masayoshi, *Gendai ni okeru senso sekinin* (War responsibility in the modern age).

<sup>13</sup> Yasumura Kiyoshi, in *Shokun*, January 1994.

<sup>14</sup> Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, 1973).

are moved to tears by it, and who believe we should be guided by its moral example are guilty of incredible complacency, thoughtlessness, and misplaced good intentions.

### **Hosokawa's inexplicable inferiority complex**

As I mentioned earlier, any nation that wages war inevitably commits war crimes. In a battle at Jaffa (part of Israel today), Napoleon Bonaparte tricked 3,000 enemy soldiers into surrendering; he then had all of them, and their families, bayoneted to death. The United States dropped atomic bombs on Japan. All of these acts are war crimes. But it would be incorrect to characterize either France or the U.S. as criminal states. They are simply two nations that have committed war crimes. This distinction is very important, because the Nazi state perpetrated massacres — massacres that had no direct connection with the waging of war — in accordance with the principles it had established for the creation of an ideal, Aryan society. Political theorist Hannah Arendt argues that all human beings have a right to live on Earth, and defines any nation that believes it has the authority to exterminate a particular group of people, and exercises that authority, as a criminal state.

Virtually the same position was adopted at the Nuremberg trials, which explains why Nazi criminals were charged with crimes against humanity, and an article was added to the German Criminal Code revoking the statute of limitations for Nazi crimes. The Germans must have decided that their country would have to be judged for its past, beyond the boundaries of established law.

An examination of Japan's past from any perspective yields the conclusion that Japan was never a criminal state, simply one of the many nations that committed war crimes. This is a very important distinction.

Over the years, Japan's newspapers have repeated the same, mind-numbing harangue: West Germany is a paragon for having not only paid reparations to other nations, but also for compensating individual victims of its war crimes. Japan, on the other hand, lags far behind. I agree that the Germans' compensatory efforts dwarf those of the Japanese, both in quality and in quantity.

But I would like to remind readers that, as a nation, Germany paid no reparations at all. Such matters were dealt with in bilateral treaties and agreements. The compensation the Germans paid — and this is crucial — was not for war crimes, but for unlawful acts and damage inflicted by the Nazis. It was compensation for crimes against humanity, and only the most egregious of those crimes.<sup>15</sup>

In 1952, when Konrad Adenauer was prime minister, Germany concluded the Luxembourg Agreement with Israel. By 1965, the Germans had paid 3.4 billion marks to victims of the Holocaust, in installments. This was their first such gesture. In 1953 the Supplementary Federal Law for the Compensation of the Victims of National Socialist Persecution was

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<sup>15</sup> For more information, see Hirowatari Seigo, "Doitsu ni okeru sengo sekinin to sengo hoshō" in *Senso sekinin: Nippon to Doitsu wa do chigau ka* (War responsibility: the difference between Japan and Germany) (Tokyo: Asahi Shimbun Sensho, 1994).

enacted; it stipulates that 95 billion marks in pensions, medical benefits, and vocational training would be expended by the year 2030. However, only victims residing within German borders were eligible for this compensation. There were no provisions for the compensation of non-German victims of Nazi crimes, persons whom the Nazis sterilized, or who were the involuntary subjects of medical experimentation. A more comprehensive compensation program covering these victims as well did not see the light of day until the 1960s, when bilateral agreements were concluded with 12 nations. Agreements with the nations of Eastern Europe, concluded in the late 1960s and early 1970s, covered only victims of medical experimentation. My impression is that the Germans paid restitution in small installments, increasing the scope only when pressured. Given the monstrosity of the Nazi crimes, the amount of compensation paid was pitifully small. Furthermore, many victims were deemed ineligible for compensation.

To address such shortcomings, victims of forced sterilization were awarded one-time payments of 5,000 marks per person (equivalent to ¥350,000 today) in the 1980s. The Germans also paid 400 million marks in total to Jews who had previously been excluded from compensation, and whose health had been severely damaged due to persecution. Restitution was also paid to surviving Gypsies, who had been virtually ignored until then, in the amount of 100 million marks. Three hundred million marks were paid to the families of the sick and handicapped euthanized by the Nazis. Since 100 million marks is equivalent to approximately seven billion yen, this is a pittance, given the enormity of the crimes and the number of victims they claimed.

Germany has been lauded over the years for the compensation it has paid, particularly compensation to individuals. However, since those compensated fall into a wide range of categories and are scattered over a huge geographical area, the disbursements cannot even begin to encompass all victims in any appreciable way.

Furthermore, it is clear beyond a shadow of doubt that awards to individuals have been paid only to victims of crimes against humanity committed during Nazi attempts to create an ideal race. Germany has not shouldered the burden of war responsibility. Germany has not even attempted to atone for its war crimes. Germany has limited its compensation efforts to a narrow category: individuals victimized by the moral crimes of the totalitarian Nazi state.

## **Postscript**

One reason why Germany did not pay war reparations, except for compensation to the victims of Nazi crimes, is clear. When Germany proper was occupied, its domestic assets were stolen, and its most talented engineers were forced into exile. Therefore, the claim has been made that Germany had suffered enough during the period immediately after the war to offset the Nazi crimes. The U.S. and the Soviet Union grabbed up German scientists and intelligence agents who might be useful during the Cold War. According to a book entitled *Postwar Reparations*, Poles had been forcibly transported to Germany and compelled to work for German companies.<sup>16</sup> They were not paid any compensation because when the war ended,

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<sup>16</sup> Asahi Shimbun Investigative Team, *Sengo hoshō to wa nani ka* (Postwar reparations) (Tokyo: Asahi Shimbunsha, 1999), p. 150.

Poland inhumanely expelled a million Germans in violation of international law, and confiscated their assets.<sup>17</sup>

We need to be aware of an important fact, and we need to be assertive about stating it: in the conduct of war, which expanded into Asia and the Pacific, Japan never committed any crime against humanity unrelated to its military goals, or on a scale comparable with the German crimes. Additionally, if it comes to light that Japan did indeed commit crimes in connection with its conduct of the war and its military goals, then we must voluntarily compensate the victims of those crimes. The nature of the crimes is of no consequence. Even if they do not fall into one of the categories that I have mentioned, we must make restitution. Not because we committed the same crimes that Germany did, but because Japan's leaders need to be aware of this fact, and need to inform international opinion so further misunderstandings do not arise. Having learned that Germany had expended a total of ¥7 trillion in compensation, Prime Minister Hosokawa embarked on a sort of competition with Germany. Out of rivalry and possibly nursing an inferiority complex, Hosokawa volunteered that Japan was prepared to expend ¥1 trillion in compensation. By doing so, he seemed to be boasting to the world that Japan perpetrated crimes on an unimaginable scale. I find his behavior both bizarre and incomprehensible.

There are circumstances under which it is appropriate to pay compensation. But it is never appropriate to pay compensation ingenuously or exuberantly.

### **Postwar Germany: An Era of Self-Deception**

It is not surprising that Germany has paid restitution to victims of Nazi crimes, but has avoided paying compensation for any acts that could be defined as war crimes. Without exception, every nation that emerged victorious from World War II committed war crimes. Many historians are convinced that vengeful acts committed by the British and Americans near the end of the war (the firebombing of Dresden and the dropping of atomic bombs on Japan) were classic war crimes. Accordingly, if both the victors and the vanquished began denouncing each other for every aberrant act committed during the course of the war — the mass murder of noncombatants, for instance — the debate would never end. That is why peace treaties (the negotiated type) are necessary.

However, a war does not end when combat ceases, or even when a peace treaty is concluded. When defeated Germany cut off the lizard's head and tail, leaving only the midsection, it was putting up desperate resistance. This too was a sign that Germany still had the will to wage war even after the conflict ended. What differentiates Japan from Germany on this account is the former's desire for domestic peace, which was revealed in a shared sense of responsibility: every citizen of Japan bears guilt to some extent. It is true that Japan had more freedom than Germany did to decide own fate, thus avoiding partition, but that decision was Japan's way of resisting. Germany had similar wishes. But there were so many criminals in Germany, including police who specialized in murdering intellectuals, and physicians who had sterilized and performed medical experiments on unwilling victims. Unless some of them

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<sup>17</sup> Interview with Professor Thomas Württemberger.

were prosecuted, at least for crimes covered by existing laws, the Germans would be ostracized by the entire world, and Germany as a nation would cease to exist. We must also remember that in Germany, a political party (the Nazi Party) was the guiding force behind the war. Nazi Party membership was not mandatory. Consequently, after the war, the Germans began to make a clear distinction between Nazis and non-Nazis, and to attack party leaders and other important members.

I find the argument that the Germans were deceived and manipulated by some of their leaders absurd, since the Nazi Party acquired the reins of government through lawful means. All ordinary Germans, once they attained a certain age, supported the Nazis. Therefore, I am troubled by their having prosecuted party leaders and criminals, thereby cutting off the lizard's head and tail. The Germans laid all the blame on a few obvious criminals, and walked around with their heads held high. West Germany's postwar history is a search for scapegoats, a witch hunt. It is also a tale of the Germans deceiving themselves while sweeping deep-rooted problems under the rug. This is certainly the cause, however latent, of the recent rise of the reactionary Neo-Nazis.

But when one broaches a topic like this, the Germans counter: "But we took the initiative in pursuing Nazi criminals, even after the Nuremberg Trials. We found 6,000 persons guilty. The Japanese have not hunted down their war criminals, because they believe that ordinary citizens and military leaders alike were responsible for the war. You should be ashamed that, in contrast with Germany, Japan has shirked its responsibilities. This is a problem that you must strive to correct." At first, this seems like a valid argument. However, it is not; it is an abstract, unrealistic argument that completely ignores the differences between Germany and Japan.

As I stated previously, the Germans would have preferred to admit collective guilt. If they had, they wouldn't have been obligated to round up and deliver their criminals. They would have simply paid reparations to the victor nations, avoided partition and devoted all their energy to the rebuilding of their nation. That would have been the logical way for defeated Germany to activate its survival instinct and assert itself. Unfortunately, the Germans could not admit collective guilt as the Japanese had done. They couldn't bring themselves to acknowledge that they were just as guilty as the sadistic murder squads or the physicians who performed lethal experiments. No, their only choice was to declare that guilt is not collective, but personal. Their only choice was to show the world that they would allow their nation to be partitioned, rid of tainted "individuals," and cleansed of the blood of its victims so that it could be reborn a beautiful, unsullied Germany. This drama of self-deception on the stage of the world was necessary to the survival of Germany and the German people.

Of course, Japan did not totally avoid partition. B and C-class war criminals were ferreted out by the Allies, just as they were in Germany. Japan's nobility, military factions and financial conglomerates were disassembled, though its bureaucracy and universities survived. Japan was not permitted to close itself off from the rest of the world. But the Japanese did not hunt down, prosecute or try criminals from their midst. And because we did not, we have been rewarded with negative public opinion castigating us endlessly for being unremorseful and irresponsible. However, such accusations are made with total disregard of the issue in its entirety.

Postwar opinions such as those voiced in *Sekai* magazine did not impress the Japanese people, who knew instinctively that Japan and Germany waged different types of wars. Most of them were unhappy when Kishi Nobusuke, who had been a member of the wartime Cabinet, later became prime minister. But the Japanese have also watched as countless intellectuals who once waved Imperial Rule Assistance Association flags and rallied for patriotism joined the Communist Party after the war, clamored for revolution, and counseled the members of the Japan Teachers Union. Both the left and right wings had their flaws. The Japanese people knew that this was a natural progression of events. They understood that the problems had many layers, and remained tolerant. They empathized with those who, on August 15, would prostrate themselves in front of the Imperial Palace and weep, because they understood them better than anyone else.

The Japanese were tolerant of all types of war responsibility. Perhaps this was not a matter of choice, but they certainly were not irresponsible. Their situation was far from cut-and-dried. If pressed, they would have lied. If they had cut the lizard's head and tail off, their dilemma would have been such that friends became enemies. We cannot know whether their thought process went that far, but they knew in the back of their minds what the ramifications were, from what they had experienced. The Japanese have a philosophy that is peculiar to them: they see things in shades of gray, rather than in black and white. That philosophy is truly a blessing, for it enabled us to weather the postwar period without any divisive domestic strife. I doubt that there is any instance that symbolizes Japan's logic-defying unity as much as our weathering of a long, stormy period of history beginning with our emergence as an empire, through the outbreak of war, defeat and ruin, to the reemergence of Japan as an economic superpower, under the rule of a single emperor.

### **Von Weizsäcker and Japan's emperors**

As one would expect, among the citizenry of our placid, united country, there is a wide variety of opinions about past wars. Some Japanese stubbornly affirm the Greater East Asian War. Others adamantly oppose Japan's participation in World War II. Then there are countless more opinions that fall somewhere between these two extremes. Some view Japan's defeat as a victory for American democracy. Others object to our having had American justice forced upon us, and say that we lost the war because of the sheer difference in power. But justice is in the beholder's eye; still others are convinced that postwar economic competition is the continuation of war. I'm sure that there is not one Japanese who feels guilt toward U.S. troops in World War II or toward Allied soldiers from England, France, the Netherlands or the Soviet Union. Nor is there any reason to harbor guilt about enemy combatants. This is the decisive difference between Japan and Germany.

Foreign assessments of Germany's war are overwhelmingly negative, as are those of the Germans themselves. In contrast, Japanese assessments of Japan's war run the entire gamut from very positive to very negative, and do not jibe with foreign assessments. In other words, external and internal impressions are at odds. I think that it is admirable that despite the fact that we Japanese accommodate a multiplicity of views about the war, neither that phenomenon nor our foreign image, whatever it may be at any given time, has ever sundered our unity.

Commentator Inose Naoki is effusive with praise for von Weizsäcker's address; he writes that it demonstrates foresight and had a positive effect on German diplomacy. Since the German president's "imposing" speech was delivered prior to German reunification, it "forestalled opposition from neighboring nations." In that sense, von Weizsäcker's tactics were "forceful." Inose envies the German belief in the power of words, and adds that "if only Japan had been blessed with such a leader during that same era — a leader capable of an address as memorable as that of the German president, Asian distrust of Japan would have been significantly mitigated." Also, "When the Emperor visits China, instead of having a bureaucrat in the Imperial Household Agency draft his speeches, the government should hire someone like distinguished novelist Shiba Ryotaro to ghostwrite them. Then they too would be 'imposing.'"<sup>18</sup>

I will not dignify his comments by analyzing them in any detail. But the easy (and only) answer about the crimes of Nazi Germany is that they must be condemned. Germany placated foreign nations and avoided provoking domestic wrath — that is all. Actually, von Weizsäcker was exercising political restraint. He did not have to break any new ground. The same is not true of the wars Japan fought. You can tell the story of those wars from many perspectives, but all of them invite misinterpretation. The war in China, the war in Southeast Asia, the war against the Americans, British, French and Dutch; and the war against the Soviet Union: each of these four conflicts has a completely different significance. Inose continues with an incredibly simplistic comment: "December 8 of last year [1991] marked the 50th anniversary of the outbreak of hostilities between Japan and the U.S. If Prime Minister Miyazawa had seized that opportunity to deliver an imposing address, it is likely that the world would have viewed Japan in a different light."<sup>19</sup>

Is Inose aware that the vast majority of Japanese have begun to believe that Japan was foolish to go to war with the U.S., but that the cause was not unjust? If the prime minister were to express that sentiment in a speech, the Americans would be livid, and some of them would be sure to demand that diplomatic relations be severed. But what would the result be if the prime minister were to "imposingly" reaffirm the victory of American democracy? Here in Japan, he would be rewarded with jeers and derision, and certainly anger from some quarters. The simple type of psychological makeup that enabled the Germans to condemn their own nation for all eternity does not work for the Japanese. The Japanese believe in the power of words, and therefore cannot say anything, nor should they be required to.

High-ranking members of society should avoid making self-righteous pronouncements. Von Weizsäcker went too far. Under the pretext of self-examination, he places himself within the bounds of snow-white, infallible righteousness. By entering a refuge that none of his countrymen can assail, he speaks high-handedly of justice. No one with any sense of shame could do that. I detect nothing "imposing" in that address.

Japan's emperors do not speak at length, nor should they. This sort of restraint inspires us to

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<sup>18</sup> Inose Naoki, *Shokun*, August 1992; *Shukan Bunshun*, 13/20 August 1992.

<sup>19</sup> Inose, "Lacking imagination and strategy" in *Shokun*, August 1992, p. 37.



trust them.

## **The importance of viewing history from multiple perspectives**

Now I would like to comment on the following editorial, which appeared in the *Asahi Shimbun*.

Prime Minister Hosokawa described the Greater East Asian War as a war of aggression, and expressed his apologies to the victims of that war in Asia and elsewhere. He added that he would discuss this problem in a policy speech to be delivered at an extraordinary Diet session. While we admire him for making this gesture, it is time to make a substantive gesture that will dissipate Asian distrust of Japan, once and for all.

After World War II, and even after the Nuremberg Trials, West Germany prosecuted and tried Nazi criminals, 6,000 of whom were found guilty and sentenced. Such efforts continue today in the form of investigations into murders committed by the Nazis and the pursuit of their perpetrators.

There are still fascists in Germany, and the pursuit of Nazi criminals is less aggressive at times than at others. But when Neo-Nazi campaigns to expel foreigners gained momentum, President von Weizsäcker marched at the vanguard of demonstrations against them. The vicissitudes of history notwithstanding, the German government's battle with its past continues.

In contrast, Japan's postwar era began with the atonement of 100 million people expressing their remorse. Military leaders responsible for a war of aggression and soldiers conscripted to fight in that war were now on equal terms. The Allies conducted war crimes trials (the Tokyo Trials and other tribunals), but Japan never attempted to track down or prosecute Japanese war criminals.

The story doesn't end there. Funds from operatives involved in right-wing intrigue in China since prewar times were used to rebuild Japan's conservative political parties. Moreover, Kishi Nobusuke later became prime minister, despite having been charged with Class-A war crimes. This phenomenon can be explained by the intensification of the Cold War, which brought about a change in American priorities for Japan. Now at the top of the list was the fight against communism. Some members of the nationalist right wing remained in the LDP (Liberal Democratic Party). Such members exerted their influence in various ways: war responsibility, textbooks and other areas.

Trends like this can inspire ambitions of tyranny and power, which are not consistent with Japan's peaceful-nation policy. They also create another reason for Asian distrust of Japan.

Today, nearly a half-century later, we are hearing demands to resolve war-related issues. This is a good time, since we have a new government, and an opportunity to build new international relationships.

Japan has paid reparations to all relevant nations, except for the Democratic Republic of Korea (North Korea). However, we need to address other problems involving individual victims, like the comfort women, in good faith.

Germany has paid the equivalent of ¥6 trillion to Jews and other individual victims. Japan, on the other hand, has paid only ¥600 billion, which is hardly sufficient.

Japan should make amends to the people of Asia, who suffered during the war. By doing that, we will have taken an important step toward earning the trust of other nations.<sup>20</sup>

Readers have probably encountered similar language so many times that they have become virtually immune to it. But you have probably accepted this theory to some extent, skimming through the text without ever having any doubts about it.

But if you have read my essay up to this point, please reread this editorial and see what you think about it now. Without belaboring the point, I believe you will realize that the message conveyed by the editorial is biased and stale, and certainly not rooted in historical fact. Furthermore, it ignores the differences between the two nations. Its writer is guilty of indiscriminate thought, to which I alluded earlier, and attempts to pull readers in one direction. If you have followed my argument, you should be able to refute the statements in the editorial, one by one. I will not go through the process with you. If you have difficulty, please read through my argument once again.

We need to be able to look at history from multiple perspectives. It is important to have idealistic goals, but just as important to realize how difficult they are to achieve and why. If we ignore this advice and judge the history of our nation using other nations as models, the facts will not change. We will simply be adding to the confusion.

(This essay first appeared in the November 1993 issue of *Shokun* magazine.)

### **Postscript**

Since the war ended, countless books and other publications dealing with the hunt for and trial of Nazi criminals have been written. Some of the authors are Japanese. Most of the books are written from the victims' point of view, without making a clear distinction between crimes against humanity and war crimes (also committed by the victor nations). The Germans committed both types of crimes during the war. The war crimes indicated by the authors are confused with typical Nazi crimes; most of the perpetrators were prosecuted for the sheer purpose of exacting revenge. German disappointment in that process has been repressed throughout the postwar era and remains so today.

Another trap these books dealing with the hunt for Nazi criminals or that era of history fall into is an overemphasis on the goodness of the German people — in other words, their rigorous soul-searching and sincerity. This tendency is very common in books by Japanese writers, who fail (or refuse) to see things as they are: that ordinary Germans did no soul-searching at all after the war, and that they attempted to conceal their pasts. Even when they faced reality, they were loath to call their past evil. Since they haven't reflected on their pasts, they don't see the evil festering there.

We cannot erase our pasts. We don't want to think about them. Human nature is such that we close our eyes to what is too painful to contemplate; we look only toward the future. Human

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<sup>20</sup> *Asahi Shimbun*, 19 August 1993.

beings are weak, but as long as the survival instinct is intact, this is how we live, and there is nothing strange about that. Books that criticize such an attitude and call it evil have failed to understand the phenomenon. They don't understand that people who have suffered, or who have weaknesses or worries, absolutely must close their eyes to the past. Such books shed no new light on the human condition.

Nomura Jiro, the author of *The Nazis on Trial*, does not use the methodology I have outlined herein. He does not consciously distinguish between crimes against humanity and war crimes. He devotes too many pages to the retaliatory trials held in neighboring nations victimized by the Nazis. Moreover, Nomura does not delve into the German pursuit of (or rather, inability to pursue) Nazi criminals. But at least he is not afflicted with the idiocy of other Japanese authors who praise the Germans for their soul-searching, and urge the Japanese to learn from their example. Nomura has been researching this topic for many years and has obviously given it serious thought; that may be why. Perhaps for that reason, one gets a glimpse of the Germans' true feelings: they are tired of soul-searching.<sup>21</sup>

In 1980, Nomura visited the Max Planck Institute for Foreign and International Criminal Law in Freiburg, Germany. On that occasion, he asked two German professors how they felt about the elimination of the statute of limitations for Nazi crimes. The answers I received seem representative of (undisguised) German opinion. ä

Here is the question he posed to Prof. Hans-Heinrich Jeschek: "What is your opinion of events of the past 30-some years, the statute of limitations system, and the significance of eliminating the statute of limitations for Nazi crimes?"

Here are his answers.

"Thirty years — more than 30 years, in fact — is certainly a long time. I was a soldier; I fought in the war and witnessed my comrades killing enemy troops, and being killed by them. Though there may be degrees of difference, both sides were doing the same thing. Therefore, I think this quest for accountability should end. It seems unreasonable to ask a rank-and-file soldier to accept responsibility for obeying orders from an officer. I believe that members of the Bundestag (Federal Diet) who objected to the removal of the statute of limitations did so for the same reason. The passing of time has caused various problems, too. One of them is the inability to amass sufficient evidence to try Nazi criminals. Even so, there are still cases where we can prove that such criminals are guilty. As long as that is possible, it is important to prosecute and punish them, because we are serving the cause of justice. For Germany, the purpose of eliminating the statute of limitations is to declare to the German people and the international community that we will never cover up Nazi crimes. However, I don't think there will be much of an effect."

The difference between form and substance has often been indicated in connection with the pursuit of Nazi criminals by West Germany. Conclusions and logical explanations are dismissed as cosmetic gestures lacking real meaning. But when I listened to Prof. Jeschek, I believe I caught a glimpse of the German mentality: they do not want to open old wounds.

At the Institute, I also met Prof. Günther Kaiser, and asked him the same questions. At 40, he is

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<sup>21</sup> Nomura Jiro, *Nachisu saiban* (The Nazis on Trial) (Tokyo: Kodansha, 1993).

younger than Prof. Jeschek, but his candid response was clearly negative.

“I am not particularly interested in this topic, but I do think that conducting war crimes trials was part of the Allies’ occupation policy. Nazi crimes were the offspring of an exceptional era, during which the Nazis ruled. Therefore, I don’t think there is much point in trying suspected criminals more than 30 years after the fact. It is very difficult to hold people responsible for events that took place under abnormal circumstances, i.e., war. Furthermore, 30 years is a long time. If we are trying people for acts committed when they were in their twenties 30 years later, the defendants must be in their fifties and sixties now. Most of them may think differently or feel differently now. They may be totally different people, in fact. Therefore, we can’t be certain that those crimes would carry the same weight today. Nevertheless, punishing them for acts committed long ago has no meaning other than retribution. I can’t help questioning the wisdom in trying someone today for a crime that would have merited the death penalty during the war, finding him guilty, and imposing the same penalty.”

I would imagine that Prof. Kaiser’s views are shared by about half the people of Germany.<sup>22</sup>

Nomura’s conversations with the two professors took place five years prior to President von Weizsäcker’s famous speech. There is no evidence proving that all Germans agreed with or were moved by its content.

Much time has passed since the Nazi era; the German social psychology has changed. We may succeed in remembering the past when we are told to do so. But we cannot take charge of the past a second time. The reality of that era was anomalous. Those who criticize the past often attempt to judge it from a contemporary perspective. Strictly speaking, it is neither possible nor meaningful to analyze a totalitarian regime of yesteryear using the new standards of modern democracy.

Translated by Sekai-Shuppan, Inc. from “Waitsuzekka zen Doitsu daitoryo enzetsu no giman,” Chapter 2 of *Nihon wa Nachisu to do zaika* (Tokyo: WAC Publishing, 2005).

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22 Nomura Jiro, *Nachisu Saiban* (The Nazis on trial) (Tokyo: Kodansha, 1993).