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## Japan's War Victims in New Battle

**Growing movement is using lawsuits, legislation to bring attention to crimes. But Tokyo feels it has done its part and some Americans fear rekindling of animosities.**

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*Story by Teresa Watanabe, Times Staff Writer*

They cannot forget, as hard as they've tried.

Jean Bee Chan is a math professor in idyllic Sonoma now, but she can still picture the menacing bayonets pointed at her as a young Chinese girl fleeing the Japanese siege of her country more than a half-century ago.

James T. Murphy is a retired Air Force captain who spends these days watching travelogues on TV and tending his tomato plants in Santa Maria. But he still chokes up when he recounts, hesitantly, the beheadings, live burials and other acts too horrific to share inflicted by the Japanese military on U.S. prisoners of war like himself during the infamous Bataan Death March.

Haunted by memories that refuse to fade, Chan and Murphy have joined a mushrooming movement of victims who are furiously re-fighting the Pacific War in California today -- this time with lawsuits and legislation to bring public attention to Japan's World War II atrocities and win an apology and financial compensation.

The effort is supported in part by American veterans, Jewish activists who have worked on similar cases seeking reparations for victims of the Nazis, and a well-financed, computer-savvy, global network of Asians and Asian Americans.

The prospect of new attention on the issue perplexes the Japanese government, which contends it already has taken appropriate steps, and worries portions of the Japanese American community who fear old animosities will be stirred.

The initiatives include lawsuits in California and New York that will seek compensation from Mitsui Mining Co. and other Japanese firms for allegedly forcing more than 500 U.S. POWS to perform slave labor. At least two California lawsuits have been filed in San Francisco and Los Angeles.

Sen. Dianne Feinstein (D-Calif.) is researching whether the U.S. government still possesses documents on Japan's biological and chemical warfare research program, which included torturous medical experiments on people. If such records are found, she has said she will seek their declassification.

And, in a move that would have the smallest actual effect but has ignited the hottest passions, Assemblyman Mike Honda (D-San Jose) is expected to push the state Legislature to vote on a nonbinding resolution today urging Japan to make a "clear and unambiguous" apology for its war misdeeds and offer individual reparations to victims. They include sex slaves known as "comfort women," American POWS subjected to biological and chemical experiments, and those raped and killed during the Nanking Massacre in China in 1937, and in Guam, the Marshall Islands, the Andaman Islands, the Philippines and elsewhere.

The resolution also urges Congress to adopt a similar measure and asks the president to seek an apology from Japan. The activists pushing it hope it will be a stepping stone to national attention for their cause.

"The atrocities and acts committed during World War II need to be on record," Honda said. "Once they are on record, the likelihood of them happening again is slimmer."

The Legislature's only two Asian Americans -- Honda and Assemblyman George Nakano (D-Torrance) -- have taken opposite positions on the resolution. The split has strained their relationship and agonized their supporters. Both are Americans of Japanese descent who were interned during World War II and became educators before entering politics.

Honda says Asia's war victims deserve no less than Japanese Americans like himself who received \$20,000 from the U.S. government for their wartime internment. Community criticism against his resolution reminds him, he says, of admonitions

not to rock the boat when he joined other Japanese American activists agitating for redress in 1975.

"Sometimes I ask myself, is this all about pride?" Honda said. "No, it's about doing the right thing."

Nakano says he supports reparations but believes there are better ways to push the cause than a measure he sees as inflammatory, divisive and virtually powerless to affect Japan's behavior.

To Nakano and others, it is unfair to single out Japan for special state condemnation when so many nations have committed so many atrocities.

In what he views as a more even-handed approach, Nakano has offered a measure asking the University of California to document genocide throughout history and extract lessons from them for public school curriculums.

### Prime Minister's 1995 Apology

Japanese officials argue they already have apologized and point to a Cabinet-approved statement in 1995 by then-Prime Minister Tomiichi Murayama. It directly apologized for the nation's "mistaken national policy . . . [that] caused tremendous suffering to the people of many countries, particularly those of Asian nations." The statement went significantly beyond past expressions of "deep remorse," but victim advocates dismiss it because the Parliament did not pass it.

Since then, other prime ministers have issued written apologies to former comfort women who accept \$17,400 "atonement payments" from a Japanese public-private fund, as well as apologies to subsequent South Korean and Chinese leaders.

Japan has paid out more than \$27 billion in war compensation to at least 27 nations under the 1951 San Francisco Peace Treaty and state-to-state settlements, according to a 1993 study by the Japanese National Parliament Library. (Japanese officials add, however, that some of those payments were calculated under wartime exchange rates and the value in today's dollars would be much higher.) Several nations, including the United States, China and Taiwan, waived the right to compensation. North Korea remains uncompensated because it lacks formal diplomatic ties with Japan.

"All Japanese people are sincerely sorry about the Japanese military's actions during the war and its inhumane behavior to foreigners, in particular to Asian people," said Takahito Narumiya, a Japanese Consulate official in San Francisco. But he said the government believes it has met its legal, moral and educational obligations to settle the wartime issue.

Japanese business executives in the United States fear they will bear the brunt of any backlash.

"Why this? Why now?" said Soichiro Kiyama, executive director of the Japan Business Assn. in Los Angeles, which opposes the Honda measure, along with the Japanese Chamber of Commerce in San Francisco. "Of course we understand the historical facts, but what is the point of rekindling this issue now?"

The victims and their families answer that Japan's efforts so far have not managed to stop the hatred they still feel, the nightmares they still have and the tears they still shed when they recall the horrible events.

### Father's Story of Nanking Massacre

Tim Niu, a real estate investor in Monterey Park, grew up hearing terrible stories of Japanese aggression: His father, Niu Sean Ming, narrowly escaped the Nanking Massacre by posing as a monk in a Buddhist temple. Even to his death in 1996, the senior Niu could not recount his memories of thousands of bloated corpses clogging a nearby river without breaking down in tears, his son said.

"We have 80 years of Japanese aggression," Niu said. "Japanese military men made our country and people suffer. So deeply in our hearts, we hate."

Two Bay Area Chinese Americans, Ignatius Ding and Iris Chang, have been instrumental in pushing the war crimes issue. The articulate, telegenic Chang wrote the 1997 best-seller "Rape of Nanking," which, despite some debate on its accuracy, has drawn more popular attention to the tragedy than any of the tomes that preceded it.

Ding is the organizational mastermind behind a worldwide network of more than 45 groups focusing on Japanese war crimes, the Global Alliance for Preserving the

History of World War II in Asia. The largest organizations represent Taiwanese drafted into the Japanese military who are seeking back pay and pensions, and Hong Kong Chinese who are demanding that Japan reimburse them for military scrip they were forced to exchange for their hard currency.

Ding's group is based in Cupertino, with a \$120,000 annual budget and fat reserves built on donations from Silicon Valley Chinese entrepreneurs that fund international conferences, photo exhibits and other efforts to highlight the war crimes issue. Ding, a Hewlett-Packard strategic planner whose grandfather ran the Chinese Nationalist Party, was behind a 1996 Stanford conference on Japanese war crimes that inspired Honda to push his resolution.

"The movement is seeking justice and truth," Ding said.

For some Asian Americans, however, the issue is not the merits of the resolution. Rather, they ask if it is wise for Asian Americans to become embroiled in foreign affairs -- especially at a time when alleged Chinese spying, influence-peddling and other foreign scandals have put them under what they see as an undue cloud of suspicion.

The question has roiled the community. At its recent national convention in Dallas, board members of the 10,000-member Organization of Chinese Americans spent six hours emotionally debating the issue before approving a watered-down resolution deploring war crimes in general rather than a strong demand for a Japanese apology and reparations, according to president George Ong.

### Split Among Chinese Groups

The issue has created a schism between some foreign-born Chinese, whose war memories remain fresh in their immediate family histories, and American-born Chinese "who are very, very dedicated to the fact that we need to be perceived as Americans," said Mae Ley Tom, a longtime Democratic political activist who heads her own corporate relations firm, Tom & Associates, in Sacramento.

Tom and others say that Asian Americans getting involved in foreign affairs could perpetuate the stereotype that there is no difference between Asian Americans and Asian foreign nationals. "People constantly assume we are foreigners and our loyalties lie with the motherland, which they assume is an Asian nation," said

Daphne Kwok, the Chinese American organization's executive director. "In addressing this [war crimes] issue, people will attack us again and say, 'Are you helping China, or are you American?' "

Similarly, the Japanese American Citizens League avoids getting embroiled in issues related to Japan. The policy was born of the World War II era, when the government failed to distinguish American citizens from Japanese nationals and interned 120,000 Japanese Americans in bleak camps surrounded by armed towers and barbed wire.

Over the past few months, various league bodies have passed three resolutions -- from a strong appeal for Japanese reparations by a local chapter near Sacramento to a carefully neutral one by the national board. National President Herbert Yamanishi said there are too many problems of greater urgency for Asian Americans--including hate crimes and the fallout of the Chinese spying scandal -- to expend energy on the war crimes issue.

### Speaker Asked to Block Vote

Meanwhile, the executive director of the Japanese American National Museum in Los Angeles -- in consultation with such trustees as Sen. Daniel Inouye (D-Hawaii) and former U.S. Rep. Norman Mineta -- has asked Assembly Speaker Antonio Villaraigosa (D-Los Angeles) to block Honda's resolution from a floor vote. (Museum leaders have not taken a position on an apology and reparations, but say the issues were not adequately vetted in the community before surfacing in the high-profile legislative arena.)

Warren Furutani, assistant to the speaker, said Villaraigosa would allow a vote but has charged him with the Herculean task of trying to find common ground among the parties in conflict.

The alliance supporting the resolution has relied on advice and support from Jewish organizations around the world, including the Simon Wiesenthal Center in Los Angeles. Veterans of the Pacific war have worked closely with Jewish activists in developing their slave labor cases, which have been inspired by similar action against European companies.

A class-action suit representing more than 500 members of the "American

Defenders of Bataan & Corregidor Inc.," a veterans organization, is set to be filed soon in New York, according to Michael Engelberg, executive director of the American Center for Civil Justice. And a new California law permitting suits over slave labor, originally aimed at German and Italian companies, led to a claim filed last week in Los Angeles by Lester I. Tenney, 79, a former POW who was beaten and enslaved during the war in coal mines run by Mitsui & Co. Ltd.

Time is running out for veterans like Tenney and James Murphy. Murphy is 78 now, with a litany of medical problems he traces to the poor nutrition he received during more than three years of captivity in the Philippines and Japan. He still suffers regular nightmares after enduring what he describes as a "bestial" regimen of beatings, near starvation and forced labor in dangerous copper mines. If it weren't for God, he says, to whom he prayed nightly for courage and strength, he never would have survived.

"Closure would be difficult, because I went for years and tried not to talk or think or do anything about it," Murphy said. "But if Japanese government said, 'Yes, we mistreated you, and we're sorry we did,' that would help me greatly."

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## Seeking Amends

A growing movement of victims of Japanese war crimes is bringing public attention to Japan's World War II atrocities through lawsuits and legislation, trying to win an apology and financial compensation. But the Japanese government argues it has already offered both. This is what Japan has done:

Apology This statement was offered by then-Japanese Prime Minister Tomichi Murayama in August 1995:

"During a certain period in the not too distant past, Japan, following a mistaken national policy, advanced along the road to war, only to ensnare the Japanese people in a fateful crisis, and, through its colonial rule and aggression, caused tremendous damage and suffering to the people of many countries, particularly to those of Asian nations. In the hope that no such mistake be made in the future, I regard, in a spirit of humility, these irrefutable facts of history, and express here once again my

feelings of deep remorse and state my heartfelt apology. Allow me also to express my feelings of profound mourning for all victims, both at home and abroad, of that history."

### Reparations

Since World War II, Japan has paid \$27 billion to at least 27 nations. Officials say that figure would be significantly higher using today's currency values. Several nations, including the United States, Taiwan and China, have waived reparations. The payments that have been made include:

- \* Direct reparations under the 1951 San Francisco Peace Treaty to Burma, the Philippines, Indonesia, Vietnam, Laos and Cambodia.
  
- \* Compensation, under bilateral agreements, to South Korea, Singapore, Malaysia, Mongolia, Thailand, the Netherlands, Micronesia
  
- \* Transfer of Japanese capital equipment, facilities and other assets to nations abroad, including China, the Philippines, England and the Netherlands
  
- \* Japan has also given \$17,400 individual payments to former wartime sex slaves and funded medical and welfare projects for them and other needy in South Korea, the Philippines, Taiwan, Indonesia and the Netherlands.
  
- \* Source: *1993 report by the Japanese National Parliament Library, Japanese government.*