

July 17, 2015

On the Prime Minister's Statement in Commemoration of the
70th Anniversary of the End of World War II:

A Joint Statement by 74 Japanese Scholars of
International Law, History, and International Politics

Prime Minister ABE Shinzo is expected to issue a statement this summer on the occasion of the 70th anniversary of the end of World War II. This statement has been the focus of close attention from inside and outside of Japan.

We, scholars of international law, history, and international politics, as citizens of Japan and as academic experts on the legal, historical, and political issues of international concern, have long been involved in research on the problems and concerns that may be addressed in and affected by the Prime Minister's statement.

As individual scholars, we differ in our academic standpoints and political beliefs. Despite these differences, we share the common perspective stated below. We have come to believe that it is our social responsibility as academic professionals to announce this statement and share it with Japanese citizens and political leaders, as well as concerned individuals overseas. Thus we express the following viewpoints.

- (1) A statement by the Prime Minister must first and foremost express deep gratitude to our predecessors who endeavored, from the days of 1945 when many of our cities had been burnt to the ground and our people faced starvation, to establish the peace and prosperity that Japan enjoys today. As the nation's chief executive, the Prime Minister is called upon to express his resolve to the public that he will make every conceivable effort to pass this peaceful and prosperous Japan on to the next generation. In our view, there exists broad agreement in our society that it is the responsibility of any generation to its preceding and succeeding generations to do so. It makes no difference whether it is the 50th, 60th, or 70th anniversary.

- (2) Postwar Japan's rehabilitation and prosperity were achieved not only by the endeavors of the Japanese people, but also with the understanding, high expectations, and support of foreign nations. They were generous when Japan re-joined the international community after the war. They took steps such as renouncing their demand for war reparations from Japan at the time of the peace settlement and diplomatic normalization. In addition, they maintained Japan's security and supported its economic reconstruction through various means. These facts are all now common knowledge thanks to research accumulated over the years. The Prime Minister's statement should express deep appreciation to the people of these foreign nations.
- (3) The sustained endeavors by the Japanese people that brought about rehabilitation and prosperity in the postwar era were furthermore based on deep self-reflection with regard to Japan's earlier behavior. This includes the recognition that colonizing Taiwan and Korea and the wars of 1931–1945 had been grievous mistakes, as well as the deep remorse that more than three million Japanese and several times as many Chinese and other foreign citizens were killed. The postwar efforts by the Japanese people were also a product of our determination, based on this self-reflection, to never again repeat the mistakes of the past. A strong feeling of atonement and repentance toward the people who lost their lives because of the war was the driving force that sustained Japan's postwar economic development and its focus on peace. It may be impossible to keep this feeling from fading as seventy, eighty, or ninety years pass after the war ended. Nevertheless, it was this sentiment that was the source of postwar Japan's peace and prosperity. It must never be forgotten how this self-reflection served as the basis for our nation's postwar accomplishments.
- (4) The previous point is also connected to the ongoing discussions of whether to keep phrases such as "feelings of deep remorse" and "heartfelt apology" concerning "colonial rule" and "aggression," which first appeared in the Murayama Statement on the 50th anniversary and then again in the Koizumi Statement on the 60th anniversary of the end of the war. Many professionals and the general public may agree that the quality of the Prime Minister's statement should not be judged by its specific wording, much less on whether it preserves each of those terms used in specific statements like the Murayama Statement. They may feel that these should not be the criteria by which to judge the quality

of subsequent Prime Ministers' statements. Nevertheless, the wording matters, because documents that carry the weight of great international influence will be judged, across countries and over time, on the language they use. Leaders of a nation who bear the responsibility to run it are expected to consider deeply the importance of words. As specialists in history, law, and politics, we especially want to emphasize this to our officials and leaders.

- (5) It has become a focus of discussion as well as a political issue both within and outside Japan whether and how the "Abe Statement" will uphold the Murayama Statement and/or the Koizumi Statement, including their specific wording, partly because of the Prime Minister's past speeches and actions on these problems. We have observed this debate not just in Japan, but also in countries that have close relations with our own, such as China, the Republic of Korea, and the United States. Were the "Abe Statement" not to adopt the key terms that constitute the Murayama and Koizumi Statements, it would not only invite keen international attention to that decision and be judged harshly. We are also concerned about the risk that it could produce misunderstanding and mistrust among these and other nations about the remorse for the past that has been repeatedly stressed by Japanese Prime Ministers and Chief Cabinet Secretaries in their previous statements. We therefore strongly urge Prime Minister Abe to clarify specifically what he means when he says that he intends to uphold the Murayama and Koizumi Statements "as a whole."
- (6) Our requests focus on the "Statement by the Prime Minister" on the 70th anniversary of the end of the war, regardless of whether the statement is made through a cabinet decision. The Prime Minister is in a position to represent Japan as the chief executive of the state, and whether his statement is made through a cabinet decision will hardly be of interest to the Japanese people, let alone to people elsewhere. What matters most is the content of the statement. It should not include words that will be received negatively by international society, nor should it disgrace the Japanese people of the past, present and future. And the Prime Minister's statement should neither provoke harsh international reaction nor impair Japan's national interests in the present or future. We hope that Prime Minister Abe will wisely contemplate these concerns before selecting the words that will constitute his statement.

(7) It is not easy for the Japanese people to admit that the wars our nation waged between 1931 and 1945 constituted wars of aggression in violation of international law. The Japanese people of that era faced more difficult ordeals and made greater sacrifices than perhaps Japanese people of any other time. We, the subsequent generation of Japanese citizens, should not simply say in the hindsight that everything our people did at that time was wrong. Nevertheless, we must recognize that Japan was never invaded, and that the wars — in which Japan attacked China, Southeast Asian countries, and Pearl Harbor; in which more than three million Japanese lives were sacrificed; and in which far greater numbers of people in the other involved countries were killed — were a grave and inexcusable mistake. It is moreover an undeniable fact that Japan colonized Taiwan and Korea. Every nation has made mistakes in the past, and Japan should squarely admit its own mistakes in that era. We believe that sincerity and integrity here will be key to Japan's moral stature in international society, and that it is of this attitude that we Japanese citizens should be proud.

(8) Our Prime Ministers, and Prime Minister Abe in particular, have repeatedly made statements in response to questions in the Diet to the effect that the definition of aggression has yet to be established. This, however, is not necessarily correct from an academic perspective. Worse still, remarks like these may arouse suspicions that the Prime Minister intends to deny what has been established in international society: that the war Japan initiated in 1931 was clearly an aggressive war that violated international law. Inviting such suspicions would seriously impair Japan's national interest.

In the first half of the 20th century, and in the aftermath of the devastation wrought by World War I, international society made tremendous efforts for the illegalization of war. The Kellogg-Briand Pact of 1928, to which Japan was party, was one of the results of these efforts; the Pact banned every type of war except for self-defense. Historical research has proved that the Manchurian Incident in 1931 was caused by a conspiracy of the Kwantung Army, which was also responsible for the Huanggutun Incident in 1928. The Imperial Japanese government claimed that the Manchurian Incident justified further acts of self-defense, while the League of Nations did not accept this position. Whatever reasons the Japanese government might have claimed for the wars that followed from 1931–1945, including the second Sino-Japanese War and the Pacific War, it is well established from the perspectives of international law as well as history

that they were all illegal, aggressive wars conducted by Japan. Given that international society has consistently sustained this recognition, denying this would be to deny an understanding commonly shared by not only China and the Republic of Korea, but also by an overwhelming number of nations, including the United States. We cannot allow Japan's excellent international reputation, which the Japanese people have striven to build over the past 70 years, to be ruined by vague language that obscures the unjust and illegal nature of the wars. This is what we believe as professional scholars, and we are convinced that this understanding is shared by many Japanese people.

In 1924, the Chinese revolutionary statesman SUN Yat-sen made a famous speech in Kobe, Japan, advocating a "Pan-Asian Doctrine." In his speech, Sun asked the Japanese people "whether Japan would be an instrument for promoting the Western rule of Might or a defender of the Oriental rule of Right." We do not necessarily agree with Sun's opinion that the West represented the rule of Might and that the "Orient" reflected to the rule of Right, but in the days when China was nearly colonized by the Western powers and Japan, his challenge was on the mark. Regrettably, Japan chose the path of the rule of Might, and, as a result, nearly destroyed herself.

Japan in the postwar era paid close attention to this lesson and sought a path toward peace and prosperity of which we can be proud. We wish for Japan to continue the path of the rule of Right: to further develop as a peaceful, economically prosperous, and safe society; to share these values through economic, technological and cultural cooperation with other nations; and to maintain its position as a nation that can serve internationally as a model, and of which its people can be proud. As scholars of international law, history, and international politics, and, first and foremost, as members of Japan, we believe that this is the path on which Japan should proudly continue.

We sincerely hope that the Prime Minister will issue a statement that gives serious thought to the understanding of people around the world regarding Japan's prewar and postwar history: a statement that the Japanese people, present and future, can be proud to quote as "our Prime Minister's Statement" to anyone, anywhere in the world.

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