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The Outbreak of the Second Sino-Japanese War

In July 1937, a small-scale clash broke out between Japanese and Chinese forces on the outskirts of Peking.¹ This was what has become popularly known as the Marco Polo Bridge Incident (*Lugouqiao* Incident). Considered by history to have been the trigger for the eight-year long total war between China and Japan that followed, the Marco Polo Bridge Incident was an accidental conflict that occurred amidst the heightened tensions that had existed between the two countries since the founding of Manchukuo in 1932.

China at the time was nominally under the control of the National Government of the Republic of China (Nationalist government) led by Chiang Kai-shek. The Nationalist government was only in actual control of the lower Yangtze region centered on Nanjing and Shanghai. However, numerous warlords existed in other areas of the country who, while accepting token control by the Nationalist government, resisted Chiang's leadership. There was also a continuing state of civil war between Chiang's Nationalist government forces and those of the Chinese Communist Party under Mao Zedong.

The Chinese military units involved in the Marco Polo Bridge Incident were not under the direct control of Chiang but instead actually belonged to

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¹ Peking's name changed to Beijing in 1958 after the Communist revolution at 1st National People's Congress. The name "Peking" was imposed by Japanese forces on the city in 1937, which was previously known as Peiping, among other names. For the sake of consistency with contemporary accounts, the name "Peking" is used here.

a warlord who opposed him. And the Japanese units involved had not been recently dispatched to China. They were part of the small infantry force that had first been stationed in Peking to protect its Japanese residents with the permission of the Qing court following the 1900 Boxer Rebellion (an anti-foreign movement which killed numerous foreigners, including the German envoy Clemons Von Ketteler). The Marco Polo Bridge Incident ultimately ended with a local ceasefire agreement and negotiations continued between the two countries to maintain the truce. Incidentally, Japan was not the only country to receive permission to station troops in China following the Boxer Rebellion: eight other nations involved in the hostilities, including the United States, were also granted permission to do so by the Qing court.

It was under these circumstances that the trigger for total war between Japan and China was pulled. Chinese military forces under Chiang's direct control appeared in Shanghai, more than 1,500 kilometers away from Peking, and launched a large-scale preemptive attack against Japanese forces there. Under pressure from a Chinese public demanding the immediate beginning of hostilities with Japan, Chiang had made the decision to embark upon total war.

On August 13, 1937, approximately 50,000 men of the Chinese National Army under Chiang's control attacked the 5,000-strong Japanese Special Naval Landing Force stationed in Shanghai and the *Izumo*, the flagship of the Japanese navy's 3rd Fleet (which had arrived in Shanghai for the protection of the local Japanese residents), was subjected to aerial bombardment. This marked the beginning of total war between China and Japan. Incidentally, some of the bombs missed the *Izumo* and landed in the Shanghai International Settlement, killing numerous Westerners and Chinese civilians. The *New York Times* reported that some 600 were killed. Famously, the older brother of future American Ambassador to Japan Edwin O. Reischauer was

among them.

The Japanese government decided on an all-out offensive against the Chinese army on August 15. In addition to sending reinforcements to Shanghai, they quickly occupied several cities in northern China such as Peking and Tianjin with the help of the Kwantung Army². As a result, the Provisional Government of the Republic of China was formed in Peking on December 14, 1937 to serve as a pro-Japanese government. Chinese hostile to Chiang's Kuomintang (Nationalist Party), including politicians and bureaucrats from the Beiyang government served as the key figures in the new government.³

The Close Relationship between Chiang and Hitler

Fierce fighting raged on between Chiang's Chinese National Army and the Japanese military all along the lower Yangtze region from Shanghai to Nanjing (the Nationalist capital). Under German guidance, the Chinese had already constructed numerous concrete pillboxes between the two cities to serve as defenses against Japanese attacks and the elite of Chiang's forces, armed with German weapons, had been deployed.

Serving as Chiang's chief of staff, Gen. Alexander von Falkenhausen of

² The Kwantung Army began as the Kwantung Garrison in 1906, eventually growing to 700,000 in the years after becoming the Kwantung Army in 1919. It was responsible largely for the creation of the Manchukuo state.

³The Beiyang government was the internationally recognized government of the Republic of China from 1912-1927 based in then-Peiping that Chiang had toppled in 1928.

the German army, directed Chinese operations during the fierce combat between Shanghai and Nanjing. More than seventy German officers were charged with leading the Chinese army against the Japanese at the front as well. Heavy fighting against the Japanese began in September and they occupied Nanjing three months later on December 13. The Japanese military suffered 40,000 casualties during this period and the Chinese 300,000. The Reformed Government of the Republic of China was established in March 1938 as a pro-Japanese government in Nanjing. As with the Peking Provisional Government, the key figures of this government were politicians and bureaucrats hostile to the Kuomintang.

A close relationship had existed between Chiang's Nationalist government and the German army since the late 1920s, and this deepened after Hitler came to power in Germany in 1933. Germany provided China with extensive loans that the Chinese then used to purchase large amounts of weapons from the Germans. In exchange, China provided Germany with tungsten, a scarce element essential to the development of Germany's military industries. Incidentally, this close Sino-German relationship continued even after the beginning of the Second Sino-Japanese War, despite efforts by the Japanese government to end it. It finally came to an end in June 1941 when Chiang cut off diplomatic relations with Germany following its recognition of the Japanese Nanjing puppet government under Wang Jingwei. The Wang Jingwei government had been established in May 1940 and the Provisional Government in Peking and Reformed Government in Nanjing were dissolved at that time.

As this was going on, Japan signed the Anti-Comintern Pact with Germany in November 1936 to serve as a check against the Soviet Union. When Italy joined the agreement in September 1940, the Tripartite Pact was formed. In response the Soviet Union, which Japan saw as a potential enemy, signed the Sino-Soviet Non-Aggression Pact in August 1937 immediately following the outbreak of the Second Sino-Japanese War. Soviet military advisors and weapons were then provided to Chiang's Nationalist government. War would break out between Germany and the Soviet Union in June 1941, but peace was maintained between Japan and the Soviet Union due to a non-aggression treaty the two countries had signed in April 1941 immediately before this fighting began. This state of affairs would continue until the Soviets unilaterally broke the treaty in August 1945. Diplomatic relations between China, Germany, Japan, and the Soviet Union were thus highly complex at this time.

As the Second Sino-Japanese War raged on, the Second World War broke out. This global war would continue for eight years, drawing in one nation after another, including Britain, France, and America. Following the beginning of hostilities between American and Japan in December 1941, the war was fought between the Allies (led by America, Britain, the Soviet Union, and China) and the Axis (led by Germany, Japan, and Italy).

> The "Nanjing Massacre," Denounced as a War Crime

Germany surrendered to the Allies in May 1945, followed by the Japanese in August. Italy, the other member of the Tripartite Pact, had already surrendered in September 1943. It had first signed a ceasefire, then joined with the Allies and declared war on Germany in October.

After the surrender of Germany and Japan, the Allies established international military tribunals to try the two nations' wartime leadership as war

criminals. A tribunal was created in Nuremberg in November 1945 and another in Tokyo in May 1946. The Nationalist government also established a military tribunal in Nanjing to try the Japanese army officers who had directed the Second Sino-Japanese War. At the time the Nationalist government served as a permanent member of the United Nations Security Council (which had been formed in October 1945).

It was under these circumstances that the Nationalist government charged the Japanese military at its military tribunal in Nanjing and the International Military Tribunal for the Far East (IMTFE) in Tokyo with slaughtering 300,000 military personnel and civilians within Nanjing and its outskirts during its three month-long occupation of the city which began on December 13, 1937. This is what is known as the "Nanjing Massacre."

Later, Lt. Gen. Tani Hisao, who had led part of the Japanese army's attack on the city, was sentenced to death by the Nanjing tribunal for his responsibility for the massacre and executed. Gen. Matsui Iwane, the commander-in-chief of the attack, received the same fate in the Tokyo Tribunal.

The Nationalist government submitted many pieces of evidence to the Nanjing and Tokyo tribunals to prove that the massacre had occurred, most notably the results of the investigation that it had carried out in the city immediately after the Japanese surrender, its report on the excavation of remains, and testimony of Nanjing residents.

The evidence put forward by the Nationalist government was accepted verbatim by the Nanjing tribunal despite counter-arguments by the defense, and the court ruled that there had been a massacre of 300,000 people. At the IMTFE, however, the defense team for the Japanese (which included Westerners) was able to attack the credibility of the Nationalist government's evidence; as a result, the 300,000 victims recognized by the Nanjing tribunal

were reduced to slightly more than 100,000.

In addition to the evidence gathered during the Nationalist government's on-location investigation in Nanjing following the war, it also submitted English-language materials written by Westerners residing in Nanjing during the Japanese military occupation of the city to the Nanjing and Tokyo tribunals as third-party testimony to the massacre. These materials were published in the West in 1938 and 1939 and had already circulated worldwide by this point. They were accepted as evidence by the two tribunals and the contents of these two accounts are explicitly reflected in the judgments of the tribunals.

The Absence of the Nanjing Massacre in the Westerner Third-Party Testimony

I scrupulously analyzed the Nanjing and Tokyo decisions for my *Nankin Jiken no Tankyū* – *Sono Jitsuzō o Motomete* (Pursuing the Nanjing Incident: Seeking the True Picture), which was published in Japanese by Bungei Shunju in 2001. And I confirmed that the English-language materials explicitly reflected in the tribunals' judgments do not show that their authors believed that a large-scale massacre of 300,000 people had occurred in Nanjing. This work has already been translated into English and was published in the United States in 2007 (Kitamura Minoru, *The Politics of Nanjing: An Impartial Investigation*, Trans. Hal Gold, Lanham: University Press of America, 2006.)

The English-language materials I analyzed included: Harold J. Timperley,

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What War Means: Japanese Terror in China (London: Victor Gollancz, 1938), Lewis Smythe, War Damage in the Nanking Area, December 1937 to March 1938: Urban and Rural Surveys (Shanghai: Mercury Press, 1938); and Shuhsi Hsü, ed., Documents of the Nanking Safety Zone (Shanghai: Kelly & Walsh, 1939).

Japanese translations of the above materials are included in *Eibun Shiryō-hen* (English-language Materials), the second volume of Hora Tomio, *Nicchū Sensō – Nankin Daizangyaku Jiken Shiryōshū* (The Second Sino-Japanese War: Materials on the Nanjing Massacre), (Tokyo: Aoki Shoten, 1985). Parts of these translations are incorrect, however, and caused factual misunderstandings, which are identified in my book.

Of the above materials, those by Timperley and Smythe were written at the request of the Kuomintang's International Propaganda Department, the organization in charge of the Nationalist government's foreign wartime propaganda. They were written for the purpose of slandering the Japanese military as a barbaric organization and for procuring sympathy and support from Western nations (America in particular) for China's struggle against Japan.

Timperley lived in China as a special correspondent for the British newspaper the *Manchester Guardian* but was also involved in espionage. Due to his cooperation with the International Propaganda Department, he was at the forefront of criticism of the Japanese military's wartime actions. And for its part, Smythe's report was compiled at the direct request of Timperley. The circumstances are covered in detail in *The Politics of Nanjing: An Impartial Investigation*.

I also obtained the following source in 2010: *Records of the Military Intelligence Division, Regional file relating to China, 1922-1944* (Washington: National Archive and Records Administration, 1988-1990). This source,

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which is on microfilm, contains numerous reports on China's politics, economics, military situation, and social conditions filed by Col. Joseph Stilwell (a military attaché in China during the Second Sino-Japanese War), Lt. Col. William Mayer, and their subordinates (Serial File [SF1000] of biweekly reports <Jan. 1937 – Oct. 1941>). Within these reports, I found one on the conditions within Nanjing in early 1938 ("COMMENTS ON CURRENT EVENTS: December 21, 1937 – January 12, 1938, No. 12 Nanking"). This report, which provides new third-party testimony concerning conditions in Nanjing immediately after the Japanese occupied the city, is divided into two parts: (1) American Embassy Reopens and (2) Japanese Army runs Amuck in Capture of Nanking. Let's examine the first part first, which I reproduce here in its entirety:

(1) American Embassy Reopens

Mr. John Allison, until recently American Consul in Tsinan, and Mr. James Espy of the American Consulate General in Shanghai, arrived in Nanking on the US <u>Oahu</u> on January 6th and reopened the American Embassy next day. One the evening of their arrival they were entertained at dinner by Mr. Kiyoshi Fukui, the Japanese Acting Consul General in Nanking. This was the first "diplomatic dinner" in Nanking since Japanese occupation.

Mr. Allison reports that all Americans who were in Nanking during the fighting are safe and all Embassy property undamaged. Property of American citizens in Nanking, however, even though supposedly protected by official seals has been looted in many instances.

Reading this report, there is no sense that a large-scale massacre of 300,000

people by the Japanese military was then proceeding in Nanjing. The Japanese embassy returned to Nanjing when the Japanese military occupied the city, as did the American embassy.

The actual situation in Nanjing and the absence of a massacre can be confirmed from the aforementioned English-language materials as well. Timperley's *What War Means* was distributed worldwide (it was also translated into French) with the intention of denouncing the Japanese military's occupation of Nanjing, but it also includes a report by an anonymous Westerner. This report states that boat service along the Yangtze River between Shanghai and Nanjing, which had been halted due to the fighting, was restored on December 27, 1937, two weeks after the Japanese military's occupation of Nanjing. It describes how a group of Japanese women who arrived in Nanjing from Shanghai aboard a ship commemorating the restoration of service were taken sightseeing within the city and happily distributed candy to children there.

It should also be mentioned that, once the occupation of the city had settled down, the Japanese military approved a request by Dr. Lewis Smythe, a professor of sociology at the University of Nanking, to conduct a survey of the casualties and physical damage caused by the Battle of Nanking. Smythe then undertook a sampling survey of Nanjing and the surrounding six counties (xian) over a three-month period from March to June 1938 with the aid of Chinese assistants. The result was: Lewis Smythe, *War Damage in the Nanking Area, December 1937 to March 1938: Urban and Rural Surveys.* This report will be discussed later in this paper, but, significantly, it does not make any mention of a massive slaughter of 300,000 people in Nanjing.

Finally, fifteen Westerners, led by the German John Rabe as their chairman, organized a safety zone during the Japanese military's occupation of Nanjing. The zone incorporated approximately 200,000 Nanjing residents

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and provided them with food and living spaces. The population of Nanjing had numbered a million at the beginning of the Second Sino-Japanese War, but eighty percent of the residents had evacuated elsewhere as the Japanese military drew near. Rabe, chairman of the International Committee for the Nanking Safety Zone, worked as the Nanjing branch manager of the German trading firm Siemens and had resided in the city to sell military supplies to the Nationalist government.

With the restoration of the Japanese embassy to Nanjing, the International Committee began composing English-language documents related to the situation in the Safety Zone and their requests to the Japanese military. These were submitted to the embassy on an almost daily basis over the following three months.

The first of these documents was a request to the Japanese commander-in-chief dated December 14, 1937 and the last, dated February 19, 1938, was also sent to the British and German embassies (which had also returned to Nanjing by that date). Later, in early 1939, these were compiled into a report denouncing the Japanese military occupation of Nanjing and published by the Council of International Affairs (the Nationalist government's diplomatic body) in the temporary Nationalist capital of Chongqing as Shuhsi Hsü, ed., *Documents of the Nanking Safety Zone* (Shanghai: Kelly & Walsh, 1939).

As expected, this report includes a document that definitively rejects the argument that 300,000 people were massacred in Nanjing. It is a report dated January 14, 1938 and written by Rabe and submitted to the Japanese embassy. It includes the following:

Major T. Ishida of the Army Supply Department voluntarily told Mr. Sperling that he would sell us plenty of rice and flour for relief pur-

poses. Mr. Kroeger and Mr. Sperling approached Major Ishida and he offered us 5,000 bags of rice and 10,000 bags of flour. We gave him an order for 3,000 bags of rice and 5,000 bags of flour on January 7. [...] Major Ishida said he could not sell us rice, flour or coal because it was to be distributed through the Tze Chih Wei Yuan Hwei [Self-Governing Committee].

On January 8, the Tze Chih Wei Yuan Hwei told us that they had assigned 1,250 bags of rice for free distribution outside of the zone and 10,000 bags of rice to sell, and asked us to help them truck it. We organized this on Sunday, the 9th, and had five trucks on the job Monday morning. In the meantime they had secured permission to sell the 1,250 bags assigned to distribution and use a similar amount from assignment of 10,000 bags for free distribution later. The hauling of the 1,250 bags was completed in two days and sold as rapidly as it arrived. When the men supervising the trucking started to get the other 10,000 bags on the 12th, they were told that the assignment had been turned down and that now only 1,000 could be secured every three days. Already two days' delay had been used in negotiations about the matter.

While this document effectively shows the cooperative relationship that existed between the International Committee, the Self-Governing Committee, and the Japanese military, more importantly, it describes a situation utterly incompatible with an ongoing massacre of the city's residents. That is, it contained testimony by a third-party Westerner that the Japanese military was providing large amounts of food to the city's inhabitants. And yet, according to the judgment on the Nanjing Massacre handed down eight years later after the Second World War ended, the Japanese was in the midst of its grand slaughter of 300,000 people on January 14, 1938, the day that the report was written.

Incidentally, the Self-Governing Committee mentioned in the report was a self-governing organization of Nanjing citizens established on December 24, 1937 with the backing of the Japanese military (its formal founding ceremony was held on January 1). The organization performed activities throughout the city to help support the livelihoods of its inhabitants.

I also examined Western media coverage of the Japanese military occupation of Nanjing from 1938 but failed to find any reporting claiming that a massacre of 300,000 people had occurred in Nanjing. (See Kitamura, *The Politics of Nanjing: An Impartial Investigation*, for details.)

The Execution of Soldiers in Civilian Clothing

With regard to the question of unlawful killings of Chinese soldiers and civilians by the Japanese military during its occupation of Nanjing, the second part of "COMMENTS ON CURRENT EVENTS: December 21, 1937 – January 12, 1938, No. 12 Nanking" is enlightening concerning this issue. Its contents contrast sharply with the peaceful Nanjing seen in the first part of the report with its focus on the reopening of the American embassy and a diplomatic dinner held by the Japanese embassy. I reproduce it here in full:

(2) Japanese Army runs Amuck in Capture of Nanking

From the reports of foreign observers whose reliability and powers of observation are not to be questioned, it cannot be doubted that the Japanese Army acted more like a horde of savages than a disciplined force after entering Nanking on December 12th. An American newspaper correspondent, eye witness to the acts of the Japanese Army at this time, has personally recounted his observations to the Assistant Military Attaché. He states that Chinese soldiers and civilians alike were butchered indiscriminately. As far as he knows, no prisoners were taken. Even the police who remained in the city after the Chinese troops had evacuated in an attempt to preserve some semblance of order, were slaughtered without mercy. Foreign property, even though plainly marked with official seals and notices was plundered in many instances, often with apparently deliberate intent.

Conceding that the task of mopping up Nanking after its capture required swift and decisive military action, there seems to be no excuse for soldiers of a supposedly civilized power indulging in an unrestrained orgy of murder and looting.

If the Japanese high command is ashamed of the way the forces behaved in Nanking, and there have been reports to this effect, it would seem that the only explanation which could be offered is that the troops got out of hand, an admission of traits of savagery which inevitably tends to bring down on Japan the censure and contempt of decent persons.

The American newspaper correspondent mentioned in this report is believed to be F. Tillman Durdin, a reporter for the *New York Times*. Several foreign reporters, including Durdin, remained in Nanjing for several days after the Japanese military occupied the city. They later moved to Shanghai, where

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Durdin sent a long report to the New York Times by airmail.

Let's consider the statement in the report that "Chinese soldiers and civilians alike were butchered indiscriminately. As far as he knows, no prisoners were taken." The Japanese military occupied Nanjing on December 13, 1937. On December 12, the night before, Tang Shengzhi, the commander of the city's defenses, escaped the city in accordance with an order from Chiang.

Tang had previously told a group of foreign reporters that he was ready to defend Nanjing to the death and that he had had small military watercraft burned to prevent the Chinese soldiers defending Nanjing from retreating across the Yangtze. He had, however, also secured a large steamship in which he and his immediate subordinates could escape. Immediately after issuing an order to his troops to "break the Japanese military's encirclement and evacuate from Nanjing," Tang boarded his ship with his subordinates and crossed to Pukou on the opposite side of the Yangtze. He then escaped north along the Jinpu Railway which ran to Tianjin.

With the flight of their commander, the Chinese troops in the city lost their ability to offer organized resistance and began to be annihilated. Many of the soldiers then discarded their weapons and uniforms in the city streets and fled into the International Safety Zone.

After occupying the city on the 13th, the Japanese military immediately began searching the International Safety Zone for these soldiers posing as civilians, arresting and then executing them en masse. These group executions were carried out systematically and were well known about. This is likely what Durdin witnessed. While there may have been some civilians mistaken for soldiers among those executed, the Japanese military's only goal was rooting out and executing those Chinese soldiers posing as civilians.

In 1937, when the Japanese military occupied Nanjing, war was acknowl-

edged under international law and regulated, with the "Convention respecting the Laws and Customs of War on Land" ratified by the world's nations at The Hague in the Netherlands in 1907 serving as international law for the battlefield. Commonly known as the Hague Convention of 1907, this laid out what was prohibited during war. It had been signed by Qing China and by Japan in 1911.

Under the Hague Convention, prisoners of war who surrendered while in uniform and openly carrying arms were entitled to different treatment than those soldiers captured after they had removed their uniforms. Combatants not wearing a uniform and those fighting in a group without a commander were not recognized as prisoners of war and could be executed. Having occupied Nanjing, the Japanese military then executed those Chinese soldiers who had thrown away their uniforms and hidden in the International Safety Zone as combatants not in uniform.

From the standpoint of the Japanese military, which had been plagued by Chinese soldiers posing as civilians during the fighting in Shanghai immediately prior to the Battle of Nanking, the presence of numerous Chinese soldiers who had fled into the International Safety Zone was unsettling, as they could act as guerrillas. While the Japanese forces had victoriously occupied Nanjing after fierce fighting, they were likely uneasy that they could be attacked at any time should they be careless.

Rooting out the hidden Chinese soldiers was thus a natural course of action for them to take. The validity of these mass executions has become a point of contention in international law, however. Ever since the "Nanjing Massacre controversy" began in the 1970s, a long debate has continued in Japan between those scholars who assert that the Japanese military's actions were legal under the Hague Convention and those who criticize them as an excessive atrocity.

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How did the Westerners who stayed in Nanjing and organized the International Safety Zone during the Japanese military occupation view the rooting out and execution of these soldiers in civilian clothes?

Numerous sources make it clear that the Westerners, who were well aware of the Hague Convention, reacted to the mass executions of soldiers in civilian clothes that immediately followed the Japanese occupation of the city by saying that they hoped for generous treatment of the men on humanitarian grounds. But they made no pleas to the Japanese military to spare those soldiers' lives on the basis of international law. It seems likely that there was no precedent in the history of warfare of soldiers throwing their uniforms and weapons away en masse to blend in with civilians to which they could point. The following is an example found within Timperley's *What War Means*, which was published for the purpose of accusing the Japanese military of cruelty.

Even after the mass executions of soldiers in civilian clothes that immediately followed the Japanese occupation of the city ended, the Japanese military continued to actively search for such soldiers in the city. The German businessman Kroeger, a member of the International Committee, and Hatz, an Austrian engineer staying in the city, came across a Chinese male who had been discovered to be a soldier in civilian clothes. The Japanese military forced him to stand in a pond within the Safety Zone and then shot him. The two men commented on the encounter (which happened on January 9, 1938) as follows:

We have no right to protest about legitimate executions by the Japanese army, but this was certainly carried out in an inefficient and brutal way. Furthermore, it brings up a matter we have mentioned many times in private conversation with the Japanese Embassy men: this

killing of people in ponds within the Zone has spoiled and thereby seriously curtailed the reserve water supply for the people in the Zone.

Incidentally, their use of the plural in the phrase "legitimate executions by the Japanese army," shows that they were referring to other executions as well as the one they encountered.

Similarly, University of Nanking professor Miner Bates, another member of the International Committee, stated concerning the case of a Wang Xinlun, a man whose background is unclear, that "if this Wang was a former soldier we could not interfere," showing that he judged the matter to be one of military law. Wang had been denounced to the Japanese military police (*Kempeitai*) by other Chinese as a former soldier who was burying and hiding weapons.

We can understand from the above examples that the Western denunciators of the Japanese military did not necessarily condemn the execution of Chinese soldiers for wearing civilian clothes. The primary point of their complaints was that the large-scale executions were being performed hurriedly without any careful procedures, which they considered to be "inhuman."

And in fact, Japanese legal scholars at the time of the Second Sino-Japanese War also acknowledged that the laws of war required treating soldiers in civilian clothes carefully and that court procedures prior to their execution were necessary. But even so, the Westerners acknowledged that the execution of soldiers who had discarded their uniforms and concealed themselves was not an atrocity. They did not denounce the mass executions performed by the Japanese military as calculated massacres carried out in violation of the Hague Convention.

Most importantly, the Chinese did not publicly protest the execution of

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soldiers discovered in civilian clothes as a violation of international law, either. Moreover, Chiang's National Revolutionary Army had adopted a battlefield regulation in 1925 known as the "Revolutionary Army Complicity Law" which stipulated that if a unit retreated against orders its highest commander would be shot. Soldiers also faced the possibility of execution if they retreated without their commander and he subsequently died in that battle.

The destruction of the Nanjing Garrison was triggered by Tang Shengzhi's departure at Chiang's orders; he had also ordered his units to try to escape the city. Thus, these retreats can not necessarily be considered to have been done in contravention of orders. Discarding not only their weapons but their uniforms as well and then blending in with the civilian population was something forbidden to combatants, however, and extremely shameful. From October 28, 1937, Xie Jinyuan and his eight hundred men desperately defended the Chinese position at Zhabei for four days and nights during the Battle of Shanghai. They became praised as paragons of resistance and retreated into the International Settlement on October 31 at Chiang's order. The large number of soldiers in Nanjing who gave up resistance and blended into the civilian population (only to be discovered and executed), however, was not something the Chinese wanted to discuss too loudly.

Meanwhile, Chinese soldiers who were captured in uniform were basically treated as prisoners of war by the Japanese military. We have the IMTFE testimony of Col. Sakakibara Kazue who participated in the Battle of Nanking, which speaks to this. According to this testimony, which the Allied judges deemed factual, of the approximately 4,000 prisoners of war taken by the Japanese, half were sent to Shanghai and the rest were held in Nanjing, where some were used for general labor.

In recent years, however, the Chinese, who loudly proclaim that the Nanjing Massacre happened, have also accused the Japanese military of executing

prisoners of war in addition to those soldiers found in civilian clothing. Kitaoka Shin'ichi and Bu Ping, ed., *Nicchū Rekishi Kyōdō Kenkyū* (Sino-Japanese Joint Historical Research), Vol. 2 *Gendaishi* (Modern History) was published in 2014 by Bensei Publishing. This was the result of joint historical research carried out from 2006 on the basis of an agreement between the Chinese and Japanese governments. The articles in the volume by Chinese scholars, however, focus more on the charge that prisoners of war were killed than on the mass slaughter of the city's inhabitants.

The Execution of Soldiers in Civilian Clothing as Seen in the Smythe Report

Smythe's *War Damage in the Nanking Area, December 1937 to March 1938*, previously introduced, is based on a Westerner's surveys made immediately after the Japanese military's occupation of Nanjing.

Smythe worked as secretary for the International Committee and helped protect refugees alongside Rabe, the committee's German chairman. As mentioned earlier, Smythe's report was published with the intent of accusing the Japanese military of barbarism. Considering that only six months passed between the conclusion of the surveys the report was based on and its publication, and the level of organization apparent in the publication of both Shanghai and Nanjing editions, it is apparent that the Kuomintang's International Propaganda Department was waiting and ready for the report. Whatever the report's background, however, Smythe was a university professor of sociology and he wrote a solid report certainly so as to maintain his self-respect as a researcher.

Smythe's survey of casualties within the city was carried out from March 9 to April 2, 1938 as a survey of families. A supplemental survey was performed from April 19 to the 23rd. The survey's methodology involved selecting one of every fifty households based on house number and then surveying the chosen household regarding the number of people in the household, their incomes, and their profession in addition to any casualties suffered. The survey results were then multiplied by fifty. Based on these results, Smythe calculated that 2,400 people were killed by soldiers' violence and that the total population of Nanjing was 221,150.

Smythe was a professional scholar with previous experience participating in a survey of flood damage in the area surrounding Nanjing. In the report's forward, Bates, a historian at the University of Nanking, wrote that "the accomplishment of the present surveys is largely dependent upon the unusual abilities and energies of Dr. Smythe," thereby explicitly supporting the report's findings.

Smythe submitted this report to the war crimes tribunal held in Nanjing after the war along with his written oath. His report was given special mention as evidence of the massacre in the Nanjing tribunal's findings.

The Chinese judges must not have noticed that Smythe's finding of only 2,400 dead due to violence from soldiers contradicted their clear assertion in their judgment that there had been a "massacre of 300,000 people." A judicial decision that contains this kind of contradiction is obviously logically bankrupt.

There is also research which argues that the figure of "2,400 killed by soldiers' violence" in Smythe's report includes numerous soldiers executed for being in civilian clothing. Niwa Haruki, a professor emeritus at the Graduate School of Economics, Osaka Gakuin University, closely analyzed

Smythe's report from a statistical perspective and noted that 44.3% of the males reported killed by soldiers' violence were listed as unmarried.

Dr. Niwa also estimated based on the 1932 survey of Nanjing residents included in Smythe's report that, assuming normal circumstances, unmarried adult males would have made up 5.2% of the city's population in Spring 1938. As a result, he reached the conclusion that the abnormally high ratio of 44.3% unmarried males that temporarily appeared following the Battle of Nanking was because the adult male victims included numerous soldiers in civilian clothing who were not residents of Nanjing. It goes without saying that the fact that the great majority of contemporary Chinese soldiers were unmarried youths lay behind his conclusion.

The Smythe Report's Skillful Trick for Accusing the Japanese Military

Let's next consider Smythe's rural survey of the six counties surrounding Nanjing. The casualties there contrast sharply with those for the city of Nanjing itself, with the report concluding that just over 30,000 civilians were killed.

When I read this report on rural casualties, I was deeply concerned about why there would have been so many dead. The area covered by the rural survey was quite extensive according to the map that accompanied the report. Going by the scale on the map, the survey was conducted over an area measuring 140 kilometers north to south and 90 kilometers east to west. If we estimate that the city of Nanjing was eight kilometers by eight kilometers The Smythe Report's Skillful Trick for Accusing the Japanese Military 27

in size, then the area surveyed was approximately two hundred times larger than the city.

According to *Shina Jihen Rikugun Sakusen* (China Incident Army Operations), Vol. 1, prepared as a part of the National Institute of Defense Studies' Center for Military History Series, the Japanese army advance upon Nanjing from the east was divided into three main routes. These main routes were then further divided depending on the unit, and two units advanced along the banks of the Yangtze, one on each side of the river.

Comparing the Japanese army's advance with the map that accompanies the Smythe Report, the area covered by the rural survey does not necessarily closely overlap with the routes taken by the Japanese. The local inhabitants were likely able to evacuate as the Japanese approached and the Japanese passed through the area in only about a week as they continued their rapid rush towards Nanjing. Put bluntly, these troops were likely more enthusiastic about the drive towards Nanjing than in becoming involved with the local populace. These units weren't marching side-by-side as they advanced; many areas would have been distant from the thrust of the advance. Also, in an area two hundred times the size of Nanjing, it would have been easy for the locals to take refuge from the soldiers. The situation was completely different from that of Nanjing, where the city's population lived in a narrow area closed off by city walls and was in close contact with a large number of Japanese soldiers. It's therefore difficult to imagine that the kind of mass slaughter that can occur in a small, closed off area happened in the outskirts of Nanjing.

Smythe's rural survey was undertaken in the following manner. The survey was conducted over the course of fifteen days from March 8 to the 23rd, with two investigators dispatched to each surveyed county. They used the following methodology: the investigators travelled along a main road and

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then returned, zigzagging across the road in the form of a figure eight. At every third village that they encountered, they chose one out of every ten families and filled out a questionnaire for those families.

The rural survey covered an area two hundred times larger than that of the urban survey and was conducted in half the time. Additionally, at least according to the text of the report, there were only twelve investigators in total. Furthermore, of the six counties covered by the survey, they were only able to survey four as planned (along with the southern part of a fifth). The remaining areas were likely still under the political control of the Nationalist government, as interference from local Chinese authorities prevented the investigators from carrying out the survey there.

Compared to the urban survey, which spent twice as much time on a limited, narrow area and was conducted without any restrictions, the rural survey was clearly much cruder in nature. Its results therefore could only be less definitive. The rural survey also used a different methodology in calculating its results.

In the case of the urban survey, one of every fifty families were selected and surveyed; the results were then multiplied by fifty to deduce the overall situation. This method is easily understandable. But in the case of the rural survey, a different method was chosen to find the total. Since one in ten families in every one in three villages was selected and surveyed, multiplying the results by thirty would give the total numbers for the limited areas surveyed.

For the rural survey results, however, as noted in the third part of the report's introduction, "Statistical Procedure," a value was derived for the average damage suffered per family in the limited areas surveyed in each county. This was then multiplied by the extremely large number 186,000, the total number of families in the five counties (as had already been determined prior to the Battle of Nanking.) It goes without saying that this methodology means including families who were distant from the surveyed areas and had suffered no damage at all in the total number of families, something which greatly increases the extent of the calculated damage. This can only be regarded as a clever trick for expanding the number of victims. This isn't the only place in the Smythe Report, which was written in a seemingly neutral, factual style, where criticism of Japan can be seen. Since the report was written at the request of the Kuomintang's International Propaganda Department, this can be said to be only natural.

Pursuing the Roots of the "300,000 Victims" Theory

The Nanjing tribunal's figure of 300,000 for the number of victims lacks consistency with the contemporary situation in the city as can be determined from various other resources. Frankly, one gets the sense that 300,000 was first chosen to be the number of the victims and the evidence supporting this figure was then crafted so as to match it.

The "massacre of 300,000 people in Nanjing" was created to serve as the centerpiece of the Japanese war crime charges for the war crime tribunals that were already being prepared for during the war.

Even in the contemporary reporting of the Central News Agency (the Kuomintang's news service), which often emphasized exaggerated reports in an attempt to boost the Chinese will to fight, no figure even close to 300,000 was ever reported as the number of victims in Nanjing. It only claimed that

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50,000 males under the age of forty had been killed according to reports from foreigners in Guling (a summer resort for Westerners containing a foreign concession) and that there had been 80,000 victims according to people who had escaped the city.

In *The Chinese Year Book 1938-39*, a book released by the Nationalist government's Council of International Affairs, I found the passage that I believe served as the origin for the later claim of "300,000 killed in Nanjing." As expected, Timperley, who had worked at the request of the Kuomintang's International Propaganda Department, was responsible.

Timperley attempted multiple times in January 1938 to send articles exaggerating the cruelty of the Japanese military occupation of Nanjing to Britain by telegraph, but the Japanese officials managing the Shanghai telegraph office refused to send them, saying they "over exaggerated" things. Timperley emphasizes at the beginning of *What War Means* it was this refusal that caused him to write his book (see my *The Politics of Nanjing: An Impartial Investigation* for the particulars of this period).

According to *The Chinese Year Book*, Timperley wrote in a January 16, 1938 article that he was unable to send that "some 300,000 Chinese civilians had been slaughtered by Japanese in the Yangtze delta area" (*The Chinese Year Book 1938-39*, 205).

The Kuomintang's *Central Daily News* in Hunan reported via Reuters on the Japanese refusal to send Timperley's telegram two days later on January 18 (*Geming Wenxian* (Documents of the Revolution), No. 108, 560; *Geming Wenxian* is a massive collection of materials compiled in Taiwan by the Kuomintang's Party History Committee). The contents of his article were said to be that "300,000 Chinese were slaughtered in the Nanjing-Shanghai region." Furthermore, the *Ta Kung Pao* in Hankou reported on January 31 that "according to reports by the British reporter Timperley, civilians slaughtered by the enemy army along the Nanjing-Shanghai front have reached at least 300,000 in number" (*Geming Wenxian*, No. 109, 224).

Let's consider the interrelation between the above reports and the "effect" they produced.

In the beginning of *What War Means*, Timperley states, without providing any evidence, that there were "at least 300,000 military casualties for the Central China campaign alone and a like number of civilian casualties were suffered." This is different, however, from his statement (as reported in the Chinese newspapers) that "some 300,000 Chinese civilians had been slaughtered in the Yangtze delta area."

On December 17, 1937, immediately after the fall of Nanjing, Chiang Kai-shek attempted to rouse the Chinese people from Hankou (Wuhan) by releasing his "Statement to the Public on Our Army's Withdrawal from Nanjing." In this statement he claimed that total Chinese military's casualties since the beginning of the war against Japan had reached 300,000. Timperley's statement in the beginning of *What War Means* that "at least 300,000 Chinese military casualties [had been suffered in] the Central China campaign alone" is therefore thought to have been derived from Chiang's words. When he then continues, noting that "a like number of civilian casualties were suffered," however, this is a claim that, in my view, lacks an authoritative source. This is believed to have been an embellishment by Timperley.

It seems likely that that Timperley's attempted January 16 telegraph which was rejected by the Japanese was similar in content to the beginning of *What War Means*. That is, that he broadly interpreted the area where casualties had been inflicted to be central China alone and alluded to the number of civilian casualties using military casualty figures. Doing so allowed him to better appeal against the cruelty of the Japanese invasion. As with the January 21 article that was also rejected, it seems likely that Timperley knew even as he

attempted to send the article that its transmission would be refused. But by being able to protest against this censorship of the press, he could draw more attention to the content of his reporting.

It's hard to believe that an experienced reporter like Timperley would send an article claiming that "300,000 Chinese civilians had been slaughtered" in the Yangtze delta (an expression meaning the Nanjing and Shanghai regions) alone and expect it to be believed by a "common sense" readership in Britain. There's no question that such a claim would have been met with incredulity and been considered an "exaggeration."

It goes without saying that Timperley was secretly working as an employee of the Kuomintang's International Propaganda Department at the time. This suppressed article was immediately routed to the Kuomintang's *Central Daily News* via Reuters, who he had previously worked for (see *The Politics of Nanjing: An Impartial Investigation* for details on Timperley's relationship with Reuters). And when it ran in the *Central Daily News* it was further embellished for wartime propaganda purposes: the claim that there had been "300,000 military casualties and a similar number of civilian casualties" was changed to "300,000 Chinese have been slaughtered" and the expansive "central China" was changed to the more limited "Nanjing-Shanghai area."

This embellished content was then spread throughout the world through its inclusion as an article in *The Chinese Year Book 1938-39*. Afterwards discussion of the damage inflicted by the Japanese would gradually move away from Shanghai, despite the fact that there had been a large number of casualties there and the state of the damage from the war in the city was readily apparent to everyone. Instead the damage would become attributed to Nanjing, which no foreign reporters had entered in the six months since the Japanese military's occupation. It was through the above process that the theory of a "Nanjing Massacre of 300,000 people," that is, the claim that 300,000 people had been killed during the three month-long Japanese military occupation of Nanjing, had its groundwork laid.

The above is merely deduction. However, I believe it is worthy of consideration as the likely process through which the outline of an extraordinary incident like the massacre of 300,000 people could be established. When Japan lost the war eight years later, this outline was reinforced and fleshed out for the political purpose of allowing it to serve as the centerpiece of the trying of Japanese war crimes. The "Nanjing Massacre" was thus born.

The Chinese Mentality that Maintains the 300,000 Victims Theory

As this paper approaches its conclusion, there is another issue that should be taken into account when considering Chinese historical events in general, and not just the Nanjing Massacre. It is related to the comparative study of civilizations.

The "testimony" of Chinese citizens played an important role in establishing the "300,000 victims" theory for the Nanking Massacre. During the Nationalist government's postwar damage survey, these Chinese claimed to have "witnessed large-scale mass killings" or "buried a staggering number of corpses." These pieces of "testimony" do not necessarily stand up to our "common sense" judgment. Boldly stated, these were produced for the "political purpose" of "assisting" or "serving" the establishment of the "Nanjing

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Massacre." But why did this kind of "testimony" come forward?

I initially thought that perhaps the Chinese sense of numbers was merely a loose one, and I met with Taiwanese and Chinese friends to have a sincere discussion on this point with them. While what they told me did indeed support this view (that Chinese used numbers vaguely), it did not seem to be enough on its own to pin down the comparative civilizational background that supported the 300,000 victims theory.

It was at that point that I learned from a Chinese study group colleague that Lin Siyun (a pseudonym) was developing an extremely interesting argument about the Chinese way of thinking. And even more fortunately, I was able to meet Lin through a different Chinese friend. Later, after our conversation was published in the magazine *VOICE*, we wrote a joint work on the Sino-Japanese War which was published by the PHP Institute. This interview was later published in English as Kitamura Minoru and Lin Siyun, *The Reluctant Combatant: Japan and the Second Sino-Japanese War* (Lanham: University Press of America, 2014).

I put together the overall structure of the book and we divided writing duties based upon that structure. Lin developed the following argument in "Confucian Ethics Encourage Lying: The *Bihui* Syndrome," a section of Chapter 7, "The Chinese Perception of History" (the following excerpts come from *The Reluctant Combatant*, 98-104):

The Chinese are often criticized because of their tendency towards prevarication and exaggeration (*bihui*), but the critics have no idea why the Chinese behave in this way. If they think that the desire to deceive motivates the Chinese to lie, they are making a terrible mistake. In almost every case, the Chinese resort to the *bihui* syndrome not for personal gain, but for the sake of their family and, in some

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cases, their country. But how does lying help a nation?

To answer this question, we must first discuss the Confucianist worldview. Throughout its long history, China has been steeped in Confucianist thought... In Japan, the doctrines of Confucius and Zhu Xi were considered philosophies — scholarly disciplines. In China, however, Confucianism was a religion. Like other religions, Confucianism has norms that govern human character, actions, and morality. In addition to the four main virtues at the heart of Confucianism (loyalty, filial piety, ritual and humanity) is one very important virtue, namely *bihui*. The first Chinese character in the term (*bi*) means 'avoid,' and the second (*hui*), "conceal"... When we resort to *bihui*, we are not concealing matters that cast us in a bad light, but matters that case someone else in a bad light.

Lin then attempts to explain the cultural-historical background for the development of the Chinese mentality of *bihui*, tracing it back to the *Analects*. The following summarizes his main point:

In one of the famous tales in the *Analects*, Confucius is asked the following question: "There is an honest man in my village. When his father stole a sheep from an acquaintance, the son gave evidence against him." Confucius replied, "I do not consider him an honest man. A father should conceal the misdeeds of his son. The son should conceal the misdeeds of his father. That is true honesty." This tale is a symbolic representation of the *bihui* syndrome... Confucius established a rule while compiling *Spring and Autumn Annals*: conceal the shameful deeds of great men, conceal the past mistakes of sages, and conceal the flaws of family members.

The Chinese moral code divides the human race into two classes: superior and inferior men. The superior man has achieved a very high moral standard by practicing the virtues of loyalty, filial piety, ritual and humanity. The inferior man seeks only material gain. Men who have achieved an exceptionally high moral standard are sages, and those who have achieved the highest of all, great men... Turbulent ages arise when an inferior man is in charge of the government. Peaceful ages arise when a great man controls the government. Therefore, within the context of the Chinese worldview, the most important advice to heed when choosing the ruler of a nation is: revere a superior man, but shun an inferior man.

But neither great men nor sages are gods. They make mistakes. If by concealing the mistakes of great men and sages, it is possible to preserve their prestige, then enhancing their prestige by exaggerating their achievements can ensure a nation's stability.

Today the Chinese regard their nation in the same way as they do a great man. Hiding or covering up their country's past mistakes and unfortunate events has become an essential duty. Exaggerating and lying to enhance and preserve our nation's prestige are actions worthy of the highest accolades. Since the *bihui* syndrome is always hovering in the background, it is difficult to ascertain the facts about incidents that take place in China. It is true that the Chinese government is structured to systematically conceal the facts, but we must also be cognizant of the fact that the Chinese deliberately resort to *bihui*, and the truth disappears.

Lin then uses the Nanjing war crimes tribunal as an example of how *bihui*, the act of concealing the truth to the advantage of one's group, can also be

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used to distort the "truth" and cause damage to one's enemies by making false accusations. Thinking about it, both *bihui* and making false accusations are similar acts in that they involve concealing the truth in an attempt to benefit one's own group.

... a man named Lu Su came forward and declared that he had seen Japanese soldiers murder 57,418 Chinese. Anyone with common sense would know that the figure, given to the last digit, was fabricated. But no Chinese accused Lu Su of lying. [They] would be branded a defender of the Japanese and a traitor. Even someone who knew deep down in his heart that Lu had invented his testimony would not want to be called a traitor. The figure cited by Lu Su appeared in China's leading newspapers. Lu Su's false claim was presented formally to the IMTFE in writing, as evidence that Japanese troops had perpetrated a massacre in Nanjing.

Lin also introduces an incident from the People's Republic of China's Great Leap Forward (a policy meant to greatly increase agricultural and industrial production quickly. It was a major failure that caused many to die of starvation.) as an example of "patriotic lying" as derived from *bihui*:

The Nanjing 'massacre' was not the only instance in which unreliable evidence was taken seriously. During the Great Leap Forward, which began in 1958, the Chinese were so intoxicated with patriotism that each geographical entity, competing with others, reported inflated crop yields. At their height reports stated a yield of 70,000 kilograms of rice per *jin* (667 square meters), or a hundred kilograms per square meter. The People's Daily praised this achievement to the heavens in

an editorial on September 18. But it became the butt of jokes all over the world.

Lin then adds the following:

The most important discipline created by the nations of the West is science. The one and only objective of science is the unrelenting pursuit of the truth. The lack of scientific innovation in China can also be traced to the *bihui* syndrome. From the Chinese viewpoint, facts were not all-important. What was important was protecting great men, the nations, and its people. The *bihui* syndrome clashes with Western scientific thought. It is just as unlikely that the Chinese will accept what the Japanese define as scientific analysis as it is that the Japanese will accept patriotic *bihui*. The debates between China and Japan over war responsibility and the Nanjing 'massacre' will never settle into a consensus precisely because of contrasting principles and value systems.

Epilogue

There is thus a deep gap between the Japanese and Chinese perspective of "truth," as explained above, which is most apparent in the "300,000" number. The people of the world, including the Japanese public, must keep an accurate understanding of this fact in mind as we continue our relations with China.

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About the Author

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He has been researching the modern history of China for more than forty years, using his ability in spoken and written Mandarin to work from original Chinese sources. He has authored several books in Japanese on the political history of China, including *Dai-ichiji kokkyō gassaku no kenkyū* (On the First Nationalist Communist United Front), Iwanami Shoten (1998); *Nankin jiken no tankyū: sono jitsuzō o motomete* (Searching for the truth behind the Nanjing Incident), Bungei Shunju (2001); and *Nitchū Sensō no ""futsugō na shinjitsu""* (An ""Inconvenient Truth"" about the Second Sino-Japanese War, coauthored by Lin Siyun, PHP Research Institute (2014). An English translation of *Nankin jiken, The Politics of Nanjing: An Impartial Investigation*, was translated by Hal Gold and published by the University Press of America (2007), and an English translation of *Nitchū Sensō no ""futsugō na shinjitsu," The Reluctant Combatant: Japan and the Second Sino-Japanese War*, was published by the University Press of America (2014).

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