



'The life and trial of Cho Un-kuk, Korean war criminal'

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Abstract:	<p>In 1946, a British military court in Singapore tried a Korean, Cho Un-kuk, for war crimes against Allied prisoners of war on the Thailand-Burma Railway during the Second World War. The evidence against Cho was scanty, but he had been part of a group of Korean guards notorious for brutality towards prisoners. In expedited proceedings relying heavily on affidavit material, Cho was found guilty and sentenced to fifteen years prison. The trial revealed both Cho's unexpected transnational background as a dentist in pre-war British India and the complex position of Korean guards on the Railway. Often characterized as universally brutal as a result of their own ill-treatment by the Japanese colonial system, the guards responded in many different ways to the pressures and opportunities of service subordinate to the Japanese military. After sentencing, Cho served time in Singapore and Japan. He left prison a broken man in 1955. Like other Koreans in Japanese military employment, he was spurned by other Koreans as a collaborator. Only in 2006, after his death, was he officially recognized as an unwilling conscript into Japanese service. His case illustrates the difficulty of distinguishing victims and perpetrators in the tangled circumstances of the Second World War.</p>

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The life and trial of Cho Un-kuk, Korean war criminal

On 12 August 1946, just under a year after the end of the Second World War, a Korean man stood as defendant before a British military tribunal in Singapore. In court, the man went by the name of Kumoi Eiji, but he was one of many Koreans who had adopted a Japanese name during the colonial period. The defendant's original name was Cho Un-kuk¹ and he stood in court alongside nine others charged with

committing a war crime in that they at Tamuang POW camp Siam between 1 March 1944 and 31 January 1945 while employed as members of the staff of the said POW camp in violation of the laws and usages of war was concerned in the ill-treatment of British, Australian and Dutch PsOW [prisoners-of-war] interned in the said camp.²

The court considered a range of evidence presented against Cho, found him guilty and sentenced him to 15 years in prison. He was held initially in Singapore's Changi Prison, but was subsequently transferred to prison in Tokyo before being released in 1955.

The life of Cho Un-kuk illustrates the transnational entanglement of Koreans with the Japanese imperial project during the colonial era. Trained as a modern professional by

¹趙雲國 (*hanja*). The trial documents do not render Cho's name in *hangul*, but it was presumably 조은국, rendered today as Cho Eungug. Many Koreans who adopted Japanese names adopted names with elements drawn from their Korean names; for instance, the surname Kim ('gold') often appeared in Japanese surnames as 'Kana-' or 'Kane-'. Cho, by contrast, used his given name: although 雲國 today means 'silver land', its classical Chinese meaning is 'cloudy land', close in meaning to the Japanese surname Kumoi (雲井), meaning 'sky, cloud' or 'distant place'.

² *Trial of Usuki Kishio and nine others*, Singapore, 12, 13, 19 & 22 August 1946, National Archives (UK) [hereafter NA (UK)], WO 235/918, p. 2. This file contains the trial record, documents submitted to the court and documents arising from the verdict and sentences. The pages are numbered 1-526, but only 419 pages are present. In this article, the trial record is cited as *Trial of Usuki Kishio and nine others*, with page number; ancillary documents are cited by title or other identifier, with *Usuki trial* and page number.

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3 colonial institutions in his home country, Cho became a member of the expatriate middle
4 class in British India. The circumstances of the Second World War led him to work as a
5 labour camp guard in Thailand on behalf of the Japanese military. Caught up in the brutal
6 treatment of Allied prisoners of war, he was identified as a war criminal, tried in a post-war
7 military tribunal in Singapore and sentenced to a prison term which he served in both
8 Singapore and Japan, where it appears he spent the rest of his life after his release.

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13 Cho's trial itself illustrates the problems of establishing guilt for war crimes in the aftermath
14 of the Second World War. Without the expedited proceedings that led to Cho's conviction,
15 many fewer of the perpetrators of egregious brutalities on the Japanese side would have
16 been brought to account. The trial process identified and punished men who had gone far
17 beyond the demands of military necessity to inflict needless suffering on Asian and western
18 captives. Yet it also swept up men such as Cho who, although not innocent, were
19 unremarkable in their crimes. His case confounds the easy distinction between perpetrators
20 and victims in wartime.

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28 According to the Japanese military records translated for the trial, Cho was born on 16
29 August 1913 into a farming family in prosperous Chungcheongnam province in southwest
30 Korea. Three years earlier, Korea had been forcibly annexed by Japan to become the
31 colonial territory of Chōsen, and thus Cho grew up as an imperial subject of Japan. Nothing
32 is known of his early life except that as a young man he trained as a dental technician. The
33 Japanese colonial authorities established Korea's first modern dental college in 1922 and
34 Cho presumably studied there.³ After completing this education, he became one of the
35 many dentists of Japanese nationality who set up practice in British India. There was no
36 modern dental training in the British colony and no regulation of dental practice.⁴ Western-
37 trained dentists were few and they mainly served members of the European and Indian
38 elites. For the rest, dental care was mainly in the hands of traditional practitioners. In 1905,
39 however, the British government had issued an order under the Medical Act of 1886
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51 ³ Shin Jae-ui, 'Ilje gangjeom giui chiuihag (chiuihag) gwa geu jedoui un-yeong' [The dental
52 science of the Japanese colonial period and the operation of the system], *Uisahak (Korean
53 Journal of Medical History)* 13 no 2 (2004), pp. 260-262.

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56 ⁴ 'Introduction', *The Dentists Act, 1948* (New Delhi: Universal Law Publishing, 2011), p. 1.

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3 allowing Japanese medical practitioners to practise in British territory.⁵ Under this
4 arrangement, Japanese dentists tended the teeth of both the emerging Indian middle class
5 and British troops in the Indian Army. British military authorities occasionally expressed
6 unease at the possibility that Japanese dentists might be collecting military intelligence on
7 behalf of the Japanese army. A British army officer commented, 'There was a Japanese
8 dentist in every garrison town in India looking after the teeth of the British Other Ranks and
9 their families.... They provided cheap and excellent treatment and no doubt learned much
10 military information'.⁶ According to later reports, Cho claimed that his practice was located
11 in the exclusive European residential district of Malabar Hill in Bombay (today's Mumbai),
12 though this may have meant that he had an arrangement such as that of another Japanese
13 dentist, Y. Yakoshira, who set up his chair in the lobby of a hotel.⁷ Cho also claimed that he
14 had visited all the major British military establishments in the course of his dental practice.⁸
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24 Cho appears to have left India in late 1941 just before the outbreak of the Second World
25 War in Asia. He was reported to have said later that the British authorities identified him as
26 an intelligence risk and gave him 24 hours to leave the country, as a result of which he lost
27 both his livelihood and his dental equipment.⁹ In any case, he would have been well-advised
28 to leave. The clouds of war were gathering and British authorities in India had introduced
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39 ⁵ Michael Heseltine (Registrar) to Sir Rupert B. Howorth, Privy Council Office, 23 Sept 1941,
40 NA (UK), CO 859/62/11.

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42 ⁶ Quoted in Max Everest-Phillips, 'The pre-war fear of Japanese espionage: its impact and
43 legacy', *Journal of Contemporary History* 42 no 2 (2007), pp. 243-265. See also *Ten years of
44 Japanese burrowing in the Netherlands East Indies: Official report of the Netherlands East
45 Indies government on Japanese subversive activities in the archipelago during the last
46 decade* (New York: Netherlands Information Bureau [1942]).

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50 ⁷ Robert Henry Brand, *The letters of John Dove* (London: Macmillan, 1938), p. 109. This letter
51 was dated 9 October 1919.

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54 ⁸ C.F. Blackater, *Gods without reason* (London: Eyre and Spottiswoode, 1948), p. 81.

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56 ⁹ Blackater, *Gods without reason*, p. 81.

measures to freeze Japanese assets.¹⁰ Cho was potentially at risk of losing whatever savings he had managed to accumulate in India. In Britain, moreover, moves were under way to rescind the recognition of Japanese medical qualifications in the British empire.¹¹ Whether Cho was aware of these moves or not, the atmosphere in India must have seemed increasingly unwelcoming. In late 1941, under a reciprocal agreement between the colonial authorities and the Japanese government, some hundreds of Japanese people were repatriated in exchange for a similar number of Indians who had been resident in Japan.¹² At any rate, Cho was back in Korea in May 1942, when the Japanese authorities placed advertisements in Korean newspapers seeking men for training as guards for Allied prisoners-of-war and internees in Southeast Asia.¹³ His trial record indicates that by this time he was married but without children.

The victory of Japanese military forces in Southeast Asia in the lightning campaigns of late 1941 and 1942 had led to the unforeseen challenge of managing the 140,000 Western prisoners-of-war who had fallen into Japanese hands upon the surrender of British, Dutch, United States and Australian forces in the region. Early in 1942, the Japanese authorities decided that the prisoners would be used as labour in various parts of the empire and that

¹⁰ 'Indo-Japanese Trade: Virtual Stoppage', *Times of India*, 29 July 1941, p.1; 'Japanese Nationals Rounded Up in India: Burma Prepared for Emergency', *Times of India*, 9 Dec. 1941, p. 3.

¹¹ See the extensive discussion in NA (UK), CO 859/62/11. The rescission was not formalized until 9 February 1942, well after the outbreak of the Anglo-Japanese hostilities in Asia.

¹² 'Japanese nationals rounded up in India: Burma prepared for emergency', *Times of India* 9 Dec. 1941, p. 3.

¹³ Sandra Wilson, 'Koreans in the trials of Japanese war crimes suspects', in Kerstin von Lingen, ed., *Debating collaboration and complicity in war crimes trials in Asia, 1945-1956* (Cham, Switzerland: Palgrave Macmillan, 2017), p. 23; Cho Kŏn, *Chosŏnin BC-kŭp chŏnbŏm e taehan chinsang chosa: p'oro kamsiwŏn tongwŏn kwa chŏnbŏm ch'ŏbŏl silt'ae ũl chungsim ũro* [Investigating the facts about the Korean BC war criminals - Focusing on the mobilization of prisoner guards and total punishment] (Seoul: Taeil Hangjaenggi Kangje Tongwŏn P'ihae Chosa mit Kugoe Kangje Tongwŏn Hŭisaengjadŭng Chiwŏn Wiwŏnhoe, 2011), pp. 16-17. I am grateful to XXX and XXX for assisting me with access to this report.

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3 Koreans would be recruited to guard them.¹⁴ Koreans (and Taiwanese) were chosen for this
4 task because the Japanese army needed to send its trained and reliable Japanese troops to
5 the front line and not to waste their skills on guard duties.
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8 We cannot know the considerations that led Cho to apply for work as a guard but the
9 promised wages were presumably attractive: once posted abroad, the guard, though low in
10 status in other respects, would receive 50 yen a month, substantially more than a private in
11 the Japanese army.¹⁵ Large-scale forced recruitment of Korean labourers for projects to
12 assist the war effort had not yet begun, but forced recruitment on a smaller scale had been
13 under way for some time and there was public talk of conscription.¹⁶ Cho may simply have
14 been looking for work after his return from India, he may have hoped to avoid being forced
15 later into less congenial work, or he may have been pressured to take the work. Under
16 interrogation after the war, Korean guards sometimes described themselves as having been
17 'called into' the Japanese army.¹⁷ Cho himself asserted much later that he had been
18 'compulsorily requisitioned'.¹⁸ In reminiscences long after, one Korean guard, Yi Hak-nae,
19 reported that there was a quota of guards to be recruited from each district so 'in effect we
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31 ¹⁴ Wilson, 'Koreans in the trials of Japanese war crimes suspects', p. 23.

32 ¹⁵ Utsumi Aiko, *Kimu wa naze sabakareta no ka: Chōsenjin BC-kyū senpan no kiseki* (Tōkyō:
33 Asahi Shinbun Shuppan, 2008), pp. 59–66. I am grateful to XXX for translations of Utsumi's
34 Japanese-language work].
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36 ¹⁶ On Korean labour for and employment by the Japanese authorities, see Naitou Hisako,
37 'Korean forced labor in Japan's wartime empire', in Paul Kratoska, ed., *Asian labor in the*
38 *wartime Japanese empire* (Singapore: Singapore University Press, 2006), pp. 90-100;
39 Brandon Palmer, *Fighting for the enemy: Koreans in Japan's war, 1937-1945* (Seattle:
40 University of Washington Press, 2013).
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45 ¹⁷ Motoyama Kinzo, sworn statement, 15 March 1946 (*Usuki trial*, p. 477); Iwaya Taikyo,
46 sworn statement, 18 March 1946, (*Usuki trial*, p. 478); Matsumoto Meizan, sworn
47 statement, 15 March 1946 (*Usuki trial*, p. 480). For an extensive discussion of the possible
48 motives of Korean recruits and their subsequent explanations for their choices, see Wilson,
49 'Koreans in the trials of Japanese war crimes suspects', pp. 24-25 and Palmer, *Fighting the*
50 *enemy*, p. 153.
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55 ¹⁸ Application for parole, Kumoi Eiji, n.d., NA (UK) FO 371/105433.
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were impressed', but he also notes that applicants had to pass an oral and written examination before admission, suggesting a degree of voluntary participation.¹⁹ In these circumstances, it is likely that Cho willingly applied, and was selected for the program partly because he could speak English.

Cho received training near Busan under Colonel Noguchi Yuzuru from 15 June to 21 August 1942 before being confirmed as a *gunzoku*, or civilian employee of the Imperial Japanese Army.²⁰ The training that he and his three thousand fellow recruits received emphasised military discipline and hierarchy, rather than inculcating skills specific to the guarding of prisoners. Japanese junior officers and NCOs trained in the same camp. It seems improbable that the guards were instructed in the provisions of the 1929 Geneva Convention Relative to the Treatment of Prisoners of War.²¹ Japan had signed this Convention, but had not ratified it. Early in the war, the Japanese government had undertaken to respect the provisions of the Convention *mutatis mutandis* ('depending on circumstances')²², but responsibility for determining the effect of 'circumstances' lay high in the military hierarchy, not at the level of the guards.

¹⁹ Yi Hak-Nae, 'The man between: a Korean guard looks back' in Gavan McCormack and Hank Nelson, eds, *The Burma/Thailand Railway: memory and history* (Sydney: Allen & Unwin, 1993), p. 121.

²⁰ Particulars of accused, Kumoi Eiji (*Usuki trial*, p. 525); Utsumi, *Kimu wa naze sabakareta no ka*, pp. 67-78; Utsumi Aiko, 'The Japanese army and its prisoners: relevant documents and bureaucratic institutions', <http://airp.awm.gov.au/AJRP/AJRP2.nsf/50bee6e350d46af0ca256b9000002a0f/d2e5732b8749d2e04a2567a8007b490c?OpenDocument>, accessed 13 Feb. 2014; Utsumi Aiko, 'Korean "Imperial Soldiers": Remembering Colonialism and Crimes against Allied POWs,' in T. Fujitani, Geoffrey M. White and Lisa Yoneyama, eds, *Perilous memories: The Asia-Pacific War* (Durham: Duke University Press, 2001), p. 203; Cho, *Chosŏnin BC-kŭp chŏnbŏm e taehan chinsang chosa*, pp. 15-29.

²¹ See also Yi, 'The man between', p. 121.

²² Hull to American Legation, Bern, 'American Interests', 18 December 1941, NA [UK], WO 325/157; Neil Boister and Robert Cryer, eds., *Documents on the Tokyo International Military Tribunal* (Oxford: Oxford University Press, 2008), pp. 58, 106.

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3 Noguchi's Korean trainees were dispatched to Southeast Asia in August 1942. Around half
4 went to Java, where they were given the task of guarding both prisoners-of-war and the
5 tens of thousands of European settlers who were progressively being interned by the
6 occupation authorities. The remainder of the guards went in approximately equal numbers
7 to Thailand and Malaya.²³ Cho was among those sent to Thailand, where their task was to
8 supervise prisoners-of-war who were being forced to work on constructing a railway line
9 between the Thai town of Nong Pladuk and the Burmese town of Thanbyuzayat. The
10 construction project was driven by Japanese strategic considerations. Allied mastery of the
11 seas meant that Japanese forces needed an overland route to carry supplies and equipment
12 to its troops in Burma, who were then engaged in a war of attrition against British forces on
13 the border with India. Before the war, the British had considered a similar construction
14 project as a means of linking their colonial possessions in Burma and Malaya, but they had
15 abandoned the project as technically too difficult because of the steep terrain and thick
16 jungle. To carry out the project, Japanese authorities dispatched tens of thousands of Asian
17 labourers and Allied prisoners-of-war and internees, accommodating them in makeshift
18 camps along the planned route of the railway and sending them out every day to clear the
19 jungle, build bridges, excavate cuttings and lay tracks.²⁴

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33 Cho arrived in Thailand in October 1942 and was posted to Wangyai camp, 125 kilometres
34 from the Thai railhead at Nong Pladuk. Wangyai was close to Tarsao (Tha So), one of the
35 operations centres for the construction program. Most guards moved location several times
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42 ²³ Wilson, 'Koreans in the trials of Japanese war crimes suspects', p. 25.

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44 ²⁴ On the Railway, see Gavan McCormack and Hank Nelson, eds, *The Burma/Thailand*
45 *Railway: memory and history* (Sydney: Allen & Unwin, 1993); Paul H. Kratoska, ed., *The*
46 *Thailand-Burma Railway, 1942-1946: documents and selected writings*, 6 vols (London:
47 Routledge, 2006); Yuma Totani, *Justice in Asia and the Pacific region, 1945-1952: Allied war*
48 *crimes prosecutions* (New York: Cambridge University Press, 2015), pp. 77-101; and 'The
49 Thai-Burma Railway and Hellfire Pass',
50 <http://anzacportal.dva.gov.au/history/conflicts/thaiburma-railway-and-hellfire-pass>,
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3 as the focus of the construction shifted; Cho's 18 months in Wangyai, if the record is
4 correct, was unusual.²⁵
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7 Conditions on the Railway were extraordinarily difficult. The rations supplied to the workers
8 were meagre, tools and clothing were in short supply, and accommodation was often
9 ramshackle. Illness from endemic malaria and dengue was compounded by periodic
10 outbreaks of cholera and diphtheria, as well as the prevalence of dysentery, tropical ulcers
11 and the nutritional disease beri-beri. In order to maintain an ambitious construction
12 schedule, Japanese authorities kept the labourers at work for long hours, sometimes
13 insisting that the ill and infirm report for duty rather than convalescing.²⁶
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19 For the most part, the Allied prisoners were organized in 'forces' (teams) of several hundred
20 under the command of Allied officers. In theory, these officers had primary responsibility for
21 discipline within their forces and they negotiated with the Japanese commanders and
22 engineers to deliver working parties of fifty to a hundred men who were sent out each day
23 for specific tasks. In practice, as disease and weakness took its toll among the prisoners,
24 there was sometimes little scope for negotiation. Junior Japanese officers and non-
25 commissioned officers (NCOs) then intervened to identify the men they wanted in work
26 parties. As construction proceeded, the teams were moved up and down the long
27 construction site. As a result, most prisoners had experience of several camps.
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37 ²⁵ The brief statement of Cho's service record in a post-war list of detainees at Bangkwang
38 Jail indicates that he was also at Arrow Hill (km 110) and Banpong (km 3) in mid-1943. See
39 'War Service Histories of War Criminal suspects held at Bangkwang Gaol, Bangkok', n.d. [July
40 1946] NA (UK), WO 208/3829, p. 39.
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44 ²⁶ A vast literature describes the experiences of prisoners on the railway. John Coast,
45 *Railroad of death* (London: Hyperion Press, 1946) and Rohan Rivett, *Behind bamboo: an*
46 *inside story of the Japanese prison camps* (Sydney: Angus & Robertson, 1946) were early
47 and influential examples of a genre of writing which emphasised the cruelty of the
48 treatment meted out to prisoners and the hardship caused by the difficult environment.
49 Other early memoirs sometimes gave a more balanced picture. For a recent fictionalized
50 account, see Richard Flanagan, *The narrow road to the deep north* (North Sydney: Random
51 House Australia, 2013).
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3 The task of maintaining discipline in the workforce—ensuring that the prisoners did not
4 slacken in their work, did not escape and committed no acts of insubordination—was in the
5 hands of platoons that typically consisted of a Japanese junior officer and a Japanese NCO in
6 command of a dozen or so Korean guards. At one point, on the railway as a whole, the
7 ‘Japanese’ supervision force consisted of forty Japanese officers and 85 Japanese NCOs
8 commanding 1,280 Korean guards, suggesting that guards initially posted to Java and
9 Malaya had moved with their prisoners to the railway construction zone.²⁷ Guards
10 sometimes remained with the same group of prisoners for most of the war.²⁸

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12 The balance of power differed in each platoon. In some, the junior officer was
13 unambiguously in charge; in others, the NCO was the real power; in yet others, one or more
14 of the Korean guards was effectively in control. Some platoons were sympathetic to the
15 plight of the labourers, seeing the Japanese command as unreasonable and out of touch
16 and stretching the rules in favour of the prisoners. Captain John Richardson noted that one
17 of the camps at Tongchan ‘was under control of Korean guards who were helpful but
18 controlled by Lt. Haturu’.²⁹ Others more or less mechanically carried out orders from above
19 and reacted harshly to the least sign of resistance. Some stole the meagre supplies delivered
20 for the prisoners by the Japanese authorities and sold them on the black market.³⁰ Still
21 others took out their resentments on the prisoners, persecuting the weakened men even
22 when there was no obvious use in doing so.

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24 A major reorganization took place after the railway construction was completed in October
25 1943. Many of the prisoners were transferred to Japan to be assigned to labouring tasks
26 there and it seems likely that some of the Korean guards were dispersed to other parts of
27 Southeast Asia.³¹ The remaining prisoners and guards were then concentrated in a camp at

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²⁷ Trial of Lt Gen Ishida Eiguma and four others, Singapore, Oct.-Dec. 1946, NA (UK), WO 235/963, p. 290.

²⁸ See A.F. Gates to Judge Advocate General, 21 March 1946, NA (UK), WO 311/547.

²⁹ John Richardson, Q-form, n.d. (*Usuki trial*, p. 128).

³⁰ J. Davie to Judge Advocate General, 18 March 1946, NA (UK), WO 311/547.

³¹ See Lydia N. Yu Jose, ‘The Koreans in Second World War Philippines: rumour and history’, *Journal of Southeast Asian Studies* 43 no 2 (2012), pp. 324–339.

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3 Tamuang (Tha Muang), located 39 kilometres from the Thai railhead and close to the town
4 of Kanchanaburi. From there they were dispatched on working parties to maintain the
5 railway line, to repair damage caused by Allied bombing and to construct defensive works in
6 anticipation of an Allied attack.
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10 In April 1944, Cho arrived in Tamuang, where he joined a platoon under the command of 2nd
11 Lieutenant Usuki Kishio, who was then 27 years old. Usuki was Japanese and had worked
12 briefly in private enterprise before joining the Japanese army. He had seemingly been
13 trained in the camp guard program in Korea at the same time as Cho. Usuki's NCO,
14 Sergeant-Major Hiramatsu Aitaro, 38 years old, had been a timber merchant before joining
15 the Japanese army in 1937 to fight in the Sino-Japanese War. He had subsequently served in
16 the Japanese garrison in Korea and had also been trained under Noguchi. After the Railway
17 had been completed, he escorted prisoners-of-war who were being transferred to Japan to
18 continue hard labour there, before returning to Tamuang.³² On 25 June 1945, Cho was
19 transferred with prisoners and the other guards to the Thai town of Pratchai in the Saraburi
20 region, north of Bangkok. There they were set to work building tunnels in preparation for
21 defence against Allied forces.³³ Cho was in Saraburi when the Japanese government
22 surrendered on 15 August 1945.
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33 Reports of widespread Japanese ill-treatment of prisoners-of-war and internees had
34 reached the Western Allies early in the war, and Western powers were determined to
35 prosecute perpetrators as soon as possible after the war.³⁴ In preparing prosecution,
36 however, the Allied authorities faced the substantial task of identifying suspects among the
37 vast numbers of surrendered Japanese troops who had come under their control. At the end
38 of November 1945, British forces in Thailand reported holding 113,094 Japanese troops, of
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45 ³² Particulars of Accused, Usuki Kishio, Hiramatsu Aitaro (*Usuki trial*, pp. 506-509).

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47 ³³ 'Report on A.I.F. [Australian Imperial Forces] "K" Force (medical)', in Paul H. Kratoska, ed.,
48 *The Thailand-Burma Railway, 1942-1946: documents and selected writings, vol. 3, Asian*
49 *labour* (Abingdon: Routledge, 2006), pp. 102-103.

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52 ³⁴ On Allied planning for trials, see Sandra Wilson, Robert Cribb, Beatrice Trefalt and Dean
53 Aszkielowicz, *Japanese war criminals: the search for justice after the Second World War*
54 (New York: Columbia University Press, 2017), pp. 12-40.
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whom 1515 were pre-emptively identified as 'war criminals and personnel in custody'. These Japanese personnel were carefully distinguished from '1258 Koreans 24 Formosans' also being held.³⁵ As a matter of policy, all former camp staff were arrested and earmarked for further investigations.³⁶

The decision of the Allied occupation forces in Japan not to prosecute the Japanese Emperor for war crimes, along with the Allies' failure to convict a number of senior officers with powerful connections such as General Okamura Yasuji³⁷, led to a perception that men in lower ranks were prosecuted more vigorously than their commanders. McCormack has asserted that 'blame concentrated especially on the Koreans', making them a 'convenient scapegoat'.³⁸ Anti-Korean sentiment was indeed strong. Statements by former prisoners shortly after the war often identified the Korean guards as a category especially deserving of prosecution. Not only on the Thailand-Burma Railway but also in other camps, many of them had developed a strongly negative reputation. They were on the spot, in direct contact with the prisoners for hours every day. They occupied the lowest rungs of the Japanese military hierarchy and were themselves subject to harsh discipline if they failed to maintain order in the camps or to keep the construction work to schedule.³⁹ In many accounts from Allied internees, Koreans were described as more inclined to brutality than were Japanese soldiers.⁴⁰

³⁵ BT Siam to ALFSEA, 27 Nov. 1945, NA (UK), WO 172/10042.

³⁶ COMGENCHINA to CINC Hong Kong, September 27, 1945, Public Record Office (Hong Kong), 169-2-147; 'Brief for C.G.S.: Number of JSP confined in civil jails in S.E.A.', [November 1946], NA (UK), WO 203/6087.

³⁷ Barak Kushner, *Men to devils, devils to men: Japanese war crimes and Chinese justice* (Cambridge MA: Harvard University Press, 2015), pp. 174-186.

³⁸ McCormack, 'Apportioning the blame', p. 112

³⁹ Gavan McCormack, 'Apportioning the blame: Australian trials for railway crimes', in Gavan McCormack and Hank Nelson, eds, *The Burma/Thailand Railway: memory and history* (Sydney: Allen & Unwin, 1993), pp. 86-87.

⁴⁰ E.g. 'Japs Gentlemen Compared with Korean Guards, Says Ex-P.O.W.', *Border Watch* (Mount Gambier, SA), 16 September 1948, p. 5.

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3 Although official policy was that a perpetrator could not offer as defence that he was
4 following orders, in practice investigators were reluctant to mount cases against those who
5 had merely done what they were told. In the immediate aftermath of the war, the brutal
6 behaviour of Koreans in the camps as sometimes attributed to their experience of brutal
7 treatment as colonial subjects of Japan.⁴¹ Investigators seem to have taken account, too, of
8 accounts casting Korean guards in a favourable light. Bancroft, for instance, had noted that
9 'one of the Korean guards ... befriended the entire camp by his untiring efforts to improve
10 conditions.... He strongly opposed the lashings meted out to the defenceless men and was
11 never known to ill-treat a prisoner.'⁴² Cho's misfortune, however, appears to have been that
12 in Tamuang he had been a member of a platoon which included a handful of Korean guards
13 notorious for their brutality. Accordingly, after a summary process in Saraburi to establish
14 his identity, Cho was amongst seventy to eighty Koreans and hundreds of Japanese military
15 employees who were transferred under British guard to Bangkwang Prison in Bangkok in
16 October 1945.

17
18 Detaining suspects by category, like prison guards, was one thing; developing a case that
19 might be upheld in a military tribunal was another. With Cho and his companions safely in
20 detention, the investigators began to comb through hundreds of so-called Q-forms,
21 documents in which released prisoners had stated their knowledge of war crimes, whether
22 as victims or witnesses or through hearsay or circumstantial evidence. Many of these
23 reports were very general, referring only to unspecified 'acts of brutality'. Others were
24 specific but missed key details such as the identity of the perpetrators or the victims. For
25 every location, however, the investigators gradually put together a dossier of statements
26 constituting a prima facie case against the suspects. The investigators also approached
27 many authors of the original statements with requests for clarification. If they obliged and
28 provided useful information, they were then asked to provide a sworn affidavit on the facts
29 of the case as they knew them. In most cases, these affidavits were obtained from men who
30 had already returned to Britain or Australia. The deponents would appear at an agreed time

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⁴¹ '608 A.I.F. Men Drown', *Courier-Mail* (Brisbane), 18 November 1944, p. 1; McCormack,
'Apportioning the blame', pp. 86-87.

⁴² A. Bancroft and R.G. Roberts, *The Mikado's guests: a story of Japanese captivity* (Perth: Patersons, [1945]), p. 94.

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3 at a police station or elsewhere, formally identify the suspects on the basis of anonymized
4 photos and make a statement which was typed in multiple copies and dispatched by air to
5 the investigation team in Southeast Asia. Unfortunately, the investigation photograph of
6 Cho does not appear to have been preserved, and in the sole known photograph from the
7 camps he has his back to the lens.⁴³ The only account we have of his appearance is in a brief
8 statement from a prisoner who describes him as short, thick-set and wearing spectacles.⁴⁴

9
10 The investigation file relating to Tamuang camp is around 200 pages in length.⁴⁵ It opens
11 with a list of 97 suspects, some of them identified only by nickname (e.g. 'The Duckling',
12 'Happy Days'), others by surname, with or without nickname (e.g. Hayashi 'The Maggot').
13 Rank or status is sometimes recorded. Of the 97 suspects, 25 are identified as Korean.
14 'Kumoi' (Cho's Japanese name) is not listed, but next to the nickname 'Bombay Duck' are
15 written two surnames, 'Komai' and 'Konoye'; he is not identified as Korean. The file then
16 lists around four hundred statements collected from former prisoners. These are followed
17 by letters from former prisoners in response to requests for further information. Some are
18 detailed and precise; others offer apologies for being unable to be specific.

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20 Cho appears in this file only sporadically and briefly. A letter from Bombardier E. Motley
21 refers to a

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Korean guard - Yamamoto (nicknamed Bombay Duck) this man professed to being a
dentist in Bombay before the war, hence the name. Very similar to Donald Duck in
appearance, spoke English fairly well, liked an opportunity to beat prisoners.⁴⁶

Stanley Taylor comments that he distinctly remembered incidents 'coupled with' the name
Kumoi.⁴⁷ In the end, the investigators could assemble twenty affidavits relevant to the

⁴³ 'Major A. A. Moon performing a haemorrhoid operation at the Regimental Aid Post at Tamuang POW Camp', <http://singaporewarcrimestrials.com/case-summaries/detail/073>, accessed 14 December 2017.

⁴⁴ George James Kemp, affidavit, 11 Feb. 1946 (*Usuki trial*, p. 464).

⁴⁵ Tamuang, Siam (Railway camp), NA (UK), WO 311/547.

⁴⁶ E. Motley to Judge Advocate General, 22 March 1946, NA (UK), WO 311/547.

⁴⁷ S. Taylor to Judge Advocate General, 15 March 1946, NA (UK), WO 311/547.

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3 charges at Tamuang, but only two of them referred unambiguously to Cho. Reginald Bulled
4 recorded

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7 I also saw three Koreans who were nicknamed Donald Duck, The Bombay Duck and
8 The Silver Bullet. These three men were extremely brutal and delighted in attacking
9 the prisoners with fists, hands, feet or any available implement. I saw these men
10 commit many savage assaults on the prisoners but it is difficult to isolate any
11 particular incident.⁴⁸

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16 Arthur Stimson for his part noted:

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18 Other guards who were persistently cruel by kicking and beating prisoners were, a
19 Japanese Lieutenant nicknamed 'Kanyu Kid' and Korean guards named Uki [Yuki] and
20 Montaharma [Motoyama], and three nicknamed 'Silver Bullet', 'Duck' and 'Bombay
21 Duck'. I have been shown 25 photographs No. 20-137 and do not identify any of
22 them as the persons mentioned in this statement.⁴⁹

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27 Taylor, whose Q-form had 'coupled' Kumoi's name with unspecified incidents, did not
28 mention him in his affidavit.⁵⁰ Motley maintained his identification of 'Bombay Duck' as
29 'Yamamoto'.⁵¹

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33 Despite this meagre evidence, the investigators included Cho amongst 26 camp staff from
34 Tamuang against whom a prosecution could be mounted. The charges were to include
35 'murder, brutality and neglect, forcing prisoners-of-war to do dangerous work, forcing the
36 sick to work and withholding supplies'.⁵² There are no documents to explain why other
37 Korean guards whose names appear sporadically in the investigation file were not also
38 charged. 'Pinnocchio' and 'Rocking Horse', for instance, had allegedly beaten men for trivial
39 reasons⁵³ but they were not brought before the court. It appears that many Koreans who
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46 ⁴⁸ Reginald Charles Bulled, affidavit, 4 May 1946, NA (UK), WO 311/547.

47 ⁴⁹ Arthur Stimson, affidavit, 24 April 1946, NA (UK), WO 311/547.

48 ⁵⁰ Stanley Taylor, affidavit, 11 April 1946, NA (UK), WO 311/547.

49 ⁵¹ Edwin Motley, affidavit, 11 April 1946, NA (UK), WO 311/547.

50 ⁵² Judge Advocate General to C.F. Skeet, 13 March 1946, NA (UK), WO 311/547.

51 ⁵³ Harry Tootell, affidavit, 27 April 1946 (*Usuki trial*, p. 95); R.W. Long, affidavit, n.d. (*Usuki trial*, p. 146).

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3 had been transferred elsewhere after the completion of the main construction project could
4 not be traced. Perhaps some had absconded or simply could not be identified reliably,
5 including Pinnocchio, despite his reportedly distinctive nose. The Korean guard called Yuki
6 escaped trial because he had been beaten to death by a Japanese sergeant at Tamuang.⁵⁴
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10 In the end only sixteen Koreans were tried in British courts for crimes on the Thailand-
11 Burma Railway. Another twenty-eight Koreans appeared as defendants in British trials
12 relating to crimes in other locations, either as individuals or alongside Japanese personnel.
13 Cho's trial was the only occasion when an entire platoon of Korean guards was prosecuted
14 in a British court for war crimes on the Railway. As Wilson has shown, despite their general
15 reputation for brutality, Koreans were not especially targeted in the war crimes trial
16 process.⁵⁵
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23 Cho/Kumoi stood in court alongside nine other defendants: Lieutenant Usuki, Sergeant-
24 Major Hiramatsu and seven other Koreans. Thanks to the trial records, we know a few
25 biographical details of the Korean guards who joined him in the dock in Singapore. Several
26 had been farmers before joining Noguchi's training program for guards: Kim Yong (identified
27 to the court as 'Motoyama Kinzo'), Cho Su Han ('Tomotama Jugen'), Pak Kum Hong
28 ('Morimoto Kinei') and Cha Jun Suk ('Minaka Shunsaku') had been farmers. Hong Jong Mok
29 ('Tokuyama Mitsuo') had been a barber; Kang Te Yong ('Iwaya Taikyo') had been an
30 ironsmith. Most of the men were married with one or two children. Choi Myang San
31 ('Matsumoto Meizan') was single and had been briefly a business employee before
32 becoming a guard. Thirty years old when he arrived in Thailand, Cho/Kumoi was the oldest
33 of the Koreans; at twenty, Choi/Matsumoto was the youngest. Among them, these men had
34 experience, sometimes overlapping, of eleven camps on the Thai side of the Railway—
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52 ⁵⁴ Tamuang Camp Appendix D, NA (UK), WO 311/547; A.E. Knights, statement, n.d., (*Usuki*
53 *trial*, p. 390); Alfred Ernest Knights, affidavit, 8 Jan. 1946 (*Usuki trial*, p. 395).

54 ⁵⁵ Wilson, 'Koreans in the trials of Japanese war crimes suspects', pp. 26-31.
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3 Kanyu (Kanu, Konyu), Kinsayok, Kriankrai, Pratchai, Pungyisho, Rinteng (Rintin), Tamarkan,
4 Tampi, Tarsao, Tongchan, and Wangyai.⁵⁶
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7 To the prisoners, the camp staff were commonly known mainly by nicknames. The two
8 Japanese soldiers in the trial were 'the Kanu Kid' and 'the Tiger'. For the Koreans, there was
9 a rich assortment of names. Kim/Motoyama was 'the Black Prince', apparently because he
10 was darker than most Koreans. Choi/Matsumoto was 'Silver Bullet'; one report said it was
11 because he struck hard, another that he had been a well-known runner in Korea before the
12 war, yet another that he kept a silver bullet on a chain around his neck, still another that he
13 was treated for syphilis using silver-coloured tubes of medicine. Hong/Tokuyama was
14 'Donald Duck' because his voice reportedly resembled that of the cartoon character.
15 Kang/Iwaya was 'the Mad Mongrel'. Pak/Morimoto had two nicknames: 'the Mad Bugler'
16 and 'Make Me Beautiful' because he used a prisoner as his servant to clean and polish his
17 equipment. Cha/Minaka was 'the Singing Master' because he insisted that the prisoners
18 sing Japanese patriotic songs. Cho/Kumoi was Bombay Duck. Reportedly he resembled
19 Hong/Tokuyama, known as 'Donald Duck' (both wore spectacles), and was distinguished
20 from him by reference to his Indian connection. Only Cho/Tomotama had no reported
21 nickname.⁵⁷
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33 The holding of joint trials was standard practice in the war crimes prosecution process: 73 of
34 the 130 British trials in Singapore involved two or more defendants.⁵⁸ Prosecutors took this
35 path partly because evidence against defendants often overlapped, partly as a way of
36 expediting procedures. The crimes to be prosecuted were numerous, staff engaged in the
37 investigations and prosecutions were few, and there was a strong feeling that the trial
38 process should not be allowed drag on indefinitely.
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45 ⁵⁶ Particulars of Accused, Motoyama Kinzo, Matsumoto Meizan, Tokuyama Mitsuo, Iwatani
46 [i.e., Iwaya] Taikyo, Tomotama Jugen, Morimoto Kinei, Minaka Shunsaku (*Usuki trial*, pp.
47 510-523).
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50 ⁵⁷ *Trial of Usuki Kishio and nine others*, p. 25.
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52 ⁵⁸ A summary of data on the Singapore trials is available at
53 <http://singaporewarcrimestrials.com>, accessed 9 Sept. 2017. On the trial process in general,
54 see Wilson et al., *Japanese war criminals*, pp. 67-101.
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3 Presiding at the trial was Lt-Col. E.N. Blacklock, who had been a solicitor in Scotland in
4 civilian life. He had been principal judge in several Railway trials already. Beside him was
5 Major S.F. Hodgens of the Royal Australian Artillery and Flight-Lieutenant D.W.M. Partington
6 of the Royal Air Force. Hodgens was an experienced military lawyer; an Australian judge was
7 present because the alleged victims included Australian prisoners-of-war, though no
8 evidence from Australians was presented at the trial. The prosecutors were also
9 Australian—Major A.A. Hibbert (Royal Australian Armoured Corps) and Capt. Grant McIntyre
10 (Australian Imperial Forces). The defence was provided by Kawazoe Toshioki, a district judge
11 in Kusaba (Oita prefecture) in Japan whose expertise appears to have been in commercial
12 law.⁵⁹ He was one of a small group of Japanese lawyers sent by the Japanese government to
13 Southeast Asian locations where trials were taking place to ensure that the defendants were
14 best able to present their case. Kawazoe's record as a defence lawyer was not strong: prior
15 to his appearance on behalf of Cho and the others, he had defended two accused in
16 Singapore, one of whom had been sentenced to death, the other to life imprisonment.
17 Kawazoe was assisted by a British officer, Major F.G. Fortescue, whose task was to advise
18 the defence on points of British law and legal procedure.⁶⁰

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31 The common thread in the cases against the ten men was their presence in Tamuang camp
32 between March 1944 and June 1945 and their alleged involvement in ill-treating prisoners-
33 of-war there. The investigators justified emphasis on this common thread in terms of the
34 camp's reputation:
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38 This camp has one of the worst records of any P.W. Camp on the Railway. The Camp
39 Commandants appear to have been utterly callous and indifferent to the sufferings
40 of the Ps.W. beatings, severe assaults resulting in serious bodily harm, and excessive
41 punishments being the order of the day.⁶¹

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49 ⁵⁹ Kawazoe was the author of *Beikoku ni okeru han-torasuto ho no kenkyu: Study of anti-*
50 *trust law in America* (Tokyo: Saiko saiban-sho, Shōwa 24 [1949]). Record from Worldcat.

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52 ⁶⁰ *Trial of Usuki Kishio and nine others*, p. 24.

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54 ⁶¹ 'Tamuang camp. Also known as or including camps known as Talat-tah-Muang and
55 Wangkanai', NA (UK), WO 311/547.

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3 Documents in the investigation file, however, suggest that Tamuang's reputation was less
4 clear-cut. Harry Tootell commented, 'The Camp was well laid out, living conditions were
5 good, food was reasonable and medical supplies up to standard, except that quinine
6 sometimes ran low.'⁶² Bombardier Motley, cited above, was concerned that Tamuang's
7 good reputation might work in favour of the defendants: 'Really Tamuang was one of the
8 better camps, I hope those arrested will not be judged by their Tamuang records'.⁶³ Alfred
9 Knights, who commanded the prisoners at Tamuang, expressed a relatively positive view of
10 conditions there, at least in retrospect:
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17 Tamuang was a good camp compared with Tasao [Tarsao]. We had become quite
18 skilled by now in the erection of native type huts; there was evidence of this in the
19 more robust construction and better construction [sic] of our new homes. Hospital
20 requirements were better catered for, 20 large huts being allocated for this purpose,
21 and there were indications of an improvement in the rations for sick personnel. In
22 fact shortly after my arrival the Japanese made an allowance of 1,000 eggs per day
23 extra for what they termed "Heavy sick" men.
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29 The camp itself was delightfully situated amongst shady trees, banana and other
30 tropical fruit groves, the proceeds of which were gathered as soon as the ripening
31 stage arrived. There were also fields of tobacco plants.⁶⁴
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35 In addition to the Tamuang charge which all defendants faced, the court also heard another
36 seven charges relating to other camps, each involving a smaller number of defendants. Thus
37 Hiramatsu alone was charged with crimes at Tongchan; only Kim/Motoyama was charged
38 with crimes at Pungyisho. Usuki, Hiramatsu and Hong/Tokuyama were not charged with
39 crimes at Kinsayok and Kriankrai. Cho/Kumoi's charge referred to crimes at Kanyu, Kinsayok
40 and Kriankrai, even though his service record, attached to the trial documents, suggested he
41 had not been in any of those places. The four-day trial thus involved a patchwork of
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50 ⁶² Harry Tootell, affidavit, 27 April 1946 (*Usuki trial*, p. 94).

51 ⁶³ E. Motley to Judge Advocate General, 22 March 1946, NA (UK), WO 311/547. See also
52 Francis Edward Hugonin, affidavit, 26 November 1945, NA (UK), WO 311/547.

53 ⁶⁴ Alfred Knights, *Singapore and the Thailand-Burma Railway* (Bury St Edmunds: Arena
54 Books, 2013), p. 144.
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3 different cases and different pieces of evidence relating to different combinations of
4 defendants.⁶⁵
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7 The proceedings in Singapore War Crime Court no 6 opened on Monday 12 August 1946.
8 After the defendants had pleaded not guilty, most of the first day was taken up with the
9 examination and cross-examination of the first witness, Private James Truscott. At the end
10 of the day, the prosecutor also tendered nine affidavits in further support of the case. On
11 the following morning, the prosecution submitted another 36 affidavits, 28 unsworn
12 statements and 24 copies of Q forms, as well as certified photographs of the accused. The
13 court then proceeded to hear the examination and cross-examination of a second
14 prosecution witness, a civilian former prisoner called John Kendall Gale. The day ended with
15 submission of another 26 affidavits, two unsworn statements and 21 Q forms. The court
16 then adjourned to allow the judge to preside at another trial; proceedings resumed on
17 Monday 19 August. A third witness, Claude Andrew Ferreau, briefly gave testimony, after
18 which the prosecution submitted yet more documents: four affidavits, two unsworn
19 statements, two Q forms and the interrogation records of four of the defendants.
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22 The direct evidence against Cho/Kumoi related to an incident at Tarsao camp in which a
23 British prisoner called Hilton was brought back to camp from his work site, having allegedly
24 hit a guard. Once inside the camp, according to Truscott, he had been beaten up by several
25 guards. Subsequently, Truscott reported, 'Bombay Duck' and another guard had approached
26 Hilton from behind and one of them had struck him on the back of the head with a rock,
27 after which they both ran away. Truscott could not say which of the guards had struck him.
28 He also claimed, without offering further detail, that 'Donald Duck' and 'Bombay Duck' had
29 beaten him up one day.⁶⁶ Concerning Cho's actions at Tamuang, Truscott was vague:
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32 Q. Now we come to Kumoi the "Bombay Duck". Did you ever have any personal
33 experience with him at Tamuang?
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36 A. No, I did not have anything to do with him at Tamuang.
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39 Q. What did you hear about him at Tamuang?
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54 ⁶⁵ *Trial of Usuki Kishio and nine others*, pp. 3, 22-23.

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56 ⁶⁶ *Trial of Usuki Kishio and nine others*, pp. 26-27, 29.
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3 A. He was not very much in Tamuang. He used to go up and down the river. He was
4 never stationed at Tamuang.

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7 Q. Do you know anything against this man?

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9 A. Not in Tamuang.⁶⁷

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11 Bulled's affidavit identifying 'Bombay Duck' among three 'extremely brutal' guards
12 appeared among the documents, as did Stimson's.⁶⁸ George Kemp supplied an affidavit
13 describing Bombay Duck as one of several Korean guards who 'frequently struck prisoners-
14 of-war with their fists, with bamboos, pick handles and anything else that was handy'.⁶⁹ The
15 only other evidence against Cho came in brief transcripts from unsworn Q-forms. A Dutch
16 artillery man, J.C.B.M. van der Linde, reported that his eardrum had burst after he was
17 struck by 'a little bespectacled Korean: rank - 3 stars, notorious for his beating with fists.
18 Nickname: "Bombay Duck".' According to Pte W.J.D. Boyd, 'Bombay Duck's boast was that
19 he beat a prisoner every day and he did'. Corporal J.W.C. Donald John and L/Bdr C. Tipping
20 included 'Kumoi (Bombay Duck)' in short lists of Korean guards responsible for 'Striking and
21 kicking daily to Officers and Other Ranks' and 'beating, torture, unjustified violence, at any
22 opportunity, many times causing death.'⁷⁰

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32 Whereas the testimonial evidence against Cho was general and meagre, that against several
33 of his co-defendants was abundant, specific and damning. The accusations encompassed
34 several charges commonly levelled against commanders and guards on the Railway. The
35 conditions in some camps were appalling, and this state of affairs was held to be the
36 responsibility of the Japanese officers in charge of those camps. Gale described conditions in
37 Kanyu camp as follows:
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46 ⁶⁷ *Trial of Usuki Kishio and nine others*, pp. 33-34.

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48 ⁶⁸ R.C. Bulled, affidavit, 4 May 1946 (*Usuki trial*, p. 89); A. Stimson, affidavit, 24 April 1946
49 (*Usuki trial*, p. 96).

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51 ⁶⁹ George Kemp, affidavit, 11 Feb. 1946 (*Usuki trial*, p. 465).

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53 ⁷⁰ J.C.B.M. van der Linde, Q-form, n.d. (*Usuki trial*, p. 139); C. Tipping, Q-form, n.d. (*Usuki*
54 *trial*, p. 137); W.J.D. Boyd, Q-form, n.d. (*Usuki trial*, p. 150); J.W.C. Donald John, Q-form, n.d.
55 (*Usuki trial*, p. 319).
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3 The huts at Kanu were falling down to pieces. Rain was coming through
4 continuously. I was absolutely shocked at the conditions. They [the prisoners] were
5 almost the whole suffering from Beri Beri in advanced stage. Most of them had
6 Dysentery or Diarrhoea. They could hardly walk about. Food was bad. Practically no
7 clothing. Some of my friends I failed to recognize. Food for the camp at the top of
8 the cliff had to be carried up from the river and they were maki[n]g the sick men to
9 carry loads of vegetables and rice up the cliff.⁷¹

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15 Testimony against Usuki also included claims that he beat prisoners when drunk.⁷²

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17 Gale also testified that Hiramatsu had forced sick men to work long hours quarrying rock
18 with picks and shovels.⁷³ This complaint against Hiramatsu was echoed in several affidavits
19 and statements.
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23 The 'Tiger' while not treating the working men too badly, (except for occasional fits
24 of temper when he would beat them up badly), was very cruel to the sick, driving
25 them to work and trying to get those in hospital out by threats and beatings. He was
26 responsible, although not personally killing any P.O.W., for most of the deaths in the
27 camp. Men just gave up an[d] died, though malnutrition and over-work.⁷⁴

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32 The evidence did not suggest that any of the Korean guards was responsible for the poor
33 camp conditions or for sending sick men out to work. Rather, it was claimed that they had
34 harshly and capriciously beaten or otherwise punished the prisoners. By far the largest
35 number, and the most specific, of these claims referred to Kim/Motoyama (the 'Black
36 Prince') Choi/Matsumoto (the 'Silver Bullet') and Kang/Iwaya (the 'Mad Mongrel'). It was
37 claimed that they had repeatedly beaten men so badly that they were hospitalized for days
38 or weeks. The beatings were sometimes done with fists or boots, sometimes with lengths of
39 wood or bamboo or with other objects. Many of the beatings continued for more than a
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47 ⁷¹ *Trial of Usuki Kishio and nine others*, p. 44. See also John Ross, affidavit, 10 May 1946
48 (*Usuki trial*, p. 265).

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50 ⁷² Leonard Appleby, affidavit, 6 May 1946 (*Usuki trial*, p. 294); James Davie, affidavit, 31
51 March 1946 (*Usuki trial*, p. 299).

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53 ⁷³ *Trial of Usuki Kishio and nine others*, p. 43.

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55 ⁷⁴ R.W. Long, affidavit, n.d. (*Usuki trial*, p. 146); punctuation follows the original text.
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3 quarter of an hour, leaving the victim at least bloodied, often unconscious, with broken
4 bones or ruptured organs, and sometimes dead. Some of the beatings were said to be
5 without any obvious reason, whereas others were in response to relatively trivial
6 infringements of camp and work discipline such as failure to salute or not moving fast
7 enough. The statements reported many separate incidents, some that the testifiers had
8 experienced themselves, others that they had witnessed. For the most part, the incidents
9 involved just one guard, who victimized just one prisoner, though there were a few reported
10 incidents in which a group of guards had bashed a prisoner who had committed some
11 serious infringement, such as striking a guard. The accounts made clear that the three
12 Koreans stood out among the guards for their cruelty. By contrast, Hong/Tokuyama ('Donald
13 Duck') and Pak/Morimoto (the 'Mad Bugler') were less often mentioned, though they too
14 were reported to have initiated violent assaults. Cha/Minaka (the 'Singing Master') and
15 Cho/Tomotoma, like Cho/Kumoi, were only occasionally reported to have taken the
16 initiative in specific incidents, though they were sometimes characterized as generally
17 brutal. Cho/Tomotoma was said to have attempted to ingratiate himself with Allied officers
18 by presenting himself as anti-Japanese. He was accused, too, of stealing medicine intended
19 for the prisoners. He was also said to have forced prisoners to remain aboard a train during
20 an Allied air raid in December 1944, as a result of which several prisoners were killed.⁷⁵

21
22 The defence counsel began its response to this mass of accusations on the afternoon of
23 Monday 19 August, the third day of the trial.⁷⁶ Kawazoe's strategy appears to have been
24 threefold. First, he called two senior Japanese officers from the Railway project to testify
25 that Usuki and Hiramatsu had been junior in military rank and therefore bore no
26 responsibility for the conditions in which the prisoners had been placed. Second, he argued
27 that the scale of the prisoners' suffering had been exaggerated, specifically that physical
28 conditions in Tamuang had been reasonable, given the circumstances. And third, he argued
29 that the evidence presented was seriously unreliable. He noted that in many cases the
30 documents did not make clear whether the testimony was directly from a witness or
31 consisted of hearsay.

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⁷⁵ Henry John Marsh, affidavit, 23 Jan. 1946 (*Usuki trial*, p. 122); H.J. March, Q-form, n.d. (*Usuki trial*, p. 152); Thomas Litherland, affidavit, 19 Feb. 1946 (*Usuki trial*, p. 417).

⁷⁶ Kawazoe Toshioki, 'Closing address in defence of the accused' (*Usuki trial*, pp. 482-488).

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3 Reliance on affidavits and unsworn statements was one of the more contentious aspects of
4 the war crimes trials that followed the Second World War in Asia. In legal systems based on
5 British law, cross-examination had acquired special standing as the procedure most likely to
6 establish the reliability of a witness's testimony.⁷⁷ For the war crimes trials, however,
7 military tribunals were given an unusually wide latitude to accept evidence on the basis of
8 what was sometimes called its 'probative value'. Although the use of affidavits was
9 considered warranted because of the cost and inconvenience that would have been
10 involved in bringing witnesses to the court, reliance on affidavits was widely considered to
11 bring the fairness of the process into doubt.

12
13 All the defendants declined to take the witness stand, probably because testifying under
14 oath in the Japanese legal system was commonly understood as confession. There is some
15 hint in the interrogation reports of Hiramatsu, Motoyama, Iwaya and Matsumoto that if
16 they had taken the stand they would have asserted that their treatment of the prisoners
17 had been mild. Kim/Motoyama told his interrogator, 'I was not in the habit of torturing
18 POWs, I cannot remember any such a case. I do not think I maltreated POWs in any other
19 way', while Kang/Iwaya claimed: 'I never maltreated POWs. I only remember one case in
20 Feb 43 at Kanyu when I slapped a POW because he did not put out the lights'.⁷⁸ 'I have
21 never beaten any sick man,' stated Choi/Matsumoto; 'for that purpose I always selected the
22 strong ones.'⁷⁹

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24 On Thursday 22 August, the fourth day of the trial, the court heard the concluding
25 statements of the prosecution and defence. After adjourning briefly, the judges returned to
26 deliver their verdict. All the defendants were found guilty of at least one charge. Cho/Kumoi
27 was acquitted of the charges relating to Krian and Kinsayok, where he had evidently never

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⁷⁷ Cross-examination 'is beyond any doubt the greatest legal engine ever invented for the
discovery of truth' according to the authoritative John Henry Wigmore, *A Treatise on the
Anglo-American system of evidence in trials at common law* (Boston: Little, Brown, 3rd ed.,
1940) vol. 5, p. 29.

⁷⁸ Motoyama Kinzo, sworn statement, 15 March 1946 (*Usuki trial*, p. 477); Iwaya Taikyo,
sworn statement, 18 March 1946 (*Usuki trial*, p. 478).

⁷⁹ Matsumoto Meizan, sworn statement, 15 March 1946 (*Usuki trial*, p. 480).

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3 been posted, but he was found guilty of ill-treatment of prisoners at Kanyu, where he had
4 also not been posted. Usuki, Hiramatsu, Choi/Motoyama, Kang/Iwaya and Cho/Tomotoma
5 were each acquitted on one charge but convicted on others.
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8 British military tribunals did not record the reasoning behind their decisions. From broader
9 policy discussions, however, and from arguments presented in other trials, it can be
10 concluded that Usuki was held responsible for the appalling conditions in Kanyu camp,
11 conditions which he failed to ameliorate although it was deemed within his power to do so.
12 Hiramatsu appears to have been found guilty primarily because he sent sick men out to
13 work, thereby exacerbating their illness and probably causing many deaths. In other trials,
14 this accusation was the basis of several convictions. The charges against the Korean guards,
15 including Cho/Kumoi, related overwhelmingly to repeated incidents of unwarranted beating
16 of prisoners and there can be little doubt that the 143 documents tendered against them
17 persuaded the court of their common guilt.
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20 In terms of procedural justice, the trial of Cho/Kumoi and his fellow defendants was a
21 travesty. The accelerated proceedings, the absence of close attention to the separate
22 incidents making up each charge, disregard for uncertainties of identification and for
23 inconsistencies in the testimony, and the reliance on affidavits and unsworn testimony all
24 meant that the trial fell far short of normal standards, even for a military tribunal with
25 expedited procedures. That said, there is no indication of collusion among witnesses and no
26 indication of stories being carefully honed by witnesses with an eye to achieving a
27 conviction. Rather, the rough-hewn uncertainty of the majority of testimonies gives them
28 some plausibility as the direct voice of experience.
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31 In terms of substantive justice—the correct identification and punishment of culprits⁸⁰—the
32 conclusion is less clear-cut. Usuki and Hiramatsu were convicted for what might in other
33 circumstances have been described as criminal omission⁸¹: in carrying out their duties, they
34 had been wilfully and thus culpably blind to the suffering they were causing and had failed
35 to act to alleviate those sufferings. The Korean guards, by contrast, were found guilty
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53 ⁸⁰ On the distinction between procedural and substantive justice, see Wojciech Sadurski,
54 *Giving desert its due: social justice and legal theory* (Dordrecht: Reidel, 1985), 49-56.
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56 ⁸¹ Graham Hughes, 'Criminal omissions', *Yale Law Journal* 67 no 4 (1958), pp. 590-637.
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3 because the violence they inflicted on prisoners was judged unwarranted and excessive. In
4 his 1973 report on the so-called Stanford Prison experiment, the psychologist Philip
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because the violence they inflicted on prisoners was judged unwarranted and excessive. In his 1973 report on the so-called Stanford Prison experiment, the psychologist Philip Zimbardo attributed brutal behaviour by guards to environment, rather than to individual personality.⁸² Historians Utsumi Aiko and Gavan McCormack have presented this argument explicitly in relation to Korean guards on the Thailand-Burma Railway, noting especially the Koreans' status as oppressed subjects within the Japanese empire, the extraordinarily difficult physical conditions on the Railway and the presumed rigid insistence of the Japanese army on unquestioning obedience by its subordinates.⁸³ These arguments, however, fail to account for the wide variety of behaviours which the Korean guards exhibited. Kim/Motoyama, Choi/Matsumoto and Kang/Iwaya behaved much worse than the majority of Korean guards. Whereas some guards behaved generously towards their captives and some merely followed orders in driving weakened prisoners hard in difficult circumstances, a handful of Korean guards revelled in their power to inflict suffering. They went beyond what was asked of them by their Japanese masters, beyond any need arising from workplace discipline, and indeed beyond human decency. They terrorized, tormented, maimed and killed weakened, defenceless men.⁸⁴

To which category did Cho/Kumoi belong? He appears often enough in the testimonies in lists of brutal guards to warrant concluding that he was not blameless. Yet only two of the testimonies link him to specific incidents. In one of these cases, his role is ambiguous; in the other, there is no explanation of circumstances. Unlike Kim/Motoyama and Choi/Matsumoto, Cho does not appear regularly in subsequent prisoner memoirs of the railway. A British medical officer, C.F. Blackater, however, recalled him as brutal:

Came the "Bombay Duck". I am not naturally vindictive, but I hope this man has not lived to return to his home.... We were at his mercy. At Tarsoa [i.e. Tarsao] he had constantly slapped and humiliated our people, snooping round camp-fires and huts

⁸² Craig Haney, Curtis Banks, and Philip Zimbardo 'Interpersonal dynamics in a simulated prison', *International Journal of Criminology and Penology* 1 (1973), pp. 69–97.

⁸³ Utsumi, *Kimu wa naze sabakareta no ka*; McCormack, 'Apportioning the blame', pp. 86-87, 92, 112.

⁸⁴ See also Wilson, 'Koreans in the trials of Japanese war crimes suspects', p. 29.

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3 in the dark, strutting and bullying by day, and telling us: 'British no good'. The arrival
4 of this man in our midst was a major disaster.⁸⁵
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7 After delivering the verdict and before pronouncing sentence, the court invited the
8 defendants to offer any plea in mitigation of sentence. Maintaining their earlier silence in
9 court, they declined to do so. The defence lawyer Kawazoe simply said, 'I sincerely wish that
10 this Court will accord a courteous and generous judgement on the Accused.' It was not to
11 be. Usuki, Hiramatsu, Kim/Motoyama, Hong/Tokuyama and Kang/Iwaya were sentenced to
12 death by hanging. Choi/Matsumoto, Pak/Morimoto and Cha/Minaka received life
13 sentences. Cho/Kumoi was sentenced to fifteen years in prison and Cho/Tomotoma to ten
14 years.⁸⁶
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21 British military tribunals did not permit any appeal to a higher court, but all decisions were
22 reviewed by a legal officer of the Judge Advocate General. The task of this officer was to
23 verify that the proceedings had followed due process and to recommend either
24 confirmation or reduction of the sentences, in the light of general equity across the trial
25 process and in view of any petitions received from the convicted men. In practice only those
26 condemned to death submitted a petition. Hong/Tokuyama had been convicted for crimes
27 at Rintin camp, but claimed he had never been there. He also noted the life sentence given
28 to Choi/Matsumoto, who had been accused in many more affidavits. In comparison,
29 'Everyone could not help thinking it [Hong's death sentence] much too heavy.' Kang/Iwaya
30 claimed that only one of the affidavits suggested that he had ever caused the death of a
31 prisoner. Kim/Motoyama simply suggested that his crimes had been no worse than those of
32 Choi/Matsumoto who had received a life sentence. Hiramatsu pointed to relatively
33 favourable mention he had received in some of the affidavits. Usuki repeated that he had
34 not been responsible for the conditions which led to so many deaths.⁸⁷ In review, however,
35 the legal officer was persuaded only by the arguments of comparability and he
36 recommended that the death sentences against Kim/Motoyama and Hong/Tokuyama be
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51 ⁸⁵ Blackater, *Gods without reason*, p. 81. Subsequent mentions of Cho in this memoir,
52 however, portrayed him as innocuous (pp. 82, 85, 173, 175-76).
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54 ⁸⁶ *Trial of Usuki Kishio and nine others*, p. 79.
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56 ⁸⁷ Kawazoe Toshioki, 'Humble petition', 5 Sept. 1946 (*Usuki trial*, pp. 11-16).
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3 commuted to life imprisonment.⁸⁸ Usuki, Hiramatsu and Kang/Iwaya were hanged at Changi
4 Prison on 22 November 1946. Cho and the others were sent back to Changi and
5 subsequently transferred to Outram Road prison.⁸⁹
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8 The British authorities concluded their trials of Japanese war criminals in December 1948
9 and almost immediately implemented a review of verdicts.⁹⁰ The review, ostensibly
10 intended to ensure that similar crimes received similar sentences, led to a reduction in
11 sentence for more than a hundred war criminals. Pak/Morimoto's life sentence was reduced
12 to fifteen years, but for the rest, Cho's unit was judged 'notorious for its illtreatment of
13 prisoners of war':
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19 Hitting of prisoners was not confined to the usual face slapping given in the heat of ill-
20 temper, but consisted of buffeting with rifle butts, heavy bamboos and spades which
21 sent the victims to hospital for weeks at a time with broken ribs or split skulls or
22 ruptured ear drums.⁹¹
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27 In 1949, however, as a matter of policy the term of a life sentence was set at twenty-one
28 years. As a result, of the seven surviving guards, only the two with the shortest sentences –
29 Cho/Kumoi and Cho/Tomotoma – received no reduction. They therefore all remained in
30 Outram Road for nearly five years before being shipped to Japan aboard the SS *Tairea* in
31 August 1951, in accordance with an agreement between the British and Japanese
32 government that convicted war criminals would be repatriated. Upon arrival in Tokyo, they
33 were incarcerated in Sugamo Prison, along with men convicted at the Tokyo Trial and in the
34 war crimes trials held by the United States in Yokohama and elsewhere, and by Britain in
35 Hong Kong, Rangoon and elsewhere.⁹² Along with his fellow convicts, Cho/Kumoi was still in
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44 ⁸⁸ DJAG, ALFSEA to Commander Singapore District, 28 Sept. 1946 (*Usuki trial*, pp. 8-10).

45 ⁸⁹ Application for parole, Kumoi Eiji, n.d., NA (UK), FO 371/105433.

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47 ⁹⁰ R. John Pritchard, 'The parameters of justice: the evolution of British civil and military
48 perspectives on war crimes trials and their legal context (1942–1956)', in John Carey,
49 William V. Dunlap and R. John Pritchard, eds, *International humanitarian*
50 *law: vol. 3, origins, challenges and prospects* (Leiden: Brill, 2006), pp. 308-311.
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53 ⁹¹ Memorandum War Office trial no 160/J, n.d., NA (UK), FO 371/105433.

54 ⁹² Wilson et al., *Japanese war criminals*, pp. 140-147.
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3 Sugamo in April 1952 when the San Francisco Peace Treaty formally ended the Second
4 World War and restored sovereignty to Japan.
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7 Under Article 11 of the Peace Treaty, Japan undertook to uphold the sentences imposed on
8 all convicted war criminals. The question immediately arose, however, of whether Japan
9 could legally detain war criminals who were not of Japanese nationality. The nationality
10 issue had been discussed at the time of the trials and all the Allied powers had determined
11 that Koreans, as subjects of Japan since 1910, were to be tried on the same footing as
12 Japanese suspects (and that Taiwanese, who had been Japanese subjects since 1895, would
13 be in the same situation). In 1947, however, the Japanese government, still under Allied
14 Occupation, issued an Alien Registration Ordinance which effectively declared Koreans and
15 Taiwanese to be foreigners, as Japan had lost its colonies in 1945. By the time the Outram
16 Road Koreans arrived in Tokyo, moreover, Korea had achieved formal independence in two
17 separate states, meaning that all Koreans had access to a Korean nationality. Subsequently,
18 under the Peace Treaty, Japan formally surrendered its sovereignty over Korea and thereby
19 any residual citizenship authority over Koreans. These changed circumstances raised the
20 question of whether independent Japan could legally detain Koreans under the sentences
21 laid down in the war crimes trials.
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33 In June 1952, within weeks of the coming into force of the Peace Treaty, twenty-nine
34 convicted war criminals of Korean origin and one Taiwanese petitioned the Tokyo District
35 Court for release on the grounds that they could no longer legally be held.⁹³ In support of
36 the case, the Korean Women's Association in Japan wrote to the British ambassador,
37 requesting his assistance and commenting, 'These Koreans are not deserve their sentences
38 after so many Japanese War Lords and Criminals were released or lifted their ban for
39 holding public offices in Japan.'⁹⁴ The initiative, however, was unsuccessful. Japan's
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51 ⁹³ Copy of Note Verbale from Ministry for Foreign Affairs, Tokyo, 22 July 1952, NA (UK), FO
52 371/99516.
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54 ⁹⁴ Korean Women's Association in Japan to British Ambassador, 8 July 1952, NA (UK), FO
55 371/99516.
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3 Supreme Court took over the petition and rejected it⁹⁵, and the British, Dutch and Australian
4 authorities rejected the suggestion that the men's circumstances had changed to such an
5 extent that they should be released.
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8 At the same time, the Japanese government's National Offenders' Prevention and
9 Rehabilitation Commission (NOPAR) recommended to the three powers who had convicted
10 the thirty Korean and Taiwanese men – Britain, the Netherlands and Australia – that the
11 prisoners be released en masse. The men were under strain, the Commission said, because
12 of uncertainty over the fates of their families after the outbreak of the Korean War. 'It is
13 deemed that this deserves sympathy.... Furthermore they are deeply reflecting on the
14 crimes they have committed, and their behaviours as prisoners are very excellent.'⁹⁶ In
15 addition, NOPAR endorsed an application for parole from each man separately. In Cho's
16 application, he described himself (with some disregard for the truth) as having been
17 uneducated and ignorant at the time of his war service, claiming that he had acted 'strictly
18 in accordance with the orders of my superior officers whom I held supreme'.⁹⁷ In this
19 petition he referred to his wife who was said to be living with her parents in Korea in
20 extreme poverty, as well as his brother, who had a large family. The brother was sickly and
21 poverty-stricken, having lost all his property, except a small rice field and a house, to
22 confiscation by the communists during the Korean War. Cho also claimed to be suffering
23 from tuberculosis. If released, he proposed to bring his wife to Japan and to resume work as
24 a dental technician in Kagawa Prefecture on the island of Shikoku, where a Japanese friend
25 had offered him shelter. He planned to learn bone-setting, moxibustion, acupuncture and
26 massage from that same friend. Cho submitted the application in July 1952, but the British
27 authorities considered it only in May 1953. They considered and then rejected
28 compassionate release to a sanatorium for Cho because of his lung condition, but
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49 ⁹⁵ Supreme Court of Japan, 'Decision in the Habeas Corpus case involving Korean and
50 Formosan war criminals', 30 July 1952, NA (UK), FO 371/99516.

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52 ⁹⁶ NOPAR, A decision on recommendation for release, 30 June 1952, NA (UK), FO
53 371/99516.

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55 ⁹⁷ Application for parole, Kumoi Eiji, n.d., NA (UK), FO 371/105433.
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3 recommended a one-year reduction in sentence which, in combination with a standard
4 remission of one-third for good behaviour, gave him the prospect of release in July 1955.⁹⁸

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6 Cho's association with war criminals such as Choi/Matsumoto, regarded by British
7 authorities as among the worst of those who had not been executed, worked against his
8 early release. So, too, did his fifteen-year sentence. As time passed, the former Allied
9 powers became more and more eager to find grounds for reducing the longest sentences.
10 The presence in Japan of Japanese prisoners under Allied sentence was increasingly
11 inconvenient for the West. It was a growing cause of friction with Japan, whose government
12 the West was keen to secure as a Cold War ally and business partner. In these
13 circumstances, the long-term detention of war criminals from the Japanese Imperial forces
14 appeared increasingly anomalous. The efforts of Western governments to find grounds for
15 early release, however, focussed on those whose sentences were longest. Cho finally
16 walked out of Sugamo in July 1955 upon the normal expiry of his sentence, only three
17 months before Choi/Matsumoto, Cha/Minaka, Hong/Tokuyama and Kim/Motoyama, all of
18 whom had had life sentences, were freed under special clemency granted by the Queen of
19 England.⁹⁹

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21 There is no known record of Cho's subsequent fate. Hostility in Korea towards former
22 employees of the Japanese military was strong¹⁰⁰ and, consequently, many of those who
23 had a place to live in Japan, as Cho had claimed to have in his application for parole, stayed
24 on. Inside Sugamo, they had formed a mutual-help association called Dongjinhoe

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41 ⁹⁸ 'Guard Eiji Kumoi', n.d.; Decision on recommendation for parole, Kumoi Eiji, 25 July 1952,
42 NA (UK), FO 371/105433; British Embassy Tokyo to Foreign Office, 4 November 1953, NA
43 (UK), FO 371/105448.

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45 ⁹⁹ Wilson et al., *Japanese war criminals*, p. 257.

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47 ¹⁰⁰ Sayaka Chatani, 'Korean war criminals in the movement to "set history straight"', *Frog in*
48 *a Well Korea*, 30 Mar. 2008, [http://www.froginawell.net/korea/2008/03/korean-war-](http://www.froginawell.net/korea/2008/03/korean-war-criminals-in-the-movement-to-\)
49 [criminals-in-the-movement-to-\"set-history-straight\"/](http://www.froginawell.net/korea/2008/03/korean-war-criminals-in-the-movement-to-\), accessed 25 Jan. 2017; William
50 Underwood and Hankyoreh, 'Recent developments in Korean-Japanese historical
51 reconciliation', *Asia-Pacific Journal* 8, issue 17, no 3 (26 April 2010), [http://apjif.org/-](http://apjif.org/-William-Underwood/3348/article.html)
52 [William-Underwood/3348/article.html](http://apjif.org/-William-Underwood/3348/article.html), accessed 24 Jan. 2017.

(Doshinkai), which became the basis for a cooperative taxi company in Tokyo employing Korean war criminals who would otherwise have found it difficult to survive after release. In 1991, the group commenced legal action in the Tokyo District Court, demanding support because of its members' wartime service to Japan. The action went as high as the Supreme Court, where it failed in 1999.¹⁰¹ The focus of the campaign then shifted to Korea, where former war criminals campaigned for recognition that the guards had been unwilling conscripts rather than willing recruits. The movement came in the context of intensifying demands within Korea for compensation from Japanese firms for the forced labour of Koreans on company-organized projects during the war.¹⁰² In 2007, the Korean government's Truth Commission on Forced Mobilization under Japanese Imperialism released a report specifically on the war criminals which concluded that they were indeed victims of Japanese imperialism, rather than accomplices. The report strongly implied that the trials had unfairly ignored the colonial status of the Koreans in reaching verdicts and handing down sentences.¹⁰³ Although the formal intention was only to establish the men's innocence of voluntary collaboration with Japanese colonialism, and thereby to create a possible basis for compensation claims as former forced labourers, the conclusion was

¹⁰¹ Utsumi, 'Korean "imperial soldiers"', pp. 201, 213-216; 'Spared Korean war criminal pursues redress', *Japan Times*, 18 Aug. 2007, <http://www.japantimes.co.jp/news/2007/08/18/reference/special-presentations/spared-korean-war-criminal-pursues-redress/#.WliLQrGr1o4>, accessed 25 Jan. 2017; Gil Yun-hyung, 'The lingering issue of Korean class B and C war criminals', *Hyankoreh* 2 Apr. 2015, http://english.hani.co.kr/arti/english_edition/e_international/685183.html, accessed 25 Jan. 2017; Gil Hyeong-yun, 'The complicated history of Korean war criminals', *Hankyoreh* 14 Mar. 2007, http://www.hani.co.kr/arti/english_edition/e_international/196271.html, accessed 21 Nov. 2017.

¹⁰² Taejin Kim, 'Views on compensation for conscripted Korean laborers from Japanese companies: a recent Korean Supreme Court case', *Asian Business Lawyer* 13 no 15 (2014), pp. 15-34.

¹⁰³ Cho, *Chosŏnin BC-kŭp chŏnbŏm e taehan chinsang chosa*, p. 50.

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3 widely but incorrectly interpreted as meaning that the Korean government had annulled the
4 verdicts against the convicted Koreans.¹⁰⁴
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7 Cho's story, recorded in the documents prepared for his trial and generated by the process
8 leading to his release, gives a glimpse of the complex ways in which Koreans were engaged
9 in Japan's enterprise in Asia in the 20th century. It is also a telling mirror of the difficulties in
10 establishing culpability for acts of violence in wartime.
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49 ¹⁰⁴ See for instance, 'Korea admits Tokyo War Crimes Tribunals Void?', 19 Nov. 2006,
50 <http://cominganarchy.com/2006/11/19/korea-admits-tokyo-war-crimes-tribunals-void/>,
51 accessed 25 Jan. 2017; 'South Korea's Dangerous Political Immaturity', 8 Dec. 2006,
52 [http://www.tdaxp.com/archive/2006/12/08/south-koreas-dangerous-political-](http://www.tdaxp.com/archive/2006/12/08/south-koreas-dangerous-political-immaturity.html)
53 [immaturity.html](http://www.tdaxp.com/archive/2006/12/08/south-koreas-dangerous-political-immaturity.html), accessed 25 Jan. 2017.
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