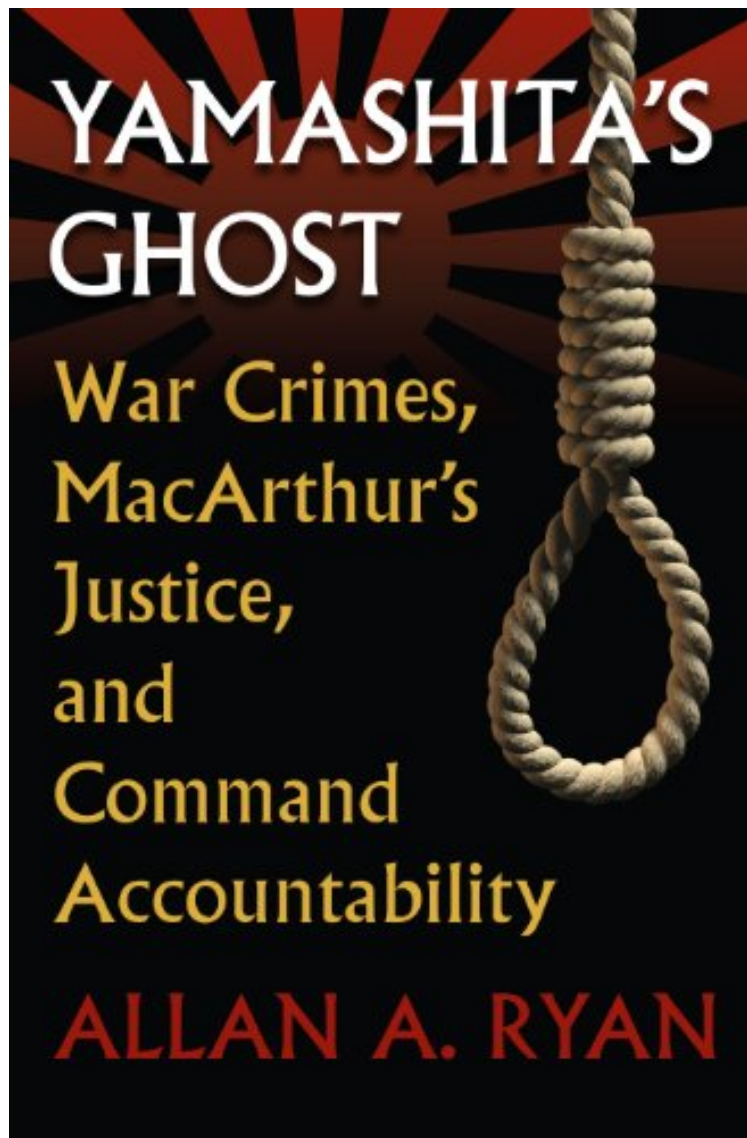


[Mobile library] Yamashita's Ghost: War Crimes, MacArthur's Justice, and Command Accountability (Modern War Studies)

Yamashita's Ghost: War Crimes, MacArthur's Justice, and Command Accountability (Modern War Studies)

Allan A. Ryan

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Allan A. Ryan : Yamashita's Ghost: War Crimes, MacArthur's Justice, and Command Accountability (Modern War Studies) before purchasing it in order to gage whether or not it would be worth my time, and all praised Yamashita's Ghost: War Crimes, MacArthur's Justice, and Command Accountability (Modern War Studies):

2 of 2 people found the following review helpful. Even the Kangaroo Disavowed This Court. By Kindle Customer Almost two books in one. The first being the historical relation of the trial of Gen. Yamashita. A trial that was, by any possible definition, a sham, farce and textbook vengeance. It can possibly be argued that Yamashita was murdered and MacArthur ordered the "hit." Equally arguable is that MacArthur was being MacArthur in his complete overseeing of the trial. Truman waited way too long. The second book is a solid discussion of the ramifications of the trial and how Command Responsibility and Control has developed in the last 70 years as a legal concept. What is ominous is when, and maybe not if, does what this farce wrought come home to roost? So far we have avoided the consequences because we have always won and, face it, the winners call the shots in cases such as these. Losers do not get to judge anyone, the best they can do is hope they are not the judged. Is that always going to be the case? If winners get to set the rules, we probably avoid the consequences, but what of emerging concepts, the ICC immediately comes to mind. And given who "controls" that entity, there are virtually no guarantees it will not be used by those with an axe to grind. The first target: Israel! Finally, war is no longer known by its classic definition. Does what has developed since the Yamashita trial have any relevance? Must this entire concept go back to square one? Most likely yes. Can the new concept be developed in time? Most likely not. 12 of 13 people found the following review helpful. Only Victor's Justice? By Tom Eagen Allan Ryan, one of those rare scholars who has led a life of action and commitment, has given us a serious and important book, which is also a great read. His research from all sources, especially first hand accounts, delivers a rather complete understanding of the personalities who drove or were affected by the events of those days of violence and passion which marked the liberation of the Philippines from the Greater East Asia Co-Prosperity Sphere. Yamashita was transferred in to attempt to increase the cost of an American invasion to cause us to negotiate a peace. He had almost no communication with his units, had not had time to mark them with his expectations, and often later discovered that his orders of restraint had been disobeyed. He ordered that Manila be abandoned by his forces, but in fact it was ravaged. But he was the commander. Ryan's prose provides the intimacy that draws out the helpless anguish of those caught in the dreams of glory and the arrogance of General MacArthur and his court of vanity. Ryan's anger arises out of his deep sense of fairness and honor confronting the reality man allows, if not creates, and draws in any reader who has ever come upon such a brutal disregard of truth and justice. Those who have fought in any war, whatever their rank, will see elements of their story in this drama. MacArthur rushes an honorable but defeated commander before a military commission of subordinate generals, none with experience in law and none having any doubt what verdict MacArthur requires of them. In the face of Yamashita's quiet dignity, MacArthur never flinches in a quest to add to his self-promoted luster, burying the natural inquiry into his own abject failure in December 1941, allowing his air forces to be destroyed on the ground and his forces to be out-manuevered and outfought by the Japanese before he left General Wainwright behind and slipped off to Australia. The sentence of death by hanging, as a criminal, affirmed by our Supreme Court with but honorable dissents, Yamashita met his end with grace and dignity. The contrast is extraordinary. What Allan Ryan, former Nazi hunter, has to say in this book provides a lens and test chart against which to measure the conduct of our selves and our leaders. His chapters on our utter failure to apply the law we created to hang Yamashita to our own leaders in My Lai, Abu Ghraib and beyond should give pause to all who may find themselves accomplices. This book should be required reading in every college, law school, and especially every military school at every level of command. I believe it is not an overstatement to say that any officer, defense official or congressperson who does not read this book is derelict in his or her duty. Semper Fi, Tom Eagen 4 of 4 people found the following review helpful.

"Yamashita's Ghost" is a Masterpiece! By DTS@BigIslandRanch I recently translated the autobiography of Mitsuo Fuchida, leader of the attack on Pearl Harbor. My research for the translation, which included the Yamashita Trial, was completed before Allan Ryan published his book. Luckily, I learned about it and purchased a copy. In a word, "Yamashita's Ghost" is a masterpiece--of research, analysis, narration, and summing up. Ryan sets the stage by outlining the key relationships between law and war, followed by background information on Tomoyuki Yamashita. He then weaves the trial proceedings into a series of interesting narratives that includes observations on the personalities and motivations of the key tribunal, prosecution and defense players. His explanations of the legal issues--especially regarding rules of criminal procedure and evidence--are detailed and written clearly and concisely. Ryan provides a summary of how the Yamashita Trial and the Yamashita Standard are applicable to our current situation of non-state wars. His final chapter is a masterful closing statement about the trial and lessons that should have been learned. "Yamashita's Ghost" is definitely a major contribution to the historical record and to this century's important discussions about law and war. Douglas Shinsato Translator, "For That One Day: The Memoirs of Mitsuo Fuchida, Commander of the Attack on Pearl Harbor"

"I don't blame my executioners. I will pray God bless them." So said General Tomoyuki Yamashita, Japan's most accomplished military commander, as he stood on the scaffold in Manila in 1946. His stoic dignity typified the man his U.S. Army defense lawyers had come to deeply respect in the first war crimes trial of World War II. Moments later, he was dead. But had justice been served? Allan A. Ryan reopens the case against Yamashita to illuminate crucial questions and controversies that have surrounded his trial and conviction, but also to deepen our understanding

of broader contemporary issues especially the limits of command accountability. The atrocities of 1944 and 1945 in the Philippines—rape, murder, torture, beheadings, and starvation, the victims often women and children—were horrific. They were committed by Japanese troops as General Douglas MacArthur's army tried to recapture the islands. Yamashita commanded Japan's dispersed and besieged Philippine forces in that final year of the war. But the prosecution conceded that he had neither ordered nor committed these crimes. MacArthur charged him, instead, with the crime of having "failed to control" his troops, and convened a military commission of five American generals, none of them trained in the law. It was the first prosecution in history of a military commander on such a charge. In a turbulent and disturbing trial marked by disregard of the Army's own rules, the generals delivered the verdict they knew MacArthur wanted. Yamashita's lawyers appealed to the U.S. Supreme Court, whose controversial decision upheld the conviction over the passionate dissents of two justices who invoked, for the first time in U.S. legal history, the concept of international human rights. Drawing from the tribunal's transcripts, Ryan vividly chronicles this tragic tale and its personalities. His trenchant analysis of the case's lingering questions—should a commander be held accountable for the crimes of his troops, even if he has no knowledge of them—has profound implications for all military commanders.

Really excellent . . . constructive and perceptive. Justice John Paul Stevens, Supreme Court of the United States (retired) A winner! A superb work that's highly readable, very timely, and based solidly on good evidence and sources. Ryan really covers a lot of ground here, and his balance is especially impressive, for it is clear that this case was rigged from the start. Thomas W. Zeiler, author of *Unconditional Defeat: Japan, America, and the End of World War II* The subjects and issues Ryan illuminates so incisively here still haunt us today. His judicious treatment belongs on any short list of incisive trial-based studies of war crimes and war responsibility. John W. Dower, Pulitzer Prize-winning author of *Embracing Defeat: Japan in the Wake of World War II* The most penetrating and disturbing analysis yet written of the most important war crimes trial to emerge from the U.S. war with Japan. It's impossible to read this gripping historical account without reflecting on how the United States has pursued the current war on terror. Michael Schaller, author of *Douglas MacArthur: Far Eastern General* A very clear analysis that dispassionately and thoroughly explores the issues involved from a variety of perspectives. Ronald Spector, author of *In the Ruins of Empire: The Japanese Surrender and the Battle for Postwar Asia* Should be required reading for every military officer, every Senator and member of Congress, and every American who wishes to understand the imperfect but critical interaction between law and military operations. Eugene R. Fidell, Senior Research Scholar in Law and Florence Rogatz Visiting Lecturer in Law, Yale Law School About the Author Allan A. Ryan clerked for Supreme Court Justice Byron R. White, was a U.S. Marine Corps judge advocate, and was Assistant to the Solicitor General of the United States. As director of the Justice Department's Office of Special Investigations, he was the chief prosecutor of Nazi war criminals who had escaped to America. He teaches the law of war at Boston College Law School and Harvard University and is author of *Quiet Neighbors: Prosecuting Nazi War Criminals in America*.