



PROJECT MUSE®

Yasukuni Shrine

Takenaka, Akiko

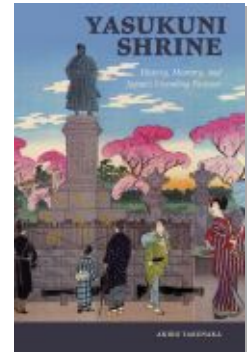
Published by University of Hawai'i Press

Takenaka, Akiko.

Yasukuni Shrine: History, Memory, and Japan's Unending Postwar.

University of Hawai'i Press, 2015.

Project MUSE. muse.jhu.edu/book/43219.



➔ For additional information about this book

<https://muse.jhu.edu/book/43219>

FIVE

WHO HAS THE RIGHT TO MOURN?

Politics of Enshrinement at Yasukuni Shrine

This is a terribly difficult issue. [My opinion, outlined here,] might be interpreted as overly sensitive to the current conditions or as thankless or immoral. But, as a result of a thorough consideration of the various factors involved, I have decided to make the following proposal. My proposal is to respectfully request the abolition of Yasukuni Shrine.

ISHIBASHI TANZAN

If it is true that Yasukuni Shrine is the core of State Shinto and the source of a misguided nationalism, what we must abolish is the system called State Shinto and not Yasukuni Shrine. We advocate complete freedom of religion. All those who died for their country should be enshrined in Yasukuni Shrine regardless of their religious beliefs.

FATHER BRUNO BITTER, MAKKĀSĀ NO NAMIDA:
BRŪNO BITTERU SHINPU NI KIKU

Less than two months after Japan's defeat, journalist and politician Ishibashi Tanzan began his proposal for the future of Yasukuni Shrine with a thoughtful yet bold recommendation: Shut it down.¹ Ishibashi considered multiple factors, including the difficulties associated with the impending enshrinement of countless war dead and the incompatibility of rushed enshrinement with the stated ideal of Yasukuni Shrine.² He further maintained that enshrining military leaders as national heroes should not be approved in light of the international political climate following Japan's defeat. While arguing for the shrine's closure, Ishibashi was also aware of the difficulty of carrying out such an act. "The termination of Yasukuni is not as simple as the closing down of one shrine," he acknowledged.³ He was concerned about the political implications of the proposed closure. That is, messages propagated during the war that justified Japan's wars of imperialism would not

be eliminated simply by closing the physical and institutional structure of the shrine. In other words, Ishibashi was arguing that Japan's war responsibilities would not end with the elimination of "Yasukuni the site."

In the proposal, Ishibashi referred to the statement by Prime Minister Higashikuni Naruhiko, "one hundred million to repent together (*ichioku sōzange*)"—a phrase that would have a lasting impact on the ways in which the Japanese would consider the Asia-Pacific War.⁴ While agreeing that all Japanese were responsible, Ishibashi considered this statement to be problematic. For in this scenario, political and military leaders and civilians, including young children, were assumed to be equally responsible. He maintained that, despite the fact that all Japanese were responsible, they should be assigned different degrees of liability. The central question implied in Ishibashi's commentary on Yasukuni Shrine remains relevant today. Under such circumstances, should all Japanese war dead be venerated as *eirei* at Yasukuni Shrine? Abolishing the shrine following Ishibashi's recommendation might have circumvented such issues for the time being.

Ishibashi was not alone in his predicament. The physical presence of Yasukuni Shrine and prefectural *gokoku jinja*, as well as the wartime structure of Shintoism as a national belief, were the key concerns of the Supreme Commander of the Allied Powers (SCAP) members who arrived in Japan on August 28, 1945. After lengthy deliberations and consultations with Japanese religious scholars, on December 15, 1945, the occupation forces issued the Shinto Directive, which separated the Japanese state from Shinto, thus dismantling what came to be known in the postwar years as State Shinto.⁵ The directive was later incorporated into the new Japanese Constitution as Article 20, which guaranteed religious freedom to all and prohibited the state from participating in religious activities. Debate ensued on the fate of shrines that were closely tied to the Japanese state. However, SCAP members eventually agreed to preserve them on the condition that the Japanese state terminated its support. After deliberations over the fate of Yasukuni Shrine, including suggestions about changing its name and transforming the site into an amusement park, authorities agreed to privatize it.⁶

Termination of state support has had a profound impact on Yasukuni Shrine and the war-bereaved military families (*izoku*), namely, the spouses and close relatives of those enshrined at Yasukuni.⁷ The effect on the shrine was twofold: First, it no longer was supported by public funds; second, termination of its ties with the state significantly altered the shrine's symbolism. For war-bereaved military families, it suggested that the Japanese state no longer officially recognized the death of their loved ones. The postwar

history of Yasukuni Shrine is thus replete with attempts by various interest groups to reestablish the connection between the shrine and the Japanese state.⁸ Two organizations in particular, the Liberal Democratic Party (LDP)—the majority ruling party for the most of the postwar years since 1955—and the Japan Association for the Bereaved Families of the War Dead (Nihon Izokukai; hereafter Izokukai) are central to these attempts.⁹ Consequently, they are also the key to what is known today as the “Yasukuni issue.”¹⁰

In the 1960s and 1970s the LDP, backed by the Izokukai, made five attempts to pass the Yasukuni Shrine Bill (Yasukuni Jinja Hōan), which would have restored state support of the shrine. All five attempts failed, but the gesture signaled to the war-bereaved military families that the LDP was committed to restoring the shrine’s ties with the Japanese state. At the same time, the controversy over the Shrine Bill placed Yasukuni Shrine in the spotlight for the first time during the postwar era, which ushered in a period of public scrutiny of visits to the shrine by prime ministers and other government officials.¹¹ Until 1985 such controversies were primarily a domestic concern. But on August 15, 1985, the fortieth anniversary of the end of the Asia-Pacific War, Prime Minister Nakasone Yasuhiro’s official visit to the shrine made headlines both inside and outside Japan. The official status of his visit was demonstrated when he signed the guest register with his tittle, used public funds to pay for offerings, and stated that he had made the visit in his official capacity as prime minister. Reported alongside news about the prime minister’s visit was information that was nearly seven years old in 1985. Namely, during the Yasukuni fall festival of 1978, head priest Matsudaira Nagayoshi quietly enshrined fourteen men who were convicted of Class-A war crimes at the Tokyo War Crimes Tribunal.¹² Taken aback by the intense international criticism of his visit, Nakasone subsequently distanced himself from Yasukuni Shrine.

Since this incident, most prime ministers have attempted a balancing act by avoiding the August date and taking an ambiguous position on the status of their visits. Consequently, by the 1990s the so-called Yasukuni issue seemed to have subsided. But this changed in the first decade of the twenty-first century, when Koizumi Junichiro seriously strained Japan’s relations with other Asian nations by his repeated visits to Yasukuni and comments on Yasukuni worship. The so-called performances by the flamboyant prime minister resulted in renewed attention to the shrine that quickly developed into larger discussions associated not only with the prime minister’s visits to the shrine but also with issues ranging from Japan’s war crimes and lack

of reparations to how history is being taught in Japanese middle schools. These wide-ranging discussions also brought to light the fact that Yasukuni Shrine neither requests nor obtains permission from family members to enshrine the war dead. Koizumi's actions ultimately led to lawsuits as well as a proposal to build a new national memorial that would replace Yasukuni.

Although all components of "Yasukuni the issue" are closely intertwined, in this chapter I detail lawsuits pursuing the removal of names of the war dead from the Yasukuni register. In particular, I examine a recent case filed by Okinawans at the Naha District Court in March 2008 (deliberations concluded in October 2010), suing for the removal of civilian names from the register. Okinawa presents a fascinating case study as the only Japanese site that was invaded and became US territory until 1972. Furthermore, many civilian casualties in Okinawa, some of which are included in the Yasukuni register, were caused by the Japanese military. Many Okinawans thus resent the fact that their families are enshrined collectively with the Japanese military, which not only failed to protect them but, even worse, also turned against and killed civilians. At the same time, Okinawan families also have relatives who died as members of the armed forces. The lawsuit against Yasukuni Shrine demonstrates these Okinawans' attempt to negotiate complex emotions arising from conflicting attitudes about and experiences of the Japanese military. Testimony for the lawsuit reveals their turbulent emotions with regard to war death and Yasukuni Shrine.

In what follows, I also touch on demands by Taiwanese and Koreans for the removal of their citizens' names from the Yasukuni register. As Japanese colonial subjects during the Asia-Pacific War, Taiwanese and Korean men were forced to join the Japanese military. Consequently, many non-Japanese war dead were enshrined at Yasukuni without their families' knowledge or consent. Korean and Taiwanese nationals filed lawsuits with the support of Japanese sympathizers. The plaintiffs have not yet won in court but are continuing their appeal through venues such as books and documentary films.¹³ These former colonial subjects argue that they cannot bear the knowledge that their loved ones are commemorated by their former colonizers. Furthermore, that they are enshrined together with perpetrators of Japanese imperialism (i.e., Japanese who died during the colonization of Taiwan and Korea during the early twentieth century), is an affront. At the same time, however, the groups have conflicting positions on Japan and Yasukuni Shrine, contradictions that are more prominent among the Taiwanese, for whom the Yasukuni issue is intertwined with domestic politics.

Lawsuits filed in Japanese courts are not limited to those by Okinawans and non-Japanese nationals. Mainland Japanese have also filed cases to have the names of their family members removed for political, religious, and other reasons.¹⁴ Most of the cases I cover in this chapter, such as the former colonial subjects and Okinawans, are anomalies in that the plaintiffs have maintained particular kinds of relationships with the Japanese state both during the Asia-Pacific War and at present. But I find these cases useful for examining issues of war memorialization. Deliberations on these cases raise the following question, among others: Who has the legal right to memorialize the dead and to mourn their loss, especially in a society where one death can be memorialized multiple times at multiple places? Until 1945 the Japanese state sought to exercise sole authority over both the bodies and the spirits of the war dead. In the absence of such control, who now should have the authority to memorialize the dead? Furthermore, does memorialization by another party legally infringe on a bereaved family's experience of mourning?

One central criticism of Yasukuni Shrine concerns its role of commemoration (*kenshō suru*). But most modern states commemorate their war dead in ways that are partly in the service of promoting national identity. Terminology thus plays a key role in how to negotiate memories of the war dead in Japan. Three terms, *irei*, *tsuitō*, and *kenshō*, which can be rendered in English as memorial, mourning, and commemoration, respectively, are typically used to distinguish attitudes of the living toward the dead.¹⁵ However, other terms add semantic and emotional nuance, including *chinkon* (placating of the spirit), *aitō* (similar to *tsuitō* but perhaps with a stronger connotation of sorrow or lament), *kuyō* (derived from the Sanskrit term *pūjanā* and suggesting the presence of an offering), and *jōrei* (cleansing of the spirit).¹⁶

As historian Akazawa Shirō points out, the recent controversies often emerge because of the gap between how politicians explain their visits to Yasukuni (for example, Koizumi repeatedly described his visits as an act of *tsuitō*) and how critics refer to them (typically as *kenshō*).¹⁷ In particular, “commemoration” (*kenshō*), which is a normative modifier for remembrance activities for the military dead in many societies, has now taken on a complex quality in Japan due to its recent history. Commemorating the military dead, in the case of Japan, is considered an act of affirmation of the Asia-Pacific War. Recognizing the complexities of terminology, the plaintiffs in the lawsuits argued that families had the right to “freedom of mourning” (*tsuitō no jiyū*), that is, the right of families to prevent unwanted

parties from participating in the mourning process, especially when they consider the outside party's act as commemoration. However, the judicial system could respond only within the legal framework of "freedom of religion." Accordingly, the court ruled that the constitutional right to freedom of religion gives institutions, including Yasukuni Shrine, the right to engage freely in an act of mourning. An analysis of these lawsuits reveals the complex ways that modern war death is recognized in Japan.

YASUKUNI SHRINE IN NONMILITARIZED JAPAN

Many of the political issues currently associated with Yasukuni Shrine are rooted in the changes that the shrine and the war-bereaved families faced in the immediate postwar period. As a result of SCAP's focused deliberations, Yasukuni Shrine escaped demolition by transforming itself into a private religious entity (religious juridical person).¹⁸ But all of the issues that were examined during the occupation period remained, along with the physical structure of the shrine. Nonetheless, for several decades after the war the political implications of the shrine attracted little public attention. Rituals and festivals continued to take place in the postwar years to complete the enshrinement of the Asia-Pacific War dead. The relationship between the shrine and the state and with the imperial institution quickly resumed, at least superficially. Even though prime ministers had mostly stayed away from the shrine during the occupation, Yoshida Shigeru—accompanied by cabinet representatives—made the first of his regular visits on October 18, 1951.¹⁹ On October 16, 1952, during the first festival in postoccupation Japan, Emperor Hirohito visited Yasukuni Shrine for the first time since November 1945. He received a warm and grateful welcome by approximately three thousand war-bereaved military family members and five thousand other visitors. The evening edition of major newspapers published photographs of people sitting on the ground in their formal attire, as they had done during wartime imperial visits. Some raised their arms into the air, presumably shouting *banzai* to the emperor, while others were waving. The *Yomiuri* newspaper reported, however, that the general visitors included young children and women in their aprons, suggesting a more casual atmosphere.²⁰ The *Yomiuri* newspaper also featured a photograph of the emperor waving back to the crowd, silk hat in hand.²¹ These key visits suggest a seamless continuation from the war years.

On the surface, then, interventions by the occupation forces, including the new constitution and the Shinto Directive, seemed to have little impact

on the operations of Yasukuni Shrine and its relationship with war-bereaved families. But the termination of state support foretold financial difficulties for the shrine.²² Another key intervention by the SCAP received less attention in relation to the political issues surrounding Yasukuni Shrine: the February 1946 decision to terminate pensions and other financial support for members of the military and the war bereaved, with the exception of support for veterans with disabilities. Families whose main provider was among the war dead were the hardest hit by this measure. Mothers were left to raise young children alone and without financial support.

Nihon Izokukai, the group associated with LDP and the Yasukuni issue, was established in response to the SCAP termination of pensions. In late 1947 war-bereaved families in need of a support system established the Japan League for the Welfare of War-Bereaved Families (Nihon Izoku Kōsei Renmei), which worked out of an office inside the Yasukuni Shrine grounds.²³ Persistent lobbying by the Japan League resulted in the War-Injured and War-Bereaved Families Relief Act (Senshōbyōsha Senbotsusha Izoku-tō Engohō; hereafter Engohō) established on April 30, 1952. It was passed two days after the end of the Allied occupation and guaranteed pensions for war-bereaved families.²⁴ In 1953 the Japan League became a juridical foundation under the name Nihon Izokukai.²⁵ However, even the members were not always familiar with the history and operations of the foundation. For the bereaved families, motives to join Izokukai were sometimes as simple as an opportunity for regular visits to Yasukuni Shrine.²⁶ Others mistakenly believed that membership in Izokukai was necessary to receive a pension.²⁷ Moreover, Izokukai was not the only organization for the war-bereaved families.²⁸

One further aspect of Engohō is relevant here. In order to receive a pension, war-bereaved families needed to submit paperwork to the Ministry of Welfare (Kōseishō), the antecedent of the current Ministry of Health, Labor, and Welfare (Kōsei Rōdōshō).²⁹ Basic information on the deceased, such as name, age, and hometown, was required, as well as location and cause of death and rank at the time of death. The ministry thus was able to compile a vast amount of data on military-related deaths from the Asia-Pacific War. This information soon became valuable for Yasukuni Shrine since it included the details necessary to complete the enshrinement process for the deceased. Engohō, which was established to support war-bereaved families during the immediate postwar years, became a resource for Yasukuni Shrine's efforts to enshrine a multitude of deaths from the Asia-Pacific War.

POSTWAR ENSHRINEMENT OF ASIA-PACIFIC WAR DEATHS

Almost all of the military-related dead from the Asia-Pacific War were enshrined after the war. As I mentioned in chapter 4, only about 10 percent of the military deaths had received the *shōkon* ritual at Yasukuni Shrine when Japan surrendered to the Allied Forces on September 2, 1945. Thus, the spirits of more than two million war dead had not yet transformed into the Yasukuni god. The postwar enshrinement of these war casualties was possible only with the assistance of the Demobilization Ministry. This collaboration is central to the political issues associated with the shrine today.

In theory, the spirits of all outstanding dead were gathered at Yasukuni Shrine in the fall of 1945, although they were not formally enshrined at that time. The following discussion outlines this curious process. The Army Ministry took the initiative for enshrining the outstanding war dead and drafted a proposal on September 21.³⁰ The ministry proposed two separate events: a special fall festival to collectively enshrine all military deaths and a separate memorial festival for both military and civilian deaths to take place outside the shrine. The proposed collective enshrinement would not be a conventional *shōkon* ritual since the names of the deceased to be enshrined had not yet been identified. But the army maintained the importance of this ritual as the final service of the military. For this ritual, the army suggested the inclusion of not only the dead who were active military personnel and workers at military factories but also those who took their own lives at the end of the war and civilians whose deaths were caused by the enemy.

The army's proposal to conduct such unconventional memorial services was not well received by the other concerned parties. The Navy Ministry agreed to the enshrinement of military personnel and workers at military factories but not of suicides and civilians, and it did not respond to the suggestion of a combined festival outside the shrine.³¹ Shrine authorities refused to enshrine persons of unknown numbers and names but refrained from commenting on the fate of nonmilitary personnel or on the combined memorial festival.³² The Imperial Household Department's suggestion resolved the conflict: Conduct a memorial festival for the outstanding military deaths on the shrine grounds and plan for a formal enshrinement in the future once the names and other information of the deceased were identified.³³ Furthermore, instead of a combined memorial festival that included civilians, the Imperial Household Department suggested that the event that would take place outside the shrine involve only civilian casualties. It also considered it appropriate to request that the emperor attend the civilian memorial.³⁴

The collective Yasukuni memorial for the outstanding military deaths took place at 6:00 p.m., November 19, 1945. Attendance of bereaved family members was limited, and, unlike at the previous ceremonies, there were no state-sponsored invitations with a travel subsidy. According to the shrine's chronicle, only forty-one bereaved families attended the *shōkon* ritual on the nineteenth. The next day, despite several attractions, including a Noh performance, a play at a temporary stage set up by the lake, flower arrangements, and some vendor stalls, the festival did not draw the usual crowds. Although it is noted that 1,092 members of war-bereaved families paid tribute on this occasion, it is not clear whether they were the families of the newly enshrined.³⁵ The shrine's chronicle notes that all of the shrine gates were closed at 7:00 p.m. since the festival traffic had stopped. The total number of visitors was approximately thirty thousand. The following day, the gates were closed at 5:00 p.m. due to poor attendance.³⁶ The emperor made an appearance on November 20 and remained on the shrine grounds for approximately five minutes.³⁷ There is no record or media report of an event outside the shrine for civilian deaths.

Another reason for the low attendance was the secrecy behind the *shōkon* ritual. The festival coincided with a period when SCAP personnel were deliberating the fate of the shrine. The event was planned to minimize negative reaction from SCAP. Religious scholar Kishimoto Hideo, who was acting as an adviser to the SCAP Religious Division, took pains to limit publicity as well as military presence during the ceremony.³⁸ A newspaper advertisement of the ceremony was quickly withdrawn as a result.³⁹ Members of the military were strongly advised not to appear in uniform. A special *shōkon* ritual took place the following day under the watchful eyes of Kenneth Dyke (Civil Information and Education Section, SCAP), William Kenneth Bunce (Chief of Religious and Cultural Resources Divisions, SCAP), and George Warp (deputy chief, Religious Division, SCAP). The emperor appeared in his civilian clothing and paid tribute along with Prime Minister Shidehara, army and navy personnel, and bereaved family members. That same day, the Japanese cabinet agreed to a policy that terminated state sponsorship of Yasukuni Shrine.⁴⁰

The key difference between this ritual and the wartime *shōkon* rites was that the spirits of the dead did not become a god. Names and other details of the deceased were not inscribed in the register at this time, which, according to the shrine, is the process that signifies the merging of the spirits into the Yasukuni god. The spirits invited to the *shōkon* grounds on November 19 were placed together in the main shrine, apart from the god of

Yasukuni, to await formal enshrinement until all relevant information was gathered.⁴¹ Another reason for postponing enshrinement, particularly for those who died in the final year of the war, was as follows: Yasukuni Shrine maintained that, according to Shinto tradition, spirits of the dead could not be transformed into god until one full year had passed after death.⁴²

In order to properly enshrine these spirits, Yasukuni personnel quickly began the process of compiling the necessary information. For the April 1946 festival, a total of 26,887 names were identified and added to the register, and their spirits were merged with the god of Yasukuni.⁴³ Women from the imperial household often helped inscribe the names and information on the register.⁴⁴ Enshrinement continued in the following years in the same manner, with one or two rituals taking place every year. The number of enshrinements per ritual varied, with more than a quarter million enshrined in the fall of 1957.⁴⁵

Proper enshrinement of the outstanding two million proved to be a daunting task. Diet meeting transcripts included in *A New Compilation of Materials on the Yasukuni Shrine Problems* (*Shinpen Yasukuni Jinja mondai shiryōshū*), compiled and published by the National Diet Library in 2007, record repeated discussions on expediting enshrinement. The problems were twofold: the extensive labor needed to compile the information necessary for proper enshrinement and the high price of the entire operation. Initially, municipalities were instructed to compile the information for all local military dead who met enshrinement criteria and send it to Yasukuni Shrine via the Demobilization Ministry.⁴⁶ Shrine personnel then informed the family of the deceased.⁴⁷ Unlike the wartime enshrinement process, the emperor's acknowledgment was eliminated. This procedure, however, proved excessive for local administrations, which were already overwhelmed by the demands of postwar rehabilitation. In order to alleviate the burden on these local offices, the Demobilization Ministry soon decided to take over the task.⁴⁸ According to the summary provided in the Diet meeting transcripts, "It is impossible for other parties to complete this task since the investigation can be conducted only in association with reparation duties." In addition, the job was considered the ministry's moral obligation to the military dead, "who made the ultimate sacrifice during the war."⁴⁹

During the occupation, the parties involved attempted to comply with the directive from the SCAP, which prohibited the ministries from actively cooperating with the shrine. For example, rather than directly supplying the names of the war dead to the shrine, an agreement was made on August 2, 1948, for the shrine to borrow from the Ministry of Welfare a copy of its

official bulletin, which presumably had current information about the deceased.⁵⁰ The situation changed, however, with the end of the occupation and the establishment of Engohō, which allowed war-bereaved families to apply for a pension. The shrine and the ministry were no longer under SCAP's supervision; the application to the Ministry of Welfare by war-bereaved families included all information necessary for Yasukuni enshrinement. The ministry personnel assessed the documents and compiled the names of qualified pension recipients. The shrine then requested the information from the ministry, and the ministry responded in accordance with administrative routine. Many families never received notice of enshrinement, however. Diet transcripts suggest that both the shrine personnel and the lawmakers assumed that families wanted their loved ones to be enshrined, and therefore it did not matter how the shrine acquired the needed information. Moreover, families were never notified that the information they offered to receive their pension was transferred to Yasukuni Shrine.

Transference of the Engohō information led to arguably the most important component of the Yasukuni issue—enshrinement of war criminals. Through Engohō, families of men that were executed for war crimes as well as those who died in incarceration became eligible for a pension.⁵¹ For example, families of Class-A war criminals who were executed or died at Sugamo Prison qualified. Their inclusion on the Ministry of Welfare's list meant that their names would be delivered to Yasukuni Shrine along with those of all other military dead.

A review of the Diet proceedings relevant to Yasukuni enshrinement suggests that in the early postwar decades, lawmakers were intent on completing the enshrinement of the war dead and notifying the families of the procedure. Discussions surface repeatedly on the need to complete the process in order not only to satisfy the families but also to demonstrate proper respect for those who sacrificed their lives for the state. Many lawmakers considered the completion of enshrinement a state responsibility. The documents included in the collection released by the National Diet Library have caused controversies in recent years as they leave a paper trail proving that the Ministry of Welfare was providing information to Yasukuni Shrine for enshrinement of the war dead. But the documents are also valuable in highlighting the social milieu of the time, at least with regard to the Diet sessions. The language in the Diet transcripts into the 1950s and 1960s differs very little from that of the wartime years. The military dead were *eirei*, who needed to be honored by proper enshrinement, after which they would be transformed into a god. Yasukuni Shrine was equivalent to

a national memorial that needed to recognize all of Japan's military dead. Little regard was given to the constitutionality of even the process of holding these discussions under Article 20 in the early postwar decades.

Enshrinement-related documents end in April 1985 with a letter from Yasukuni Shrine requesting the names of military-related casualties that occurred after the San Francisco Peace Treaty.⁵² No response is recorded. With the passage of time, the word *eirei* appeared less frequently in the Diet proceedings, although it was still used into the 1970s. Discussions shifted to more controversial topics: the enshrinement of war criminals and requests to remove names from the Yasukuni register. But such arguments circle around Article 20 of the constitution, which guarantees freedom of religion and prevents the state from engaging in religious activity. Since the constitution prohibits the state from interfering with activities of Yasukuni Shrine, little could be said during Diet sessions in relation to problems associated with the shrine's refusal to remove names from the register. Article 20, which was meant to guarantee freedom of religion to everyone, in these circumstances protected Yasukuni Shrine from the government. It later became an obstacle for plaintiffs suing the shrine for the removal of names on religious and political grounds.

PROTESTS AGAINST YASUKUNI ENSHRINEMENT

Legal cases directly dealing with Yasukuni enshrinement did not begin until the twenty-first century. However, appeals to Yasukuni Shrine for removal of names began in the 1960s. This section thus begins with an outline of earlier appeals and related lawsuits as background for the later cases. The earliest documented appeal occurred on September 5, 1968, when Christian priest Tsunoda Saburō visited Yasukuni Shrine to request that the names of his two older brothers be removed from the shrine register. The shrine responded two weeks later: “[We] cannot complete the request due to the objectives and the tradition we have upheld since the shrine's establishment.”⁵³ The following year, on August 15, 1969, Tsunoda returned to the shrine with eleven members of the Association for War-Bereaved Christian Families, which he had joined earlier that year, to request the removal of nine names (including those of his brothers). The response they received from head priest Ikeda Ryōhachi was similar to what Tsunoda had received the previous year: “Since Yasukuni Shrine was built following the imperial order of Meiji to ‘establish an institution where every war death would be memorialized and which would be forever respected by the Japanese people,’ we

cannot accept requests by relatives and other third parties to either enshrine or not enshrine a particular individual.”⁵⁴

Christians were not the only group who attempted to have names removed for religious reasons. Buddhist war-bereaved families began protesting in the 1980s as members of Shinshū Izokukai. Established on January 22, 1986, this was the first Buddhist association formed in response to Nakasone’s visit on August 15 of the previous year.⁵⁵ Yasukuni head priests always responded that they could not remove names due to the shrine’s mission and tradition.

In the meantime, lawsuits associated with the so-called Yasukuni issue were being filed in regional courts. In 1971 a city official in Tsu City, Mie Prefecture, sued the mayor for allocating public funds to a groundbreaking ceremony conducted by a Shinto priest for a municipal government building. The Supreme Court dismissed the case in 1977 on the grounds that the ceremony could be considered more of a tradition than a religious activity.⁵⁶ In 1972 residents of Iwate Prefecture sued the prefectural assembly, which had submitted a written statement to the state appealing for official worship at Yasukuni Shrine and the use of public funds for offerings to the shrine. In the late 1980s, citizens groups in Ehime Prefecture sued the prefectural governor for using public funds as offering money to the prefectural *gokoku jinja* and Yasukuni Shrine.⁵⁷ These two cases were ultimately ruled unconstitutional.⁵⁸ Another lawsuit is relevant here. In 1979 Nakaya Yasuko, a Christian widow of a Self-Defense Forces (SDF) member who died on duty, sued the SDF Yamaguchi District Communication Division and the SDF Veterans Association of Yamaguchi prefecture for violating Article 20 of the Japanese Constitution (freedom of religion). The defendants had enshrined the deceased in the Yamaguchi prefectural *gokoku jinja* without the plaintiff’s permission. Nakaya won the first deliberation at the Yamaguchi District Court but lost in the Supreme Court on June 1, 1988.⁵⁹ Although these cases did not directly involve families of those enshrined at Yasukuni, they set a precedent for using legal means to protest against Yasukuni Shrine in particular and ties between Shinto and the state in general.

The war-bereaved families’ collective interest in using legal means to appeal to the shrine became apparent during the premiership of Koizumi Junichiro (April 26, 2001–September 26, 2006). When Koizumi announced his candidacy as a representative of the Liberal Democratic Party on April 11, 2001, Izokukai had been pressuring the LDP to resume prime ministers’ visits to Yasukuni Shrine. No prime minister had visited Yasukuni Shrine since Hashimoto Ryūtarō’s visit on his birthday, July 29, 1996. In mid-April, Koizumi publicly promised Izokukai that if he became prime minister, he

would make official visits to Yasukuni Shrine. On May 10, 2001, at a House of Representatives session, he made a public announcement that he planned to visit Yasukuni Shrine on the upcoming August 15.⁶⁰ The first lawsuits were thus not specifically about the removal of names; rather, they condemned Koizumi for making public visits to Yasukuni Shrine. But the issue of enshrinement without family approval was highlighted as a part of the legal proceedings that concerned Article 20 of the constitution. The proceedings problematized the process of gathering information for the enshrinement, during which the Ministry of Welfare provided data that had been compiled for Engohō purposes with regard to the shrine.

Even before Koizumi's first visit, Korean nationals sought legal recourse. A little less than 1 percent of those enshrined at Yasukuni (21,181) are Korean.⁶¹ The fact that there are Korean and Taiwanese nationals enshrined at Yasukuni became public knowledge as early as April 1978, when the shrine caused an uproar by sending enshrinement announcements to a number of Taiwanese war-bereaved families. At the time, several Taiwanese families protested the enshrinement and requested the removal of the names, but the movement was short lived.⁶² Koizumi's publicized stance toward Yasukuni Shrine revived the issue of colonial enshrinement. In June 2001 a group of Korean war-bereaved families filed a suit against the Japanese state in the Tokyo District Court. As a part of their demand for compensation, the plaintiffs pressured the state to withdraw from Yasukuni Shrine their relatives' "notice of war dead (*senbotsusha tsūchi*)" (the document that provides information about the deceased that is necessary for enshrinement).⁶³ This was not a straightforward demand for the removal of names. But without this information, Yasukuni Shrine would not have been able to enshrine these people. Therefore, if the information were to be taken away from the shrine, it could be argued that the names should no longer be included in its register.

That summer, Koizumi visited Yasukuni Shrine on August 13, not only disappointing the Izokukai members who wanted him to visit on the fifteenth but also generating intense contempt among the critics. The visit resulted in six separate lawsuits against the Japanese state, Koizumi, and Yasukuni Shrine in district courts in Osaka, Matsuyama, Fukuoka, Tokyo, Chiba, and Okinawa. Plaintiffs included war-bereaved families from Korea, Taiwan, and Okinawa. The focus of the case was the constitutionality of Koizumi's recent visit. But the discussion of the relationship between state and religion also raised the issue of Yasukuni enshrinement without the consent of the deceased person's family. The plaintiffs asserted that enshrine-

ment would not have occurred had the state not assisted the shrine by providing information.

The lawsuits also reveal the plaintiffs' narratives of victimhood. In many instances these narratives are complicated by the aggressive acts of the Japanese military, of which many Japanese war-bereaved were cognizant. For example, the testimony by a son of a soldier who died of illness in New Guinea in January 1944 conveys the father's complicated position: "To honor and appreciate the dead, who was a victim of the state and who was forced to die as a perpetrator in a war of aggression, as a heroic spirit is an abuse of the dead to justify the state's war crimes and to evade its responsibility for them. It is to doubly obliterate the dead."⁶⁴ In this testimony, the son acknowledges Japan's role as the aggressor in the war. At the same time, however, having been forced to fight and carry out war crimes, as well as having been enshrined against his will to justify Japan's war crimes, the father remains a victim of the state. In this scenario the Japanese state is the only party evading responsibility. Many maintain the stance that the wartime state was responsible, and the people were not only innocent parties but also the victims of the state. This position is based on a stark divide between the state and its people: The state is the perpetrator and the people are the victims; there are no gray areas in between. But this clear division between victim and perpetrator is not sustainable in an all-out war. This complex relationship that war-bereaved families perceive between their deceased loved ones and their role in the Asia-Pacific War is explored further in the Okinawan case given later.

Many war-bereaved Japanese passionately support Yasukuni Shrine, such as the widow referred to in the Introduction, who felt as though her body were being shredded to pieces upon hearing criticisms of the shrine. Koizumi hoped to appeal to people such as this woman with his pledges regarding Yasukuni Shrine. In the face of the legal challenges, Koizumi made a bold statement by visiting the shrine for the spring festival on April 21, 2002. He ensured publicity of his visit by alerting the media in advance and lingering at the shrine site for about an hour while waiting for more media to arrive before paying his tribute.⁶⁵ When asked to comment on the lawsuits filed against him, he responded, "There are strange people (*okashii hito*) out there. It's ridiculous."⁶⁶ His cavalier comment led to a civil suit in Osaka, in which plaintiffs demanded an apology and monetary compensation for defamation.⁶⁷

Koizumi's comment was certainly thoughtless. But his words, which demonstrate his unwillingness to understand others, are worth considering as

they can serve as a lesson in thinking about war responsibility. Takahashi Tetsuya, for example, notes that the concept of responsibility denotes a willingness to respond to others. He says this to motivate the younger generation in Japan to respond to the voices from the rest of Asia.⁶⁸ His point is certainly valid, important, and necessary. Yet, I want to suggest that there is another group of people to whom Yasukuni critics ought to respond to: war-bereaved families who rely on the shrine to help understand and bear their loss. Suggesting that the emotions of war-bereaved persons who support Yasukuni Shrine are based on the “alchemy” that the shrine had played on them takes away the real experience and the memory that these people maintain.⁶⁹ The voices of many war-bereaved persons demonstrate the emotional support they derive from the belief that their loved ones are at Yasukuni Shrine. Their perspectives are as valid as those that accuse the shrine of manipulation. My goal here is to examine the complex ways that experiences and emotions are remembered. Aspects of the controversy surrounding Yasukuni Shrine highlight this complexity. There is not one collective Japanese memory of the Asia-Pacific War; there is not a single correct way to remember the Asia-Pacific War.

Koizumi’s actions generated popular interest in Yasukuni Shrine. Visitors to the memorial increased dramatically; books and articles on the Yasukuni issue proliferated. The opening of a renovated and expanded Yūshūkan Museum in July 2002 contributed to this increased interest. Mass media dubbed the renewed attention the “Koizumi effect (Koizumi *kōka*).” Opponents waited two years to prevail. In April 2004 the Fukuoka District Court ruled that Koizumi’s visit was unconstitutional.

THE EMOTIONAL ISSUE VERSUS THE LEGAL ISSUE

A month after the Fukuoka decision, on May 13, 2004, the Osaka District Court rejected a case against Koizumi, Yasukuni Shrine, and the Japanese state.⁷⁰ The deliberation of this case demonstrates the difficulties associated with lawsuits based on intangible criteria such as impressions and emotions. For example, the plaintiffs for the case argued that prime ministers’ visits to Yasukuni Shrine give an impression that the shrine is of exceptional rank when compared to other Shinto shrines. It also gives an “impression to the society (*seken ippan no fun’iki*)” that one must not criticize Yasukuni Shrine’s doctrine, which glorifies war. Therefore, the visits contain a component of coercion that violates religious freedom. They further elaborated on the “impression to society” as follows: “This ‘impression to society’

sanctifies imperial ideology and hereditary emperors. This is a notion that is incompatible with democracy. [The ‘impression’] also approves the ‘Yasukuni ideology (Yasukuni *shisō*),’ which glorifies the act of dying at war for the emperor and the state. We must not overlook the fact that [the ‘impression’] is strongly supported by political authorities that seek to promote this ideology.”⁷¹

The plaintiffs argued that the function of Koizumi’s visits was to steer them toward a particular religion: a Yasukuni brand of Shintoism that they considered closely aligned with the pre-1945 State Shinto. They argued that, by justifying his action with the statement “It is natural to visit Yasukuni Shrine to mourn for those who sacrificed their lives for their nation,” Koizumi was forcing people to visualize a spiritual act of “mourning for those who sacrificed [their lives] for their nation.” His actions thus coerced people from Japan and beyond to accept the belief that it is natural to pay tribute to the war dead who are enshrined at Yasukuni Shrine.⁷²

The judges accepted Koizumi’s argument that the visit was personal because it was motivated by his own spiritual beliefs and was not based on a cabinet decision. At the same time, the court acknowledged the social influence of actions by a person with such high status. That is, a prime minister’s actions can have a much stronger and wider impact than an ordinary person’s (*ippan shijin*); thus, depending on the nature of the action, it is necessary to consider its social implications. Having clarified the social influence of a prime minister’s acts, the judges examined each of Koizumi’s actions during his visits, including the vehicles he traveled in, public statements, signatures in the registry, and donations. Of his individual actions, only his use of an official car and being accompanied by his secretary could be construed as public actions. However, both were deemed as sometimes being necessary for the private business of a prime minister. Thus, the judges ruled that Koizumi’s visits were private in nature and dismissed the case.⁷³

The plaintiffs appealed to the Osaka District Higher Court on September 30, 2005.⁷⁴ The plaintiffs’ demand for monetary compensation was dismissed, but the comments that accompanied the ruling made headlines. The judges cited the Fukuoka case as a precedent and ruled that Koizumi’s visits to Yasukuni were unconstitutional. The mainstream press, including the *Asahi* and *Mainichi* newspapers, applauded the decision. This trend overshadowed reporting on the actual ruling against the plaintiffs, who sought monetary compensation for emotional suffering. Conservative outlets such as the *Sankei* newspaper criticized the judgment as inconsistent with other rulings on religion and the state. In particular, *Sankei* compared this case

to the groundbreaking Supreme Court decision in the 1977 Tsu case, in which the court ruled that state support of Shinto-related rituals was constitutional. In the meantime, Koizumi's visits continued: He would visit the shrine three more times during his tenure as prime minister.⁷⁵

TAIWAN AND KOREA: LEGACIES OF THE COLONIAL PAST

Approximately 120 Korean and Taiwanese nationals were among the 639 plaintiffs in the first Osaka case (2001). Most were relatives of those who died as colonial subjects conscripted by the Japanese military during the Asia-Pacific War. The experience of Japanese colonialism makes the enshrinement of Koreans and Taiwanese in Yasukuni Shrine even more complicated and problematic for non-Japanese war-bereaved persons than for Japanese. For example, for Korean families the presence of relatives on the Yasukuni register perpetuates Japan's colonial legacy. During the first hearing at Osaka District Court on February 22, 2002, a Korean plaintiff pleaded: "What right does Yasukuni Shrine have? Whose permission did they get to make our compatriots into *eirei*? They force our family to work for them even after death. Please give us back our compatriots."⁷⁶ This statement highlights the military's control of the war deaths of former colonial subjects through Yasukuni Shrine. Furthermore, the anger expressed by the plaintiffs echoes repeated pleas by the Aizu people for permission to properly bury their dead.⁷⁷ From the Korean plaintiff's perspective, Yasukuni Shrine, and by extension the Japanese state, still maintains control over Korean nationals today through the spirits of their dead.

In the second case in Osaka, the Taiwanese plaintiffs argued that the inclusion of their relatives suggested that they agreed with Japan's waging of war.⁷⁸ The Taiwanese case is even more complicated than the Korean case because the attitudes of Taiwanese nationals toward Japan in general, and Yasukuni Shrine in particular, are starkly divided along political party lines. Parties that belong to the Pan-Green Coalition favor Taiwanese independence from the Republic of China. They promote a positive view of their colonial past under Japanese rule as a way to emphasize a history that is independent of Chinese influence. Thus, members of parties in this coalition support Yasukuni Shrine.⁷⁹ Members of the Pan-Blue Coalition, on the other hand, desire a Chinese nationalist identity and are highly critical of the Japanese colonial legacy. In addition, Japanese occupation was particularly harsh for Taiwanese aborigines, exemplified by the brutal response of Japanese troops to the Wushe Uprising in 1930.

Among the Taiwanese plaintiffs in the February 2003 case was the high-profile Gaojin Su-mei (Ciwas Ali), a member of the Atayal Tribe, legislator in the Taiwanese government at the time, and former film actor. As an independent, Gaojin usually aligns herself with the People First Party, which belongs to the Pan-Blue Coalition. Gaojin noted that even though she has not identified any relatives enshrined at Yasukuni, she joined the lawsuit as a part of her fight for aboriginal rights.⁸⁰ On June 14, 2005, she led a group of Taiwanese aborigines and attempted to conduct a ritual on the Yasukuni Shrine grounds to remove the spirits of their people from the shrine. Due to right-wing protests, the group canceled the ritual and instead conducted a press conference in front of Lawyer's Hall (Bengoshi Kaikan) in Kasumigaseki, where they also sung a traditional song for spirit retrieval.⁸¹ In response to the decision of the Osaka High Court, which ruled that Koizumi's visits were unconstitutional, Gaojin commented that they were not concerned with the constitutionality issue. "[Whether Koizumi's actions are] constitutional or not is an issue for the Japanese," she argued. "We are not invested in that. Our focus is for Japan to reflect on its past and to apologize and compensate for its actions. We also want Yasukuni Shrine to return to us the spirits of our ancestors enshrined there."⁸²

Earlier I mentioned the relationship between the documents that the war-bereaved military families filed for funds under Engohō and Yasukuni enshrinement. Taiwanese and Korean nationals did not qualify for a pension, so they did not compile any documents with the information necessary for enshrinement.⁸³ If Yasukuni Shrine personnel had conducted its postwar enshrinement based on Engohō documents, how were they able to include the names of Taiwanese and Korean military dead? Transcripts of Diet sessions reveal that there was strong interest in enshrining the colonial dead. Among the heated debates on ways to precipitate enshrinement (during which the possibility of assistance from the Japanese state was often mentioned), the topic of Taiwanese and Korean enshrinement occasionally surfaced. For example, during a session on April 12, 1962, Minister of State and Welfare Nadao Hirokichi noted, "I understand they [former colonial subjects] have not been enshrined." In response, House of Representatives member Ukeda Shinkichi argued that "[w]hether they are Koreans or Taiwanese today, they were members of the Japanese army when they died. How can we allow the fact that these *eirei*, who were Japanese soldiers at the time, are not enshrined at Yasukuni today?"⁸⁴ The language used in such discussions suggests that the enshrinement of former colonial subjects did not necessarily have the political motivation of symbolizing colonial power but

rather emerged from a strong sense of obligation to enshrine all who died during the war.

It is also clear, however, that Korean, Taiwanese, and Chinese opponents view Yasukuni Shrine as the symbol of Japanese wartime aggression. State support of Yasukuni Shrine is conflated, in these cases, with Japan's refusal to accept full responsibility for and compensate victims of its wartime aggression. This position, I would argue, is a conflation of the issue and the site. The removal of names is an act that should be demanded of Yasukuni Shrine, although given the status of Yasukuni Shrine as a private and religious institution, a lawsuit may or may not be the most efficacious strategy. At the same time, complaints against Japan's wartime actions in these countries should not be directed only against Yasukuni Shrine. The focus on Yasukuni Shrine, even with regard to issues of war crimes, obscures that the fact that the root of the problem is Japan's inadequate attempts at reconciliation.

COMMEMORATION VERSUS MOURNING

The first legal action focused solely on the removal of names from the Yasukuni register occurred in the spring of 2007, when a group of war-bereaved families filed a suit in the Osaka District Court. Prior to filing, the group requested in writing and in person that the shrine remove specific names from the register. Yasukuni Shrine rejected all of the requests. The plaintiffs' main argument neatly follows what Takahashi Tetsuya emphasizes as the main problem with Yasukuni Shrine: the difference between commemoration and mourning. As an expert witness at one of the hearings, Takahashi argued that the shrine's function is commemoration (*kenshō*) rather than mourning (*tsuitō*). According to him, those enshrined were forced to participate in an act that also involved a call to follow in the footsteps of those enshrined. State acknowledgment of Yasukuni enshrinement, then, signified Japan's intent for future rearmament.⁸⁵

For the plaintiffs, commemorating the war dead was a wrongful act. They argued that their relatives died a "dog's death (*inu-jimi*)" and that they died without good cause. From their perspective, the Japanese state forced innocent civilians into the military and compelled them to commit atrocities, while not supplying enough provisions for survival in many cases. They took issue with the expression "sincere gratitude," often used in discussion of those enshrined at Yasukuni, and demanded an apology from the state for forcing their relatives to participate in a wrongful war. "I cannot

comprehend why being killed would be considered a great deed,” noted a Buddhist priest whose uncle drowned when a transport ship sank in the fall of 1944. He believes that this idea resulted from a kind of mind control that was in place during wartime.⁸⁶ Some see their family members as both victim and aggressor. For example, Nishiyama Seiichi’s father died of wounds sustained in China. He suspects that his father wounded and killed Chinese people. For him, his father was a perpetrator in a war of aggression. But at the same time, he was a victim who was killed in war.⁸⁷ Here, too, the demand was for an apology rather than commemoration.

For the plaintiffs, commemoration of the war dead leads to the glorification of war and ultimately, a resurgence of militarism in Japan. Many people think that Yasukuni Shrine continued to commemorate war death in order to produce more people who would die for Japan.⁸⁸ Furthermore, many believe that Yasukuni Shrine has no right to retain control over the spirits of their relatives or to use them for propaganda. The plaintiffs argued that the shrine and the Japanese state must relinquish control over the spirits of their deceased family members because they opposed the state’s use of their loved ones for the purposes of propaganda.

On February 26, 2009, the court rejected every appeal by the plaintiffs. In the judges’ view the plaintiffs did not have a right to deny enshrinement of their family members and the damage the plaintiffs suffered was merely “emotions of displeasure.” Moreover, they ruled that there was no evidence of coercion or violation of human rights in the shrine’s act of enshrinement without permission.⁸⁹ While pointing out that “it is desirable as a social courtesy to obtain an agreement or consent from the family member when someone other than a family member of the deceased conducts an act of mourning etc.,” the court added that the family members of the deceased “did not have a right or legal interest to exclusively remember or memorialize the deceased and to reject such actions by others.”⁹⁰ Furthermore, the court emphasized, Yasukuni Shrine was operating within its own right to freedom of religion: “The act of enshrinement itself is an extremely abstract and conceptual one that involves the deification of gods. As such, it is an act that can be considered as freedom of religion. We did not observe a conflict of interests with others.”⁹¹

It is possible to construe the act of enshrinement as abstract and conceptual. No physical artifacts are involved in the act of enshrinement. If one does not subscribe to the belief that enshrinement collectively deifies the spirits of the war dead, it is possible to argue that there are no spirits at Yasukuni Shrine and that the shrine holds no power over the deceased or their families.

It is also possible to argue that things such as *eirei* do not exist and to ridicule the idea that, after enshrinement, all of the spirits are merged into one deity. Additionally, one could argue that, after enshrinement, it is impossible to remove a specific individual.⁹² At the same time, however, the problem of names on the register remains. Journalist Tanaka Nobumasa argues that even though the act of enshrinement may be an abstract one for the shrine, it is not for the bereaved families, who are distressed that their loved one—not an abstract concept—is being commemorated as *eirei*.⁹³ Tanaka further maintains that the shrine uses the spirits of the deceased in its activities. “Throughout the year, Yasukuni Shrine hosts various festivals of differing scales in order to revere and console (*hōi suru*) the approximately 2,466,000 gods enshrined here.”⁹⁴ The constitution protects the right of both the individual and the shrine to exercise the right to freedom of religion. Its interpretation does not resolve cases in which two parties are in conflict over their right to religious freedom. Moreover, Tanaka contends that the shrine uses names of individuals without their consent (although the names are never made public) in the expression of its religious beliefs. The different ways in which the various parties respond to Yasukuni enshrinement demonstrate the variety of emotions and interpretations attached to the institution. The incompatibility between these opinions generates animosity both within Japan and abroad. Indeed, they are political issues. At the same time, for the families and others involved, they are more than political issues. Thus, first steps toward resolution are to conceptualize the differences and to formulate ways to negotiate them. These steps require a measure of detachment from entrenched political stances, recognizing that pain underpins both positions and empathizing with the pain of the opposing side.

OKINAWA: THE PROBLEM OF CIVILIAN *EIREI*

I now turn to the Okinawa court case to examine another consequence of the collaboration between the Ministry of Welfare and Yasukuni Shrine: civilian *eirei* who were enshrined in the absence of any association with the Japanese military. On October 26, 2010, Naha District Court rejected a suit filed by five Okinawans against Yasukuni Shrine and the Japanese state. Titled “We will not forgive collective enshrinement from Okinawa (Okinawa *gōshi gattin naran soshō*)” and filed on March 19, 2008, this case demanded that the names of the plaintiffs’ relatives be removed from Yasukuni’s register and that a payment of one hundred thousand yen be made to each plaintiff in compensation for pain and suffering.⁹⁵ The court rejected both demands.⁹⁶

Among the ten names that the plaintiffs demanded be removed from the register were those of seven civilians who were enshrined as *jun-gunzoku* (secondary affiliates of the military).⁹⁷ More than half of the 103,565 Okinawan names registered at Yasukuni Shrine as *eirei* of the Asia-Pacific War are those of civilians. Indeed, Yasukuni Shrine emphasizes the fact that it enshrines the deaths not only of Japanese military personnel but also of those who died in war, such as nurses, students who were mobilized for the war effort, and people who were affiliated with the military.⁹⁸ The Okinawan case is remarkable, however, because of the disproportionately large number of civilians who were enshrined and because of the presence on the register of people who obviously were not affiliated with the military, including infants and elderly persons.⁹⁹ How had this happened? The deification of Okinawan civilians was also a result of Engohō. When it was established on April 30, 1952, Engohō was not applied to Okinawa. But as a result of lobbying by the Association of Ryūkyū Bereaved Families, the government made Okinawa eligible for Engohō in August 1953.¹⁰⁰ Since Okinawa was the only prefecture to experience an Allied land invasion, Engohō was further expanded in May 1958 to include Okinawan civilians who cooperated with or assisted the Japanese military.¹⁰¹ If a civilian assisted the military in one or more of twenty categories of “war cooperation and war participation” designated by the Ministry of Welfare, the individual was eligible for a pension. Categories included obvious ones such as “participation in direct combat” and “transportation of ammunition, supplies, and injured troops,” as well as items that allow for wider interpretation, such as “provision of food items,” “offering shelter,” “collective suicide,” “death due to suspicion of spying,” and “acting as a guide.” Names of and relevant information about those applicable were entered into the War Dead Questionnaire (*senbotsusha chōsa hyō*). Just like all of the other documents filed in prefectures when a war-bereaved military family applied for a pension, the Okinawan documents were submitted to the Ministry of Welfare and then sent to Yasukuni Shrine.

The expanded Engohō was a valuable system for the Okinawans, who struggled tremendously in the immediate postwar years to rebuild their lives. Numerous residents therefore applied for a pension. Many believed that they could not have raised their children without it.¹⁰² The application process, however, often resulted in retelling and forging personal narratives to make the applicant eligible for the funds. For example, one woman submitted an application detailing her experience of losing two young children when the house they evacuated to was hit by enemy fire. The city clerk advised her to

revise her narrative. “People at the Ministry of Welfare are not going to qualify you for funding with this [narrative]. You should write that you evacuated to a cave . . . and that you left the cave when the Japanese military requested you hand over the cave for their operation. You should write that your children died less than twenty-four hours later.”¹⁰³ The clerk was advising the applicant to construct a narrative in which her children died in the service of the military. The rewriting of the narrative transformed her children from victims of enemy fire to patriots who sacrificed their lives for the cause of the nation.

Such rewriting of the past to qualify for financial support was common practice for postwar Okinawans. These revisions did not occur only in instances in which civilians died due to enemy attacks but also in many civilian deaths in Okinawa that had resulted from heartless operations by the Japanese military. The Ministry of Welfare staff closely inspected these applications and returned the paperwork to the Okinawan municipalities if they determined that the narrative merely demonstrated a kind of passive cooperation (*shōkyokuteki na kyōryoku*). Even at the ministry level, the staff suggested ways to rewrite the document so that the applicant could become eligible for the financial compensation. The following is one such comment attached to a returned application:

The request for condolence money for a battle supporter (*sentō kyōryokusha*) listed on the attached document was returned from the Division of Inspection. It is assumed from the circumstances of the battle, however, that the deceased did not merely engage in the items listed but also participated in activities included in the “list of eye-witnessed accounts (*gen’in shōmei jikō ran*).” If the death did indeed result from such active battle support (*sekkyokuteki sentō kyōryoku*), a document by an eyewitness is necessary. It is believed that multiple people would have observed activities such as those included in the list of eye-witnessed accounts at the time. If so, please make the appropriate arrangements.¹⁰⁴

This comment, while rejecting the application as inadequate, clearly instructs the applicant on specific ways to revise it. The “list of eye-witnessed accounts” refers to the twenty categories of civilian “war cooperation and war participation” mentioned earlier. Many Okinawans who were chased out of the caves where they were hiding were advised to report that they offered their evacuation site to the Japanese military. In many instances, it was the city clerk (as in the case mentioned earlier) or members of the Prefectural

Association of War-Bereaved Families (Ken Izoku Rengōkai) who advised the residents to modify their account to make themselves eligible for the fund. But such acts of kindness resulted in a gross misrepresentation of the civilian experience in Okinawa during wartime. While the Association of War-Bereaved Families considered Engohō as compensation by the state, the forging of the narratives resulted in the transformation of Okinawan civilians into cooperators with the Japanese military.¹⁰⁵ This process resulted in the enshrinement of 55,724 civilians at Yasukuni.

These revisions, while allowing monetary relief for the Okinawans, also left feelings of contempt. “Since I lost my left leg in the war, I am entitled to compensation,” said one Okinawan whose left leg was amputated when he was ten years old as a result of a wound he sustained during the war. He applied to the relief fund and qualified by testifying that he had once given a piece of a potato to a Japanese soldier. His documents listed his cooperation as “supplying of provisions.” He was unable to come to terms with the idea that he had assisted the military, however. “Engohō’s categorizing of a civilian as a [military] supporter aestheticizes warfare,” he argued.¹⁰⁶

The process of crafting a narrative to earn eligibility for Engohō compensation created obstacles to remembering the actual experiences of civilians in Okinawa during the war. As we have seen, many revised their narratives in order to qualify for the compensation. But many others refused and did not receive state compensation. Even though they acted on principle, the experience left them with contempt for not only the Japanese state but also for neighbors who fabricated testimonies and received financial assistance. Whether a family received funds or not created a dual structure among the survivors that produced difficulties among Okinawans to maintain a collective memory of their experience.¹⁰⁷ The revised narratives also enabled the Japanese state to legitimize civilian deaths. According to the official narrative of the Japanese state, these Okinawans died courageously while assisting the military and therefore were recognized by the state through the Engohō, which treated them as equal to military dead.

OFFICIAL HISTORY, CIVILIAN EXPERIENCE, REVISED TESTIMONY

The number of civilian deaths from air raids and naval artillery attacks for all of Japan (excluding Okinawa) is approximately three hundred thousand.¹⁰⁸ But the civilian death toll for Okinawa is close to one hundred thousand in spite of Tokyo’s prior knowledge of the Allied invasion plans.

Several factors account for this high civilian death toll. First, civilians were mobilized to assist in the construction of *tokkō* air bases into the last months of the war, and most were unable to evacuate. Approximately 490,000 civilians were trapped on the islands when the Allies landed on March 23, 1945. Further, Tokyo mandated a prolonged battle for Okinawa and ordered the military to seize supplies from civilians. Strategies for Okinawa also eliminated the distinction between military and civilian whenever convenient. Tokyo ordered the “unification of military, government, and people (*gun-kan-min kyōzei kyōshi no ittaika*).” Okinawa’s colonial history (the Ryūkyū kingdom was forcefully incorporated into Japan as Okinawa Prefecture in 1879) also affected the military’s treatment of Okinawans generally. As historian Ishihara Masaie demonstrates, the Japanese military historically was advised to be particularly wary of Okinawan conscripts as they were ignorant of concepts such as the imperial family and national polity; were lazy, slow, and selfish; lacked integrity; made a habit of stealing; and had low morals.¹⁰⁹

A large proportion of the one hundred thousand civilian deaths resulted from what is referred to as “mass suicides (*shūdan jiketsu*).”¹¹⁰ According to the official history of Okinawa, compiled by the Japanese Ministry of Defense, the mass suicides occurred “due to the [residents’] strong belief in the idea of ‘all one hundred million as special forces (*ichioku sō tokkō*),’ which resulted in their reluctance to surrender to the enemy even as non-combatants.”¹¹¹ The official history thus presents the tragedy as a consequence of the Okinawan civilians’ strong belief in the state ideology, which encouraged death over surrender. But the mass suicides that the official history described as the “noble spirit of sacrifice” were in fact murders of family and friends enforced by the military. Okinawan civilian casualties also resulted from not only enemy fire and willing self-sacrifice but also heinous actions by the Japanese military. According to civilian testimonies, the Japanese troops tortured and killed numerous Okinawans who were suspected of spying for the Allied forces. Japanese troops killed many more in order to steal their supplies or appropriate their hiding places. In short, the term “mass suicide” is a euphemism for Japanese troops’ killings of Okinawans.¹¹²

Similar discrepancies exist for all twenty categories of “cooperation and participation.” For example, the category “offering of the shelters” was the euphemism for death due to “exposure to bombardment, machine gun attacks, or gasoline fire” conducted by Japanese troops to take shelters away from the civilians.¹¹³ Such occurrences were particularly common in the heavily attacked southern areas, where lack of access to a shelter was a death

sentence. But bereaved family members were instructed to revise the incident in a narrative that suggests that the victim willingly cooperated with the military, evacuated the shelter, and was fatally wounded by enemy fire while searching for other protection.¹¹⁴ “Offering of food” was a result of pillaging by the soldiers, who did not receive sufficient provisions from the mainland. The reason offered for the accusations of civilian spying is that these persons died to maintain military secrets. (But in fact, they were killed by the military.)¹¹⁵ The noble civilian “suicides” were, in reality, forced deaths. Numerous testimonies from Okinawa narrate the experience of families and neighbors sitting in a circle, each holding a hand grenade and being coerced by the neighborhood group leader to kill themselves with it. Other accounts by civilians relate that they had witnessed their mothers killing their younger siblings and that the mothers intended to take their own lives after first putting their children to death. The killing of family members, neighbors, and friends in response to the instructions and commands of the Japanese military was also rewritten as “voluntary deaths for the country (*junkoku shi*).”¹¹⁶ Testimonials documented in Engohō applications belie these tragedies, however. For example, the prevalence of the phrase “mass suicide” rather than “forced mass death (*kyōsei shūdan shi*)” obfuscates the reality of the Okinawan experience.

Thus, contempt for the Japanese military and the state is much stronger in Okinawa than in the rest of Japan. Many Okinawans who encountered Japanese troops during battle regard the military as the enemy for having killed Okinawan civilians and also having forced them to kill themselves. Others, whose family members died as Japanese troops, consider the Japanese military as the institution that forced their loved one to fight and, as a result, to die, only to have their names added to the Yasukuni register. This contempt for the military is compounded by the general mistrust of mainland Japan and by Okinawa’s prolonged occupation by the US military, whose policy was to treat Okinawans as non-Japanese.¹¹⁷

In spite of this widespread contempt, visits to Yasukuni Shrine resumed shortly after trips from the rest of Japan, with the first postwar group visit taking place on October 14, 1953. Thereafter, groups of Okinawans visited twice a year for the semiannual festivals and, from 1955 on, three times a year, with the addition of summer visits. Okinawa’s relationship with Yasukuni Shrine was the same as that of other prefectures. Documents with the names of the deceased to be enshrined traveled from the prefectural government to the shrine. Bereaved family members received a subsidy for travel. According to a Diet transcript on May 23, 1956, a leader of an Okinawan

battlefield tourism group testified that “[The Okinawan people] seem to strongly desire the enshrinement of their loved ones at Yasukuni Shrine. Bereaved families have already participated in group tours of 30 or 50 people to pay tribute to Yasukuni Shrine.”¹¹⁸ The Okinawa Area Headquarters of the Association to Support Yasukuni Shrine (Yasukuni Jinja Hōsankai Okinawa Chihō Honbu) opened in October 1957. Personnel from Yasukuni Shrine, alongside representatives of the Japanese state, attended a prefectural memorial service in January 1958.¹¹⁹ The main hall of Okinawa Gokoku Jinja burned down during the war; its reconstruction was completed in April 1959.¹²⁰

The relationship between Okinawans and Yasukuni Shrine in the immediate postwar years suggests that not all Okinawans held the state or the shrine in contempt. As with the rest of Japan, the surviving family members’ feelings about the shrine are as varied as their war experience (were they willing participants, or were they forced to comply?) and their postwar experience (did they come to believe that they were deceived by the government?). Both collective and personal memories of the war also vary based on individual experiences and are further reshaped through official narratives constructed after the war, as well as the creation of personal narratives for Engohō. But Okinawans’ colonial and postcolonial experiences added variation and specific emphases in the emotional content of their war memories, further complicating their relationship to the wartime past. For some Okinawans, seeking legal redress is an attempt to hold the Japanese state responsible for the brutality of their war experiences.

THE COURT CASE: A PROCESS OF MOURNING OR PERSONAL POLITICS?

In the “We will not forgive” case, the plaintiffs faulted the shrine for including the names of their family members in the register without their consent and for refusing to comply with their requests for removal of the names. They also sued the Japanese state for violating Article 20, item 3, and Article 89 of the constitution by providing information and financial support for enshrinement without the consent of the deceased’s family.¹²¹ They further argued that the shrine and the state violated personal rights such as “freedom of mourning” (*tsuitō no jiyū*), resulting in emotional damage. The plaintiffs had made prior requests to the shrine. For example, on September 4 and November 13, 2007, leader Kawabata Kōzen had requested that

the shrine remove the names of his mother, Kawabata Ushi, and his older brother, Kawabata Kōei. The tone of the shrine's response was more strident than it had been in responses to requests made in the preceding decades (quoted earlier): "[T]he shrine does not obtain permission from family members prior to enshrinement. Yasukuni Shrine is entitled to freedom of religion and will not respond to the request for removal of names."¹²² The other plaintiffs received the same response to their requests.

Plaintiffs argued that "freedom of mourning" is a personal right. According to the plaintiffs, freedom of mourning should include the freedom of "spiritual work such as the method by which to memorialize a close relative without disruptions from others."¹²³ They maintained that the shrine was violating this freedom by enshrining their family members without consent, by continuing to reject requests for the removal of the names, and by preventing them from remembering their losses in peace. As victims of the Battle of Okinawa, they argued, they could not bear the thought of their family being honored as *eirei* who served Japan by providing assistance to the former Japanese military, an institution that they considered the perpetrator of violence and injustice against them.¹²⁴ Finally, they argued that the enshrinement of Okinawan victims as *eirei* aestheticizes militarism, thus opening the possibility of future rearmament, a position similar to those presented in the Korean and Taiwanese cases discussed earlier.¹²⁵ For the plaintiffs, the act of mourning the dead was personal. Thus the enshrinement of their loved ones at the shrine, an institution that shared nothing in common with them, was an act that tremendously disturbed their freedom to memorialize their loved ones.

The defendant (shrine) maintained that the case had no legal standing since the "register is one component of the enshrinement process (*gōshi*), which is a religious act [conducted by the shrine]. Acts such as entering names in the register and making decisions about whether or not to obtain permission from family members are issues that are concerned with the shrine's religious doctrine." The defense argued that the plaintiffs' intent was to obtain a judicial ruling on the doctrine of the shrine and that the erasure of names of the enshrined deities from the shrine register was "a deplorable act that should never be committed against the holy deities."¹²⁶ They maintained that the suit should be dropped in order to guarantee freedom of religion. They further insisted that the shrine did not violate the plaintiffs' freedom of religion because the only contact it had with the bereaved family was to notify them of the enshrinement of the dead. The shrine "never

forced the plaintiff to participate in the religious activities, rites or events that they conduct, nor do they prohibit, restrict, pressure or interfere with the religious beliefs and actions based on such beliefs.”¹²⁷

The court ruled against the shrine’s demand that the case be dropped. But the judge’s ruling was in favor of the shrine. Namely, although the plaintiffs’ emotional distress was reasonable, it would be a violation of the shrine’s right to freedom of religion to rule that the defense had infringed on the plaintiffs’ legal right due to incompatible beliefs.¹²⁸ Thus, the court maintained that if it can be ruled that the shrine violated the Okinawans’ freedom of religion through the shrine’s religious act (enshrinement of the deceased), then it can also be argued that the Okinawans would be violating the shrine’s freedom of religion by interfering with its religious act. The ruling also rejected the plaintiffs’ complaint against the Japanese state by accepting the state’s insistence that supplying names and information to the shrine was a routine act performed by the government in response to a legitimate request.¹²⁹ The plaintiffs accused the court of making a “ruling that covers up the state’s crime of glorifying war.”¹³⁰

These rulings illustrate the difficulties of using a legal framework to argue a case that can be construed as primarily an emotional one. In these cases the judges used legal reasoning to decide whether the shrine, the Japanese state, or Koizumi had violated the constitution. The rulings on the separation of state and religion, which some courts found Koizumi to have violated, is more straightforward than those on the right to freedom of religion, which matters the most in cases concerning *izoku* opposition to Yasukuni enshrinement. In adhering to the constitution, the court maintained that the right to freedom of religion must be guaranteed to all Japanese, including individuals and religious organizations.¹³¹ However, as a result, all of the parties were left feeling deprived of their freedom.

In the discussion of these court cases, my intention is not to identify problems with the legal procedure. Rather, I am interested in the plaintiffs’ personal testimonies. In many cases, their understanding of the significance of Yasukuni enshrinement is what mattered most to them. In the Okinawan case, the plaintiffs opposed the idea that enshrinement of their family members signified that they willingly cooperated with the Japanese military, when in fact they considered themselves victims of the military.¹³² In the Korean and Taiwanese cases, the plaintiffs took issue with the idea that their military dead continued to be imprisoned and controlled by Japanese militarism, and, by extension, the living, too, were under Japanese control. The absence of information on the deceased’s religious and political beliefs

about enshrinement further complicates many of these cases. For example, in the Yamaguchi Self-Defense Forces case, the judge challenged the validity of the widow's using her Christian beliefs to argue her case, given that her deceased husband was not a believer.

Some bereaved families that participate in the lawsuits acknowledge that their enshrined family member probably anticipated Yasukuni enshrinement but insist that if they had lived on into the postwar years, they would have changed their minds. One Buddhist plaintiff contended that Yasukuni took away the Shin belief from his father and his brother. For him, the process of trying to remove them from Yasukuni meant not only deleting their names from the shrine's register but, at the same time, helping to restore their right to freedom of religion.¹³³ Another plaintiff talked about what his uncle might have become had he lived: "If my uncle had survived, there would be opportunities and possibilities for him to grasp the cruelty of the war that he was forced to collaborate in. But that opportunity has been taken away from him forever."¹³⁴

Many argue that those who support Yasukuni are blinded by the persistent ideology of the wartime state and that they are conditioned by the "emotional alchemy." Sugahara Ryūken, a Buddhist plaintiff who observed Nakasone's visit to Yasukuni Shrine, expressed his disbelief when witnessing other bereaved family members welcoming Nakasone with applause. He argued that since the dead are victims of the state, it is an "inversion (*tōsaku*)" for their families to welcome the prime minister. According to Sugahara, this is because the bereaved families, along with the majority of Japanese, are imprisoned in a "cell named Yasukuni (*Yasukuni no ori*)" without being aware of that fact.¹³⁵ In his writing, he refers to this episode to question the bereaved families: "The war dead were forced to sacrifice their lives for the state's selfishness. How can the families allow such a deceitful act?"¹³⁶ He repeatedly but unsuccessfully requested the removal of his father's name from Yasukuni. He was infuriated when one deputy priest told him that his father might be pleased about his enshrinement.¹³⁷

While those active in bringing cases against Yasukuni Shrine are justified in pursuing the removal of the names of their family members, they overreach when they criticize the feelings of other bereaved families. Is there only one way to grieve? If Yasukuni's critics demand freedom of religion or of memorial for themselves, should the same right not be protected for others? It is possible that, for many families left behind, the commemorative aspect of Yasukuni enshrinement—the idea that the death was for a cause—facilitated their process of mourning. The issue of Yasukuni is

tremendously complex because it is also about memorializing lives lost in a wrongful war. It is a difficult issue to resolve because Yasukuni Shrine is not only a political and legal problem but also a war memorial. Here again, it is important to separate the issues. Japan as a nation and the Japanese as a people are responsible for negotiating a form of reconciliation that is acceptable to the nations and the peoples that they victimized. In the process, it is useful to understand the role Yasukuni Shrine played to promote a collective identity among the wartime Japanese, one that mobilized them for all-out war. At the same time, focusing on Yasukuni Shrine alone obstructs the process of reconciliation. For Yasukuni's opponents, the shrine justifies Japanese people's unwillingness to be held accountable for their nation's wartime actions. For if the people truly were deceived by the shrine, they are not responsible for acting on postwar reparations.

When discussing its postwar history, Yasukuni Shrine refers to Father Bruno Bitter, a Vatican envoy to Japan whom the SCAP had consulted when deliberating on the fate of the shrine. According to the shrine's history, Bitter heroically saved the shrine from demolition by arguing that every nation has the right to memorialize those who fell for a national cause. However, the shrine's statement omits the sentence I quoted in the epigraph: "If it is true that Yasukuni Shrine is the core of State Shinto and the source of a misguided nationalism, what we must abolish is the system called State Shinto and not Yasukuni Shrine."¹³⁸ Bitter optimistically believed that Yasukuni Shrine could be freed from State Shinto, with which it was intricately intertwined. Yet the connection between Yasukuni Shrine and State Shinto remains strongly present in the minds of the war bereaved regardless of whether they are opposed to the enshrinement of their family members.