HISTORY

Winner's Justice

THE SOURCE: "The Trial of General Homma" by Hampton Sides, in ***American Heritage***, Feb.–March 2007.

Tall, English-speaking, and aristocratic, General Masaharu Homma was a familiar figure in English society before Pearl Harbor. Openly pro-Western, he had lived in Oxford, London, and India; met Gandhi, Churchill, and Mussolini; and been escorted to the top of the Empire State Building by Mayor Fiorello La Guardia. A brilliant student and friend of writers, painters, and dramatists, he lacked the temperament for the military career that family tradition required him to pursue.

Nevertheless, in April of 1942 he succeeded in wresting the Philippines from General Douglas MacArthur, becoming the only Japanese general ever to decisively defeat a U.S. army. When the Americans surrendered, about 70,000 starving and malarial men staggered out of the jungle into prisoner of war compounds administered by a much smaller force of Japanese, also short of food and medicine. The movement of this unexpected number of POWs to a concentration camp some 60 miles away became universally known as the Bataan Death March, conducted with unimaginable cruelty. About 10,000 U.S. and Filipino soldiers perished.

Three months after World War II ended, as the Allied forces were beginning to prepare cases against government leaders such as Prime Minister Hideki Tojo in Tokyo, Homma stood before a five-man U.S. Army tribunal in Manila and was charged with 48 counts of violating the international rules of war. MacArthur himself selected "the venue, the defense, the prosecution, the jury, and the rules of evidence in the trial of a man who had beaten him on the battlefield," writes Hampton Sides, author of *Ghost Soldiers* (2001). "The army would not unilaterally administer a war crimes trial like this until the cases now being prepared for the Iraq and Afghanistan war detainees at Guantanamo."

Day after day, prosecutors introduced descriptions of beheadings, live burials, shootings, and acts of gratuitous torture on the Death March route, which was within 500 feet of Homma's headquarters. At first, Homma shook his head, but after several days he took out his handkerchief and wept.

No evidence was presented that Homma knew of the atrocities, though an American master sergeant testified that he saw Homma in an official car on the Death March route. Homma's subordinates told the court that the general had tried to improve conditions for the prisoners of war. When Homma was informed of the dire conditions in the camp, he relieved the camp commander, freed great numbers of Filipino prisoners, and approved a plan for improving sanitation, installing water pipes, and attempting to procure more food. He received only "one-thirtieth of what was requested."

Taking the stand, Homma testified that he neither knew about nor condoned—let alone ordered—any of the crimes with which he was charged. He told the tribunal that he was not allowed to select his own staff officers and could rarely interfere with subordinates' work. Staff officers, he said, would not presume to distract a commanding general with minutiae. His own army was running out of medicine and food and did not have enough for the prisoners.

On February 11, 1946, Major General Leo Donovan, handpicked by MacArthur to head the tribunal, read Homma the guilty verdict: "The Commission sentences you to be shot to death with musketry." The U.S. Supreme Court refused to intervene in the case, although two justices strongly dissented, with Justice Frank Murphy suggesting that the government was descending to the level of "revengeful blood purges." When Homma's wife appealed personally to MacArthur, he responded that the general's crimes "have become synonyms of horror and mark the lowest ebb of depravity of modern times." Fourteen days

later, Homma was executed by an Army firing squad.

Robert Pelz, now 88, is the last surviving member of Homma's legal defense team. He believes Homma did not receive a fair trial. But that doesn't mean he was morally innocent. "I'm convinced that he was not aware" of the atrocities, Pelz says, but "as the military commander he *should* have known." Brilliant, well educated, and patrician, "he should have sought out that intelligence. He of all people."

HISTORY

The Shining Factory Upon a Hill

THE SOURCE: "Beyond 'Voting With Their Feet': Toward a Conceptual History of 'America' in European Migrant Sending Communities, 1860s to 1914" by Max Paul Friedman, in ***Journal of Social History***, Spring 2007.

Over the centuries, the European peasants who stayed behind when their neighbors boarded ships for America developed strong views about the New World: It was a distant, rough, demanding land. People could get lucky and strike it rich. Quite a few would give up in disgust and come back with a bad attitude. Refinement would be lost, morals often undermined. America as a society was "immediate and present" to ordinary Europeans, writes Max Paul Friedman, a historian at American University. Letters, songs, games, slang, epithets, dictionaries, even place names flesh out a "history of concepts" about the United States that were remark-

EXCERPT

Legacy of the Frontier

We came as pioneers, we worked extremely hard, for a time we prospered; then the old folks died and their children died; little by little the hard-acquired land got sold and vanished, making it a close question as to what exactly we won. Strong lives, I suppose.

—**LARRY MCMURTRY**, author of 29 novels and other works about the American West, quoted by Hillsdale College vice president Douglas A. Jeffrey in ***Claremont Review of Books*** (Spring 2007)

This sod house on the North Dakota prairie sheltered John and Marget Bakken and their children, Tilda and Eddie, shown here about 1896.