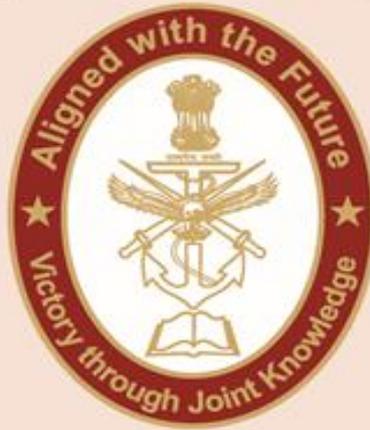


CENTRE FOR JOINT WARFARE STUDIES



CENJOWS

INDIA, JAPAN AND 15TH AUGUST

BY

LT COL NIKHIL KAPOOR

1. The Indian Independence Day is celebrated on the 15th day of August. Why did India become independent on this date? There are few other countries which share same day of independence as ours. These are Congo in Africa which gained independence on 15th Aug 1960 after 80 years under French rule. Korea's independence from 35 years of Japanese colonization happened on 15th Aug 1945. Bahrain declared its independence on 15th Aug 1971 from the British following a UN survey. Linchestein, a small country in Europe celebrates its independence from German rule since 15th Aug 1866.

2. When in 1947, Lord Mountbatten as the last viceroy of India was tasked to plan out the independence, he chose 15 Aug as the date because it was the second anniversary of Japan's surrender. The date had a personal appeal for Mountbatten as he had been Supreme Allied Commander of South East Asia Command and had accepted the Japanese surrender himself in Singapore. The atomic bombs were dropped on Hiroshima and Nagasaki on 06 Aug 1945 and 09 Aug 1945

respectively. On 15th Aug 1945, Japanese emperor Hirohito at noon, announced on the radio for the first time Japanese surrender. The surrender of imperial Japan was formally signed on 02 Sep 1945 bringing the hostilities of World War II to an end. This great landmark event in the viceroy's career in 1945 was the reason for him to choose 15th August in 1947 as the day of independence for India.

3. How is 15thAug then remembered in Tokyo ? The day is remembered as '*the day for mourning of war dead and for peace*'. The leaders incl prime minister, cabinet ministers and officials assemble at the Yasukuni Shrine to pay tributes. Yasukuni Shrine is a world famous Shinto shrine and houses a museum in memory of the war dead who served the Emperor of Japan during wars. It's a sacred place for the Japanese. There are significant controversies and criticism especially from China and South Korea for the Japanese honouring their war dead, who are regarded as war criminals by the outside world. Japanese authorities have been criticized for being revisionist regarding the events of second world war.

4. The Indian connect with the Yasukuni Shrine is that it houses a monument as the memorial of an Indian Jurist, Justice RadhaBinod Pal, who is held in great respect and distinction by the Japanese. Radhabinod Pal was one of the judges (Indian member) at the 'International Military Tribunal for the Far East' (IMTFE or Tokyo Trials) held in Japan in 1946 to judge those Japanese officials and officers charged by the Allies as Class A War Criminals. Pal, was a specialist in international law and his views on the accused, the charges, the prosecution, and the trial itself, were marked by his unique specialization. Unlike his colleagues, Pal questioned the very legitimacy of the trial itself, and found himself forced to conclude, "*I would hold that each and everyone of the accused must be found not guilty of each and everyone of the charges in the indictment and should be acquitted of all those charges.*" Pal wrote his own dissentient verdict wherein he explained his position, meticulously documenting each and every point of disagreement and providing a detailed history of the War back through Japan's involvement in China in the 1920s. For his pains and efforts, after the trial his views were censored, his verdict lay

unpublished, and his arguments went unheard. Only in the past few years has *Pal's Judgment* come to be disseminated, though it is still virtually unknown in the West. Eleven countries (Australia, Canada, China, France, India, Netherlands, New Zealand, Phillipines, Soviet Union, UK and US) provided judges and prosecutors for the court. Among all the judges of the tribunal, he was the only one who submitted a judgment which insisted all defendants were not guilty.

5. Following the war-crimes trials, he was elected to the United Nations' International Law Commission where he served from 1952 to 1966. In 1966, the Emperor of Japan conferred upon Pal the First Class of the Order of the Sacred Treasure. Pal is revered by Japanese nationalists and a monument dedicated to him stands on the grounds of the Yasukuni Shrine. The monument was erected after Pal's death. Judge Pal's dissent is frequently mentioned by Indian diplomats and political leaders in the context of Indo-Japanese friendship and solidarity.

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